

PENNSYLVANIA BULLETIN

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for the Environmental Quality Board
Hazardous Waste Management

Part I

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

No. 261, August 1996

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BULLETIN

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Pennsylvania Bulletin

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

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

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the 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*.

There are no restrictions on the republication of official documents appearing in the *Pennsylvania Bulletin*.

Adoption, Amendment or Repeal of Regulations

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

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

The agency then allows sufficient time for public comment before taking final action. An adopted

proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, they must re-propose.

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*.

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. Source Notes give you the history of the documents. 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*.

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

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Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide 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 five 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 five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where "no fiscal impact" is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

List of Pa. Code Chapters Affected

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THE GOVERNOR

PROCLAMATION

Proclamation of Disaster Emergency

Whereas, ongoing investigations made at my direction have disclosed that widespread and unusually high winds and heavy rains in parts of Blair, Clarion, Crawford, Greene, Indiana, Jefferson, Mercer and Venango Counties on or about July 19, 1996, have resulted in extensive damage to roads, streets, bridges, private homes, businesses, and other adverse impacts upon the general population of that county; and

Whereas, the emergency situation has been of such magnitude and severity as to render essential the Commonwealth's supplementation of county and municipal efforts and resources and the activation of all applicable state, county, and municipal emergency response plans.

Now Therefore, pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S. Section 7101 et seq.), I do hereby proclaim the existence of a disaster emergency in the affected counties of Blair, Clarion, Crawford, Greene, Indiana, Jefferson, Mercer and Venango, and I direct all Commonwealth departments and agencies to utilize all available resources and personnel as is deemed necessary to cope with the magnitude and severity of this emergency situation.

Further, I hereby transfer up to \$1,000,000 in unused appropriate funds to the Pennsylvania Emergency Management Agency. The aforementioned funds shall be used for disaster-related expenses incurred by various state agencies and departments. These funds shall be credited to a special account established by the Office of the Budget. The time-consuming bid and contract procedures and formalities normally prescribed by law shall be waived for the duration of the Proclamation, mandatory constitutional requirements excepted.

Further, I hereby authorize the Secretary of the Department of Transportation to use all available equipment, resources, and personnel of the Department, in whatever manner that he deems necessary, to ensure that all state highways in the disaster affected areas are cleared of debris and any other obstructions resulting from this severe storm. In addition, I hereby waive any laws or regulations that would restrict the application and use of the Department's equipment, resources, and personnel to assist local jurisdictions in clearing and removal of debris and other types of obstructions from non-state-owned highways. This assistance to local jurisdictions may be provided solely at the discretion of the Secretary of the Department of Transportation. However, this assistance does not apply to privately owned highways, roads, streets, or other types of property.

Further, I hereby authorize the Secretary of the Department of Transportation to use all available equipment, resources, and personnel of the Department, in whatever manner he deems necessary, to ensure that highways, bridges, roadbeds, and related facilities and structures, including Federal-aid highways, that have sustained damage in the disaster affected areas are immediately repaired, maintained, reconstructed, or replaced or that new construction is undertaken where necessary. In addition, I hereby waive any laws or regulations that would restrict the ability of the Department to respond immediately and effectively in repairing, maintaining, reconstructing or replacing these damaged highways, bridges, roadbeds, and related facilities and structures, including Federal-aid highways, and areas adjacent thereto, or in undertaking necessary new construction.

Further, I have directed that the emergency response and recovery aspects of the Commonwealth and all applicable county, municipal, and other disaster emergency response and recovery plans be activated and that all state, county, and municipal actions taken to implement those plans be coordinated through the Pennsylvania Emergency Management Agency, and

Further, pursuant to the powers vested in me by the Constitution and laws of this Commonwealth, I hereby authorize the Adjutant General of Pennsylvania to place on state active duty for the duration of the emergency/disaster proclamation, such individuals and units of the Pennsylvania National Guard, as requested by the Pennsylvania Emergency Management Agency, to alleviate the danger to public health and safety caused by the aforementioned emergency.

Still Further, I hereby continue to urge the governing bodies and executive officers of all political subdivisions affected by this emergency to act as necessary to meet the current exigencies as legally authorized under this proclamation, namely: by the employment of temporary workers, by the rental of equipment and by entering into such contracts and agreements as may be required to meet the emergency, all without regard to those time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

GIVEN under my hand and the Seal of the Governor, at the City of Harrisburg, this nineteenth day of July in the year of our Lord, one thousand nine-hundred and ninety-six, and of the Commonwealth the two hundred and twenty-first.

Governor

[Pa.B. Doc. No. 96-1240. Filed for public inspection August 2, 1996, 9:00 a.m.]

Amendment to Proclamation

Whereas, on July 19, 1996, I declared a State of Disaster Emergency in Blair, Clarion, Crawford, Greene, Indiana, Jefferson, Mercer, and Venango Counties due to widespread and unusually heavy rains which struck the counties and caused extensive damage to roads, streets, bridges, private homes, businesses and posed other adverse life safety impacts upon the general population of the counties; and

Whereas, additional information provided by local officials finds that additional Western Pennsylvania counties were also adversely impacted by the same heavy rains, which caused widespread flash flooding to occur throughout the creek and stream systems and caused extensive road closures, damage to roads, streets, bridges, private homes, businesses, and continued adverse life safety impacts for the general population of Armstrong and Clearfield Counties; and

Whereas, investigations by state agencies of recently developing conditions indicate that additional resources of the Commonwealth may be needed to assist county and municipal efforts to mitigate and contend with the magnitude and severity of this continuing and expanding disaster emergency;

Now Therefore, pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S.A. Section 7101 et seq.), I do hereby amend my Proclamation of July 19, 1996, as follows:

1. The counties of Armstrong and Clearfield Counties are now declared to be in a state of disaster emergency and are added to the previously designated disaster emergency area.

2. This Proclamation Amendment shall take effect immediately.

GIVEN under my hand and the Seal of the Governor, at the City of Harrisburg, this twentieth day of July in the year of our Lord one thousand nine hundred and ninety-six and of the Commonwealth the two hundred and twenty-first.

Governor

[Pa.B. Doc. No. 96-1241. Filed for public inspection August 2, 1996, 9:00 a.m.]

Amendment to Proclamation

Whereas, on July 19, 1996, I declared a State of Disaster Emergency in Blair, Clarion, Crawford, Greene, Indiana, Jefferson, Mercer, and Venango Counties due to widespread and unusually heavy rains which struck the counties and caused extensive damage to roads, streets, bridges, private homes, businesses and posed other adverse life safety impacts upon the general population of the counties; and

Whereas, on July 20, 1996, I amended my Proclamation by adding the counties of Armstrong and Clearfield to the designated disaster emergency area, due to severe and widespread flooding that occurred in those counties from the heavy rains that occurred on July 19, 1996; and

Whereas, additional information provided by local officials reveals that Cambria County was also adversely impacted by the same heavy rains, which caused widespread flash flooding to occur throughout the creek and stream systems and caused extensive road closures, damage to roads, streets, bridges, private homes, businesses, and continued adverse life safety impacts for the general population of Cambria County; and

Whereas, investigations by state agencies of recently developing conditions indicate that additional resources of the Commonwealth may be needed to assist county and municipal efforts to mitigate and contend with the magnitude and severity of this continuing and expanding disaster emergency;

Now Therefore, pursuant to the provisions of Subsection 7301(c) of the Emergency Management Services Code (35 Pa.C.S.A. Section 7101 et seq.), I do hereby amend my Proclamation of July 19, 1996, as follows:

1. The county of Cambria is now declared to be in a state of disaster emergency and is added to the previously designated disaster emergency area.
2. This Proclamation Amendment shall take effect immediately.

GIVEN under my hand and the Seal of the Governor, at the City of Harrisburg, this twenty-fourth day of July in the year of our Lord one thousand nine hundred and ninety-six and of the Commonwealth the two hundred and twenty-first.

Governor

[Pa.B. Doc. No. 96-1242. Filed for public inspection August 2, 1996, 9:00 a.m.]

THE COURTS

Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CH. 82]

Continuing Legal Education Regulation Changes

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 82. CONTINUING LEGAL EDUCATION

Subchapter B. CONTINUING LEGAL EDUCATION REGULATIONS

Section 18. Board Fee Schedule.

Following is a schedule of fees established by the Board to be paid by providers and lawyers. This schedule will be reviewed annually by the Board and may be modified at any time upon approval by the Pennsylvania Supreme Court.

Fee to accompany application for designation as Accredited Continuing Legal Education Provider \$25.00

Fee to accompany application for continuation as an Accredited Provider \$25.00

Fee per credit hour to be paid by provider with attendance certification \$2.50

Fee per credit hour to be paid by lawyer for certification when fee not paid by provider \$[2.50] 2.00

Fee per credit hour when lawyer requests CLE credit for teaching course \$[2.50] 2.00

* * * * *

[Pa.B. Doc. No. 96-1243. Filed for public inspection August 2, 1996, 9:00 a.m.]

PART V. PROFESSIONAL ETHICS AND CONDUCT [204 PA. CODE CHS. 81 AND 83]

Establishment of an Interest on Lawyer Trust Accounts Program; No. 252; Doc. No. 3

Order

Per Curiam:

And Now, this 17th day of July, 1996, it is ordered pursuant to Article V, Section 10, of the Constitution of Pennsylvania that:

1. To the extent that notice of proposed rulemaking would be required by Rule 103 of the Pennsylvania Rules of Judicial Administration or otherwise with respect to the rules adopted hereby, the immediate adoption of such rules is hereby found to be required in the interests of justice.

2. Rule 1.15 of the Pennsylvania Rules of Professional Conduct is hereby amended by adding paragraphs (d)—(i) as follows.

3. The Pennsylvania Rules of Disciplinary Enforcement are hereby amended to read as follows.

4. For the purpose of staggering the terms of members of the IOLTA Board created by this Order, the expiration of the initial terms of the members of the IOLTA Board shall be as follows:

- (1) Term expiring August 31, 1997: three members
- (2) Term expiring August 31, 1998: three members
- (3) Term expiring August 31, 1999: three members

5. The IOLTA Board shall, to the extent not inconsistent with the provisions of this Order, the rules adopted by this Order and the rules adopted by the IOLTA Board, administer the IOLTA program to the extent practicable as a continuation of the program administered by the Lawyer Trust Account Board pursuant to the act of April 29, 1988 (P. L. 373, No. 59), known as The Interest on Lawyers' Trust Accounts Act.

6. This Order, and the rule changes promulgated hereby, shall take effect on September 1, 1996.

Annex A

TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT

Subpart A. PROFESSIONAL RESPONSIBILITY

CHAPTER 81. RULES OF PROFESSIONAL CONDUCT

CLIENT-LAWYER RELATIONSHIP

Rule 1.15. Safekeeping Property.

* * * * *

(d) Notwithstanding paragraphs (a), (b) and (c), and except as provided below in paragraph (e), a lawyer shall place all funds of a client or of a third person in an interest bearing account. All qualified funds received by the lawyer shall be placed in an Interest On Lawyer Trust Account in a depository institution approved by the Supreme Court of Pennsylvania. All other funds of a client or a third person received by the lawyer shall be placed in an interest bearing account for the benefit of the client or third person or in an other investment vehicle specifically agreed upon by the lawyer and the client or third party.

(1) Qualified funds are monies received by a lawyer in a fiduciary capacity that, in the good faith judgment of the lawyer, are nominal in amount or are reasonably expected to be held for such a short period of time that sufficient interest income will not be generated to justify the expense of administering a segregated account.

(2) Depository institutions are financial institutions approved by the Supreme Court of Pennsylvania pursuant to Rule 221 of the Pennsylvania Rules of Disciplinary Enforcement.

(3) An Interest On Lawyer Trust Account (IOLTA Account) is an unsegregated interest-bearing deposit account with a depository institution for the

deposit of qualified funds by a lawyer. The rate of interest payable on an IOLTA Account shall not be less than the rate paid by the depository institution on negotiable order of withdrawal accounts (NOW) or super negotiable order of withdrawal accounts. An account shall not be considered an IOLTA Account unless the depository institution at which the account is maintained shall:

(i) Remit at least quarterly any interest earned on the account to the IOLTA Board (as hereinafter defined).

(ii) Transmit to the IOLTA Board with each remittance a statement showing at least the name of the account, service charges or fees deducted, if any, and the amount of interest remitted from the account.

(iii) Transmit to the lawyer who maintains the IOLTA Account a statement showing at least the name of the account, service charges or fees deducted, if any, and the amount of interest remitted from the account.

(e) A lawyer shall be exempt from the provisions of paragraph (d) only upon exemption requested and granted by the IOLTA Board. Exemptions shall be granted if: (i) the nature of the lawyer's practice does not require the routine maintenance of a trust account in Pennsylvania; (ii) compliance with paragraph (d) would work an undue hardship on the lawyer or would be extremely impractical, based either on the geographical distance between the lawyer's principal office and the closest depository institution which is described in paragraph (d)(2), or on other compelling and necessitous factors; or (iii) the lawyer's historical annual trust account experience, based on information from the depository institution in which the lawyer deposits trust funds, demonstrates that service charges on the account would significantly and routinely exceed any interest generated.

(f) A lawyer shall not be liable in damages or held to have breached any fiduciary duty or responsibility because monies are deposited in an IOLTA Account pursuant to the lawyer's judgment in good faith that the monies deposited were qualified funds.

(g) There is hereby created the Pennsylvania Interest On Lawyers Trust Account Board (herein called the IOLTA Board), which shall administer the IOLTA program. The IOLTA Board shall consist of nine members who shall be appointed by the Supreme Court exclusively from a list provided to it by the Pennsylvania Bar Association in accordance with its own rules and regulations. The Pennsylvania Bar Association shall submit three names to the Supreme Court for every vacancy on the IOLTA Board from which the Court shall make its final selections. The term of each member shall be three years and no member shall be appointed for more than two consecutive three year terms. The Supreme Court shall appoint a Chairperson. In order to administer the IOLTA program, the IOLTA Board shall promulgate rules and regulations consistent with this Rule for approval by the Supreme Court. Additionally, upon approval of the Supreme Court, the IOLTA Board shall distribute and/or expend IOLTA funds for the purpose set forth in this Rule. The IOLTA Board shall comply with the following:

(1) The IOLTA Board shall prepare an annual audited statement of its financial affairs.

(2) Disbursement and allocation of IOLTA Funds shall be subject to the prior approval of the Supreme Court, thus the IOLTA Board shall submit to the Supreme Court for its approval a copy of its audited statement of financial affairs, clearly setting forth in detail all funds previously approved for disbursement under the IOLTA program. Additionally, a copy of the IOLTA Board's proposed annual budget will be provided to the Court, designating the uses to which IOLTA Funds are recommended.

(h) Interest earned on IOLTA Accounts (IOLTA Funds) may be used only for the following purposes:

(1) delivery of civil legal assistance to the poor and disadvantaged in Pennsylvania by non-profit corporations described in section 501(c)(3) of the Internal Revenue Code of 1986, as amended;

(2) educational legal clinical programs and internships administered by law schools located in Pennsylvania;

(3) administration and development of the IOLTA program in Pennsylvania; and

(4) the administration of justice in Pennsylvania.

(i) The IOLTA Board shall hold the beneficial interest in IOLTA Funds. Monies received in the IOLTA program are not state or federal funds and are not subject to Article VI of the act of April 9, 1929 (P. L. 177, No. 175) known as The Administrative Code of 1929, or the act of June 29, 1976 (P. L. 469, No. 117).

Subpart B. DISCIPLINARY ENFORCEMENT

CHAPTER 83. PENNSYLVANIA RULES OF DISCIPLINARY ENFORCEMENT

Subchapter B. MISCONDUCT

Rule 219. Periodic assessment of attorneys; voluntary inactive status.

* * * * *

(d) [(1)] On or before July 1 of each year all persons required by this rule to pay an annual fee shall file with the Administrative Office a signed statement on the form prescribed by the Administrative Office [setting forth] in accordance with the following procedures:

(1) The statement shall set forth:

* * * * *

(iii) The name of each financial institution in this Commonwealth in which the attorney on May 1 of the current year or at any time during the preceding 12 months held funds[: (A)] of a client or a third person subject to Rule 1.15 of the Pennsylvania Rules of Professional Conduct. The statement shall include the name and account number for each account in which the lawyer holds such funds, and each IOLTA Account shall be identified as such. [;

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

(C) as an escrow agent or other fiduciary, having been designated as such by a client or having been so selected as a result of the client-attorney relationship.

(D) A certification reading as follows: "I certify that all fiduciary accounts that I maintain in Pennsylvania are in financial institutions that have been approved by the Supreme Court of Pennsylvania for the maintenance of such accounts pursuant to Pennsylvania Rule of Disciplinary Enforcement 221 (relating to mandatory overdraft notification)."

(iv) A statement that the attorney is familiar and in compliance with Rule 1.15 of the Pennsylvania Rules of Professional Conduct regarding the handling of funds and other property of clients and others and the maintenance of IOLTA Accounts, and with Rule 221 of the Pennsylvania Rules of Disciplinary Enforcement regarding the mandatory reporting of overdrafts on fiduciary accounts.

* * * * *

Rule 221. Mandatory overdraft notification.

(a) For purposes of this rule, a fiduciary account of an attorney is [any account in which or with respect to which an attorney:

- (1) holds funds of a client,
- (2) holds funds in a fiduciary capacity customary to the practice of law, such as administrator, executor, trustee of an express trust, guardian or conservator, or

(3) holds funds as an escrow agent or other fiduciary, having been so selected as a result of a client-attorney relationship.] an IOLTA Account as defined in Rule 1.15(d)(3) of the Pennsylvania Rules of Professional Conduct.

* * * * *

(e) The term "financial institution" [includes] means banks, bank and trust companies, trust companies, savings and loan associations, credit unions, savings banks [and any other business which accepts for deposit funds held in trust by attorneys] or foreign banking corporations, whether incorporated, chartered, organized or licensed under the laws of the Commonwealth of Pennsylvania or the United States, doing business in Pennsylvania and insured by the Federal Deposit Insurance Corporation, the National Credit Union Administration or an alternative share insurer.

* * * * *

Subchapter F. PROVISIONS OF LAW SAVED AND ABROGATED

Rule 601. Statutes and other authorities suspended or abrogated.

* * * * *

(d) The act of April 29, 1988 (P. L. 373, No. 59), known as the Interest on Lawyers' Trust Accounts Act, is hereby suspended, effective September 1, 1996, to the extent it requires remittance to the IOLTA fund established under the act of interest earned on IOLTA accounts; and the act is hereby suspended in its entirety at such time after September 1, 1996 as all remaining monies in such IOLTA

fund have been disbursed by the Lawyer Trust Account Board established under the act.

[Pa.B. Doc. No. 96-1244. Filed for public inspection August 2, 1996, 9:00 a.m.]

PART V. PROFESSIONAL ETHICS AND CONDUCT
[204 PA. CODE CH. 89]

Proposed Amendments to the Rules of Organization and Procedure of the Board Relating to Continuing Legal Education Requirements Before Reinstatement

Notice is hereby given that The Disciplinary Board of the Supreme Court of Pennsylvania is considering amending its Rules of Organization and Procedure as set forth in Annex A.

The purpose of the proposed amendments is to clarify the existing provision in the Rules of the Disciplinary Board at 204 Pa. Code § 89.279 regarding the continuing legal education courses that must be completed before a petition for reinstatement is filed. A formerly admitted attorney who has been disbarred or suspended for more than one year or who has been on inactive status for more than three years is required by 204 Pa. Code § 89.279(a) to complete a minimum number of continuing legal education courses before petitioning for reinstatement. When that requirement was adopted, it was at a time when the Pennsylvania Continuing Legal Education Board had not yet been established. As a result, the current rule refers only to courses offered by the Pennsylvania Bar Institute. The Disciplinary Board is proposing to eliminate the reference to the Pennsylvania Bar Institute so that courses offered by other providers approved by the Continuing Legal Education Board may also be accepted by the Disciplinary Board. In order to give the Disciplinary Board flexibility to adjust its requirements to the courses being offered at the time, the Disciplinary Board is also proposing to eliminate from § 89.279(c) the list of course subjects that must be taken.

Interested persons are invited to submit written comments regarding the proposed amendments to the Office of the Secretary, The Disciplinary Board of the Supreme Court of Pennsylvania, First Floor, Two Lemoyne Drive, Lemoyne, PA 17043, on or before August 30, 1996.

By The Disciplinary Board of the Supreme Court of Pennsylvania

ELAINE BIXLER,
Secretary

Annex A

TITLE 204. JUDICIAL SYSTEM
GENERAL PROVISIONS

PART V. PROFESSIONAL ETHICS AND CONDUCT
CHAPTER 89. FORMAL PROCEEDINGS
Subchapter F. REINSTATEMENT AND RESUMPTION OF PRACTICE
REINSTATEMENT OF FORMERLY ADMITTED ATTORNEYS

§ 89.279. Evidence of competency and learning in law.

(a) *General rule.* Except as provided in subsection (b), in order to permit the Board to determine under Enforce-

ment Rule 218 (relating to reinstatement) whether a formerly admitted attorney who has been disbarred or suspended for more than one year or who has been on inactive status for more than three years possesses the competency and learning in the law required for reinstatement to practice in this Commonwealth, such a formerly admitted attorney shall within one year preceding the filing of the petition for reinstatement take (and prior to hearing on the petition, complete) courses [or lectures] meeting the requirements of the current schedule [of subjects] published by the Office of the Secretary under subsection (c).

* * * * *

(c) [Schedule of subjects] **Publication of schedule.** At least annually the Office of the Secretary shall publish in the *Pennsylvania Bulletin* a schedule of the minimum [number and type of Pennsylvania Bar Institute courses and lectures which] amount, type and subjects of continuing legal education courses that will satisfy the requirements of subsection (a). [Except as otherwise provided in the currently published schedule, courses or lectures on the following subjects will satisfy the requirements of subsection (a):

(1) Estate planning, creditor's remedies and bankruptcy, civil litigation, business law, administration of estates, consumer transactions, real estate transactions, and family law; or

(2) In place of any two of the courses or lectures in the preceding paragraph, criminal procedure, or criminal trial techniques.]

* * * * *

[Pa.B. Doc. No. 96-1245. Filed for public inspection August 2, 1996, 9:00 a.m.]

Title 231—RULES OF CIVIL PROCEDURE

PART I. GENERAL

[231 PA. CODE CH. 1910]

Proposed Amendments to the Rules Relating to Venue in Support Actions; Recommendation 44

The Domestic Relations Committee proposes the following amendments to Rules of Civil Procedure 1910.2 and 1910.50. The committee solicits comments and suggestions from all interested persons prior to submission of the proposed amendments to the Supreme Court.

Written comments relating to the proposed amendments must be received no later than October 1, 1996, and must be directed to: Linda C. Liechty, Esquire, Executive Director, Domestic Relations Committee, 429 Forbes Avenue, Suite 300, Pittsburgh, PA 15219, FAX (412) 565-2336.

The explanatory comment which appears in connection with the proposed amendments has been inserted by the Committee for the convenience of those using the rules. It will not constitute part of the rules nor will it be officially adopted or promulgated by the Court.

Annex A

TITLE 231. RULES OF CIVIL PROCEDURE

PART I. GENERAL

CHAPTER 1910. ACTIONS FOR SUPPORT

Rule 1910.2. Venue.

- (a) An action may be brought in any county in which
 - (1) the defendant resides, or
 - (2) the defendant is regularly employed, or
 - (3) the plaintiff resides and that county is the county in which
 - (i) the last family domicile was located and in which the plaintiff has continued to reside; or
 - (ii) the defendant resided with the child; or
 - (iii) the defendant resided and provided prenatal expenses or support for the child; or
 - (iv) the child resides as a result of the acts or directives of the defendant; or
 - (v) the defendant engaged in sexual intercourse which may have resulted in the child's conception; or
- (4) the plaintiff resides and the defendant submits to the jurisdiction of that county.

Official Note: [If an action for support is brought in the county in which the plaintiff resides but that county is not the county in which the last family domicile was located and in which the plaintiff has continued to reside, the action shall proceed in accordance with the Revised Uniform Reciprocal Enforcement of Support Act (1968), 23 Pa.C.S. § 4501 et seq., if the defendant is outside the Commonwealth, or in accordance with 23 Pa.C.S. § 4533 which provides for intrastate application of RURESA if the defendant is within the Commonwealth, and not in accordance with these rules.] If an action for support is brought in the county in which the plaintiff resides, but there is no venue in that county as provided in (a) above, the action shall proceed in accordance with the Uniform Interstate Family Support Act, 23 Pa.C.S. § 7101 et seq., if the defendant resides outside of the Commonwealth, or in accordance with the Intrastate Family Support Act, 23 Pa.C.S. § 8101 et seq., if the defendant resides within the Commonwealth.

(b) Where jurisdiction is acquired over the defendant pursuant to the long arm statute, 23 Pa.C.S.A. § 4342(c) [and (d)], the action may be brought in the county where the plaintiff resides[, whether or not the parties maintained a family domicile in that county].

Rule 1910.50. Suspension of Acts of Assembly.

The following Acts or parts of Acts of Assembly are suspended insofar as they apply to the practice and procedure in an action for support:

- (1) Section 3 of the Support Law of June 24, 1937, P. L. 2045, 62 P. S. § 1973, insofar as it provides a procedure to enforce the liability of relatives for the support of an indigent person; [and]
- (2) Section 4 of Act 1996-20, P. L. _____, 23 Pa.C.S. § 4342, insofar as it provides that long arm jurisdic-

tion shall be used in preference to proceedings under Part VIII-A relating to intrastate family support actions; and

[(2)] (3) All Acts or parts of Acts of Assembly inconsistent with these rules to the extent of such inconsistency.

ALL existing explanatory notes and comments pertaining to the rule listed below are replaced by the following:

Explanatory Comment—Rule 1910.2

Venue in support matters under the existing rule has been in the county where the defendant lived or worked, or in the county where the plaintiff lived if that county was the last family domicile. This proposed amendment expands the circumstances under which venue lies in the county in which plaintiff resides. Clearly, the fact that the plaintiff resides in a county is insufficient by itself to establish venue in that county. However, where defendant has some connection with the county in which plaintiff resides, venue may appropriately lie there.

It is important to note that long arm jurisdiction is available only when the defendant resides outside of the Commonwealth. The language of 23 Pa.C.S. § 4342, which implies that long arm jurisdiction is available in intrastate actions is suspended by Rule 1910.50(2).

HONORABLE MAX BAER,
Chair

[Pa.B. Doc. No. 96-1246. Filed for public inspection August 2, 1996, 9:00 a.m.]

Title 234—RULES OF CRIMINAL PROCEDURE

PART I. GENERAL

[234 PA. CODE CH. 50]

Order Amending Rules Relating to Electronic Filing of Parking Citations; No. 211; Doc. No. 2

Order

Per Curiam:

Now, this 17th day of July, 1996, upon the recommendation of the Criminal Procedural Rules Committee; this Recommendation having been published at 25 Pa.B. 4221 (October 7, 1995) and in the *Pennsylvania Reporter* (Atlantic Second Series Advance Sheets Vol. 664) before adoption, with a *Final Report* to be published with this Order:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pa.Rs.Crim.P. 61 and 95 are hereby amended, all in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective January 1, 1997.

The Criminal Procedural Rules Committee has prepared a *Final Report* explaining the July 17, 1996 amendments to Rules of Criminal Procedure 61 (Procedures Following Filing of Citation—Issuance of Summons) and 95 (Proceedings in Summary Cases Charging Parking Violations). These amendments specifically permit and facilitate the electronic filing of parking citations. The *Final Report* follows the Court's Order.

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

PART I. GENERAL

CHAPTER 50. PROCEDURE IN SUMMARY CASES PART IIB. PROCEDURES WHEN CITATION FILED

Rule 61. [**Procedure**] **Procedures** Following Filing of Citation—Issuance of Summons.

(A) Upon the filing of the citation, the issuing authority shall issue a summons commanding the defendant to respond within [**ten** ([10])] days of receipt of the summons, unless the issuing authority has reasonable grounds to believe that the defendant will not obey a summons in which case an arrest warrant shall be issued. The summons shall be served as provided in these rules.

(B) **Except in cases charging parking violations when the citation is electronically filed, [A]** a copy of the citation shall be served with the summons.

(C) **In cases charging parking violations when the citation is electronically filed, the summons shall also include:**

- (1) **the date, time and location of the parking violation;**
- (2) **a description of the vehicle and the license number; and**
- (3) **a description of the parking violation.**

Official Note: Previous Rule 117, adopted June 30, 1964, effective January 1, 1965; suspended effective May 1, 1970; revised January 31, 1970, effective May 1, 1970; renumbered and amended to apply only to summary cases September 18, 1973, effective January 1, 1974; amended April 26, 1979, effective July 1, 1979; amended January 28, 1983, effective July 1, 1983; rescinded July 12, 1985, effective January 1, 1986, and replaced by present Rule 76. Present Rule 61, adopted July 12, 1985, effective January 1, 1986. The January 1, 1986 effective dates all are extended to July 1, 1986; **amended July 17, 1996, effective January 1, 1997.**

Comment

[**This rule is derived from previous Rule 51A, subparagraphs (1)(b) and (3)(b), and previous Rule 57(a).**]

No fine or costs should be specified in the summons in cases in which the issuing authority determines that there is a likelihood of imprisonment.

This rule was amended in 1996 to facilitate the electronic filing of citations charging parking violations. See Rule 95 (Proceedings in Summary Cases Charging Parking Violations).

Committee Explanatory Reports:

Final Report explaining the July 17, 1996 amendments published with the Court's Order at 26 Pa.B. 3629 (August 3, 1996).

PART VIII. PROCEDURES IN SUMMARY CASES CHARGING PARKING VIOLATIONS

Rule 95. Proceedings in Summary Cases Charging Parking Violations.

(a) Political subdivisions may use parking tickets to inform defendants of parking violations and to offer defendants an opportunity to avoid criminal proceedings by paying an amount specified on the ticket within the

time specified on the ticket. When a political subdivision does use parking tickets and a ticket has been handed to a defendant or placed on a vehicle windshield, a criminal proceeding shall be instituted only if the defendant fails to respond as requested on the ticket. In that event, the criminal proceeding shall be instituted by a law enforcement officer filing a citation with the proper issuing authority. Upon the filing of the citation, the case shall proceed in the same manner as other summary cases instituted by filing a citation, in accordance with Rules 61—64.

(b) When a parking ticket has not been used, a criminal proceeding in a summary case charging a parking violation shall be instituted by a law enforcement officer issuing a citation either by handing it to a defendant or by placing it on a vehicle windshield. Upon the issuance of a citation, the case shall ordinarily proceed in the same manner as other summary cases instituted by issuing a citation to the defendant, in accordance with Rules 55—59. If the defendant fails to respond to the citation, the issuing authority shall issue a summons and the case shall then proceed in accordance with Rules 61—64 as if the proceedings were instituted by filing a citation, unless the issuing authority has reasonable grounds to believe that the defendant will not obey a summons, in which case an arrest warrant shall be issued and the case shall proceed in accordance with Rule 76.

(c) The filing of a citation charging a parking violation may be accomplished by electronic filing.

Official Note: Adopted July 12, 1985, effective January 1, 1986; effective date extended to July 1, 1986; amended July 17, 1996, effective January 1, 1997.

Comment

[**This rule replaces previous Rule 51A(2).**] Many political subdivisions use parking tickets and, therefore, many parking cases are disposed of without instituting a criminal proceeding under the procedures of these rules. A parking ticket is a device of convenience to the local government and the defendant. It is not a citation and does not constitute the instituting of a summary proceeding; no enforcement of penalty can be based upon a ticket alone.

The amount specified on a parking ticket cannot exceed the fine authorized for the parking violation alleged. There is no specific time which must be specified on the ticket, although, of course, it is advisable that such time be well within the applicable statute of limitations.

If the defendant pays the amount specified on the parking ticket within the time specified on the ticket, the case will be concluded without the institution of a criminal proceeding. If the defendant makes no response within the suggested time, or if the defendant indicates a desire to plead not guilty, and the subdivision desires to proceed with the case, a law enforcement officer must determine the identity of the vehicle owner from the Department of Transportation and then institute a criminal proceeding by filing a citation directly with the proper issuing authority under paragraph (a) of this rule.

Paragraph (c) was added in 1996 to specifically authorize that a citation charging a parking violation may be filed electronically.

When a parking ticket is not used and a criminal proceeding is instituted under paragraph (b) of this rule by issuing a citation to a defendant, if the defendant does not properly respond to the citation, the issuing authority

must notify the law enforcement officer, who should obtain from the Department of Transportation the name of the owner of the vehicle. The law enforcement officer should immediately furnish this information to the issuing authority, who [**shall**] **must** then issue a summons[,] or a warrant.

[**With regard to**] **See Rule 21** for the “proper” issuing authority as used in these rules[, **see Rule 21**].

Committee Explanatory Reports:

Final Report explaining the July 17, 1996 amendments published with the Court's Order at 26 Pa.B. 3629 (August 3, 1996).

FINAL REPORT

Amendments to Pa.R.Crim.P. 95: Electronic Filing of Parking Citations

Introduction

On July 17, 1996, upon the recommendation of the Criminal Procedural Rules Committee, the Supreme Court amended Rule of Criminal Procedure 95 (Proceedings in Summary Cases Charging Parking Violations) to specifically permit the electronic filing of parking citations, and amended Rule of Criminal Procedure 61 (Procedures Following Filing of Citation—Issuance of Summons) to facilitate these electronic filings. These amendments will be effective January 1, 1997.

This *Final Report* highlights the Committee's considerations in formulating this amendment.¹

Discussion

The Committee undertook consideration of the use of electronic filing in cases governed by the Criminal Rules after receiving inquiries from some municipalities and the Supreme Court's Judicial Computer Project Staff (JCP).

JCP pointed out in its correspondence that, now that all the district justice offices are computerized and on the statewide network, the technology is in place within the district justice system for parking citations to be electronically filed. Furthermore, both JCP and the municipal correspondents suggested that permitting electronic filings will reduce the amount of paper work that must be completed to process the parking citations, as well as reduce the costs of processing these citations.

Accepting the correspondents' premise that electronic filing was a cost-effective and efficient means of transmitting documents, the Committee reviewed Rule 95 (Proceedings in Summary Cases Charging Parking Violations). Our first consideration was whether electronic filing could be accomplished under the present provisions of Rule 95 or whether an amendment was necessary. Recognizing that electronic filings in court proceedings are still a relatively new process that is not fully accepted in the legal community, the Committee concluded that if electronic filing of parking citations was going to be permitted, specific reference to this procedure should be made in the rule.

Our second consideration was the effect electronic filing of parking citations would have on defendants. From our review of the rule, the Committee consensus was that electronic filing would have little, if any, impact on defendants. First, we noted that the filing of the parking

¹ Please note that the Committee's *Final Reports* should not be confused with the official Committee *Comments* to the rules. Also note that the Supreme Court does not adopt the Committee's *Comments* or the contents of the Committee's explanatory *Final Reports*.

citation occurs only after either a parking ticket or the parking citation is issued to a defendant or on the vehicle's windshield. In addition, parking violations are traditionally considered minor infractions.

Once we had concluded that a change to Rule 95 should be recommended, we addressed our last concern—whether the term “electronic” might become outdated or be perceived as limiting the technological methods of filing. We consulted JCP about the terminology, and were advised that “electronic filing” is a generally accepted term of art, encompassing all types of transmissions, including telephone, satellite, mobile, cellular, magnetic tapes or disks, infrared, Wide Area Network, and Internet, and is not likely to become outdated.

In view of the foregoing considerations, the Committee concluded that, as to parking citations *only*, it makes sense for the Criminal Rules to permit electronic filing. To accomplish this, the amendments to Rule 95 include the addition of a new paragraph (c) and *Comment* provision which specifically provide for the electronic filing of parking citations with district justices.

Publication Responses

The Committee received only one comment in response to the publication of this proposal. Timothy M. McVay, Staff Attorney for the Judicial Computer Project, suggested that the requirement in Rule 61 (Procedures Following Filing of Citation—Issuance of Summons) that, when a citation is filed, a copy of the citation must be served with the summons,² could be problem in cases in which a citation is electronically transmitted, because there would be no “hard copy” of the citation in the district justice's office. Requiring that the district justice print out a citation in these cases would unnecessarily complicate the process, and undermine the advantages of electronic filings.

After reviewing this potential problem, the Committee agreed that, to facilitate the electronic filing of parking citations, electronically filed parking citations should be specifically exempted from the Rule 61 requirement that a copy of the citation be served with the summons. See paragraph (B).

This change, however, created an additional problem for the Committee because the summons served pursuant to Rule 61 does not include all the information that is contained in the citation. Recognizing that the information in the citation concerning, for example, the offenses charged and the date, time, and place the offense is alleged to have taken place, is necessary to provide the defendant with adequate notice of the charges, the Committee agreed that Rule 61 should be amended to require that, when a citation charging a parking offense is electronically filed, and therefore there is no “hard copy” of the citation to serve with the summons, the summons must include the same information that is contained in a citation. See paragraph (C).

[Pa.B. Doc. No. 96-1247. Filed for public inspection August 2, 1996, 9:00 a.m.]

² Rule 61 only applies in a parking violation case when a defendant fails to respond to a parking ticket or parking citation that has been placed on the windshield.

PART I. GENERAL

[234 PA. CODE CHS. 50 AND 100]

Withdrawal of Charges and Dismissal Upon Satisfaction or Agreement in Summary Criminal Cases

Introduction

The Criminal Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania adopt new Rules of Criminal Procedure 87 (Withdrawal of Charges in Summary Cases) and 88 (Dismissal in Summary Cases upon Satisfaction or Agreement), and amend Rule 145 (Dismissal upon Satisfaction or Agreement). The new rules would provide uniform procedures in summary criminal cases for the withdrawal of charges and for the dismissal of a case upon satisfaction being made to an aggrieved person or an agreement to make satisfaction. The following explanatory *Report* highlights the Committee's considerations in formulating this proposal.

Please note that the Committee's *Reports* should not be confused with the official Committee *Comments* to the rules. Also note that the Supreme Court does not adopt the Committee's *Comments* or the contents of the explanatory *Reports*.

The text of the proposed new rules and rule changes precedes the *Report*.

We request that interested persons submit suggestions, comments, or objections concerning this proposal to the Committee through counsel, Anne T. Panfil, Chief Staff Counsel, Supreme Court of Pennsylvania, Criminal Procedural Rules Committee, P. O. Box 1325, Doylestown, PA 18901, no later than Monday, September 15, 1996.

By the Criminal Procedural Rules Committee:

FRANCIS BARRY MCCARTHY,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

PART I. GENERAL

CHAPTER 50. PROCEDURE IN SUMMARY CASES

PART VI. GENERAL PROCEDURES IN SUMMARY CASES

Rule 87. Withdrawal of Charges in Summary Cases.

(a) In any summary case pending before an issuing authority, at any time before the completion of the summary trial or acceptance of a guilty plea, the issuing authority may permit the affiant to withdraw one or more of the charges.

(b) When an issuing authority permits an affiant to withdraw one or more of the charges, the issuing authority shall record the withdrawal on the transcript, and promptly shall notify the defendant in writing.

Official Note: Adopted _____, 1996, effective _____, 1996.

Comment

This rule permits the withdrawal of charges in summary cases pending before an issuing authority.

To ensure that an adequate record is made of any withdrawals, the issuing authority is required to include

in the transcript of the case the fact that he or she permitted the withdrawal. In addition, the issuing authority must give the defendant written notice of the withdrawal.

For the procedures for withdrawal of charges in a court case pending before an issuing authority, see Rule 151.

Committee Explanatory Reports:

Report explaining the provisions of new Rule 87 published at 26 Pa.B. 3632 (August 3, 1996).

Rule 88. Dismissal in Summary Cases Upon Satisfaction or Agreement.

(a) When a defendant is charged with a summary offense, the issuing authority may dismiss the case upon a showing that:

- (1) the public interest will not be adversely affected;
 - (2) the attorney for the Commonwealth, or in cases in which no attorney for the Commonwealth is present at the summary proceeding, the aggrieved party, consents to the dismissal;
 - (3) satisfaction has been made to the aggrieved person or there is an agreement that satisfaction will be made to the aggrieved person; and
 - (4) there is an agreement as to who shall pay the costs.
- (b) When an issuing authority dismisses a case pursuant to paragraph (A), the issuing authority shall record the dismissal on the transcript.

Official Note: Adopted _____, 1996, effective _____, 1996.

Comment

This rule permits an issuing authority to dismiss a summary case when the provisions of paragraph (A) are satisfied.

Paragraphs (a)(1) through (4) set forth those criteria that a defendant must satisfy before the issuing authority has the discretion to dismiss the case under this rule.

The requirement in paragraph (a)(2) that, when the attorney for the Commonwealth is present at the summary proceeding, he or she must consent to the dismissal, is one of the criteria, along with the other enumerated criteria, which gives the issuing authority discretion to dismiss a case under this rule, even when the aggrieved person refuses to consent.

The requirement in paragraph (b) that the issuing authority include in the transcript of the case the fact that he or she dismissed the case is intended to ensure that an adequate record is made of any dismissals under this rule.

For dismissal upon satisfaction or agreement in a court case charging a misdemeanor which is pending before an issuing authority, see Rule 145.

For dismissal upon satisfaction or agreement by a judge of the court of common pleas, see Rule 314.

Committee Explanatory Reports:

Report explaining the provisions of new Rule 88 published at 26 Pa.B. 3632 (August 3, 1996).

**CHAPTER 100. PROCEDURE IN COURT CASES
PART IV. PROCEEDINGS BEFORE ISSUING
AUTHORITIES**

Rule 145. Dismissal Upon Satisfaction or Agreement.

When a defendant is charged with a misdemeanor [which is not alleged to have been committed by force or threat thereof], the issuing authority may dismiss the case upon a showing that:

- (a) the public interest will not be adversely affected; [and]
- (b) [either the aggrieved person or] the attorney for the Commonwealth, or in cases in which there is no attorney for the Commonwealth present, the aggrieved person, consents to the dismissal; [and]
- (c) satisfaction has been made to the aggrieved person or there is an agreement that satisfaction will be made to the aggrieved person; and
- (d) there is an agreement as to who shall pay the costs.

Official Note: Formerly Rule 121, adopted June 30, 1964, effective January 1, 1965; suspended effective May 1, 1970; revised January 31, 1970, effective May 1, 1970; renumbered **Rule 145** and amended September 18, 1973, effective January 1, 1974; amended January 28, 1983, effective July 1, 1983; amended _____, effective _____.

Comment

[The 1973 amendment added the first sentence of former paragraph (b) and all of former paragraph (c).]

Former paragraphs (a) and (b) were deleted in 1983 as unnecessary in view of the Judiciary Act Repealer Act, which repealed the statutes requiring the issuing authority to make an effort to effectuate a settlement. See 42 P.S. § 20002(a)[916] (Supp. 1982).]

[Former paragraph (c) was amended in 1983 to] Paragraphs (a) through (d) set forth [concisely] those criteria that a defendant must satisfy before the issuing authority has the discretion to dismiss the case under this rule. The requirement in paragraph (b) that, when the attorney for the Commonwealth is present, he or she must consent to the dismissal is one of the criteria [in every case was deleted as an unnecessary criterion at this stage of the proceedings. However, it is retained as an alternative criterion] which, along with the other enumerated criteria, [would give] gives the issuing authority discretion to dismiss, even when the aggrieved [party] person refuses to consent. [If the aggrieved person consents, the issuing authority may consider whether the attorney for the Commonwealth objects to the dismissal, but it is not bound by that objection.]

For dismissal upon satisfaction or agreement in summary cases, see Rule 88.

For court dismissal upon satisfaction or agreement, see Rule 314.

Committee Explanatory Reports:

Report explaining the _____, 1996 amendments published at 26 Pa.B. 3632 (August 3, 1996).

REPORT

*Proposed New Pa.Rs.Crim.P. 87 and 88;
Amendments to Pa.R.Crim.P. 145:*

*Withdrawal of Charges and Dismissal Upon Satisfaction
or Agreement in Summary Criminal Cases*

Introduction

The Committee is recommending the adoption of new Rules 87 (Withdrawal of Charges in Summary Cases) and 88 (Dismissal in Summary Cases upon Satisfaction or Agreement) to fill a gap in the summary case rules. Under the present rules, there are no procedures for withdrawing charges in summary cases pending before an issuing authority, or for a district justice to dismiss a summary criminal case when the aggrieved person has received satisfaction from the defendant or the defendant has made an agreement to satisfy the aggrieved person.

Recent inquiries with the Committee suggested that some members of the minor judiciary are permitting charges to be withdrawn in summary cases and are dismissing summary cases upon satisfaction or agreement, following Rules 151 (Withdrawal of Prosecution Before Issuing Authority) and 145 (Dismissal upon Satisfaction or Agreement), even though these rules specifically apply to court cases. Other members of the minor judiciary are reluctant to proceed in this manner in summary cases without specific authorization in the rules.

In view of the lack of uniformity and the confusion about the appropriate procedures, the Committee agreed to provide specific procedures in Chapter 50 of the rules for withdrawing charges in summary cases pending before issuing authorities, and for dismissing summary cases when there has been satisfaction or an agreement for satisfaction.

Discussion of Rule Changes

Proposed New Rule 87 (Withdrawal of Charges in Summary Cases)

Paragraph (A) authorizes an issuing authority to permit an affiant to withdraw one or more charges at any time before the completion of the summary trial or the acceptance of a guilty plea, and is comparable to the procedures for court cases under Rule 151 (Withdrawal of Prosecution Before Issuing Authority). However, because of the minor nature of summary cases, and because there is rarely an attorney for the Commonwealth assigned to summary criminal cases, the Committee agreed that the Rule 88 procedures should not require the approval of the attorney for the Commonwealth or that the withdrawals had to be made by the attorney for the Commonwealth or his or her designee.

Paragraph (B) requires that the issuing authority record on the transcript any withdrawals he or she permits, and promptly notify the defendant in writing that the charges have been withdrawn. Because summary case proceedings are not of record, the Committee added these requirements to provide some checks and balances and a means of monitoring these cases.

The *Comment* provides a gloss on the new procedures, and cross-references Rule 151 for similar procedures in court cases.

Proposed New Rule 88 (Dismissal In Summary Cases Upon Satisfaction or Agreement)

New Rule 88 provides the procedures for the dismissal of summary cases when a defendant has either settled

with the aggrieved person or agreed to settle, and is comparable to the Rule 145 procedures in court cases.

Paragraph (A)(1)—(4) sets forth the criteria that must be met before an issuing authority has the discretion to dismiss a case under this rule, and parallels Rule 145(a)—(d). As explained in the Comment, all the criteria must be satisfied before an issuing authority may dismiss a case.

Paragraph (B) requires that the issuing authority record on the transcript any dismissal pursuant to satisfaction or agreement. This requirement creates a record of the dismissal.

The Comment cross-references Rule 145. It also cross-references Rule 314 for similar procedures in court cases pending before a judge of the court of common pleas.

Proposed Amendments to Rule 145 (Dismissal Upon Satisfaction or Agreement)

When the Committee developed new Rule 88, we reexamined Rule 145, which applies to court cases pending before an issuing authority. As the result of this examination, we are recommending the following amendments to Rule 145.

In the introductory paragraph to Rule 145, the present limitation that dismissals upon satisfaction are only authorized in cases in which the misdemeanor is "not alleged to have been committed by force or threat thereof" has been deleted. Several members noted that many of the cases which come before the minor judiciary for dismissal upon agreement typically include misdemeanors arising out of drunken brawls or arguments between friends or neighbors that deteriorate into shoving matches or punches. Although these cases involve "force" or a "threat of force," the incidents are relatively minor, and, after a cooling-off period, the parties prefer to have the matters dismissed if the damages are paid. Based on these considerations, the Committee agreed that cases involving force or the threat of force should not be excluded from the possibility of a Rule 145 dismissal, particularly since the rule is limited to misdemeanors.

The Committee also reviewed the criteria for dismissal set forth in Rule 145(a)—(d), and concluded that these criteria should be retained. However, because we are proposing the deletion of the "force or threat of force" exclusion, and to accommodate the realities of day-to-day practice, the Committee agreed that Rule 145(b) needed revision.

Paragraph (b) presently requires a showing that "either the aggrieved person or the attorney for the Commonwealth consents to the dismissal." A question arose about what happens when the attorney for the Commonwealth disagrees with the dismissal but the aggrieved party consents. Although the present Comment suggests that the attorney for the Commonwealth's disagreement would only be one consideration for the district justice in determining whether to dismiss a case, some members expressed the view that, if Rule 145 were amended to delete the "force or threat thereof" language, a dismissal should not be permitted if the attorney for the Commonwealth does not agree. Other members observed that requiring the consent of the attorney for the Commonwealth and the aggrieved party, or requiring the consent of the attorney for the Commonwealth in every case, would unduly complicate the procedure, particularly in those judicial districts which, because of limited resources, do not ordinarily have a representative from the district attorney's office present at proceedings before the district justice.

In view of these considerations, the Committee agreed that Rule 145(b) should be amended to provide that, if the attorney for the Commonwealth is present at the proceeding, the attorney for the Commonwealth's consent is one of the four criteria that must be met before the district justice may dismiss the case. If the attorney for the Commonwealth is not present, then the aggrieved person must consent to the dismissal.

The Comment has been revised to reflect these changes, and cross-references new Rule 88 for the procedures in summary cases.

[Pa.B. Doc. No. 96-1248. Filed for public inspection August 2, 1996, 9:00 a.m.]

Title 25—LOCAL COURT RULES

CARBON COUNTY

Motions and Petition Procedure; No. 96-1298

Administrative Order 8-1996

And Now, this 25th day of June 1996, it is hereby

Ordered and Decreed that the following Local Rule be and is hereby *Promulgated* to become effective thirty (30) days after publication in the *Pennsylvania Bulletin*.

In accordance with Pa.R.C.P. 239, seven (7) certified copies of this order shall be filed with the Administrative Office of the Pennsylvania Courts; two (2) certified copies shall be forwarded to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; and one (1) certified copy shall be filed with the Civil Procedural Rules Committee.

By the Court

JOHN P. LAVELLE,
President Judge

Rule L206.1. Motions and Petitions Procedure.

(1) Motions, Petitions, and Continuances.

(A) Motions, Petitions, and Continuances shall be submitted to the Civil Filing Office along with the requisite filing fee, without the necessity of presentation to the Court. These matters shall include, but not be limited to, routine Rules to Show Cause, Requests for Hearings, Discovery Motions, Child Custody matters, Requests for Alternative Service, Quiet Title matters, Change of Name proceedings, and Motor Vehicle and Liquor License Suspension Appeals.

(B) After the motion or petition is filed and time stamped, it shall be forwarded by the Civil Filing Office to the Motions and Petitions Coordinator in the Office of Court Administration for Court action and/or scheduling. The Motions and Petitions Coordinator shall return the Order or Rule to the Civil Filing Office in order to conform all copies. The Civil Filing Office shall then file the original signed order and forward by regular mail to each attorney of record or unrepresented party a copy of the Petition or Motion together with the conformed copy of the Order or Rule.

(C) A rule to show cause shall be issued at the discretion of a judge of the court as contemplated by Pa.R.C.P. 206.5. The court, upon its own initiative, may schedule an evidentiary hearing on disputed issues of

material fact and may, in its own discretion, provide for disposition of the matter on briefs without the necessity of oral argument. In such instances, the court shall establish a briefing schedule in its initial order.

(D) *Uncontested Continuances* will be accepted by mail providing they are received at least three (3) working days in advance of the scheduled event. The filing office should stamp the continuance filed and then forward said continuance to the Motions and Petitions Coordinator, who will, in turn, present it to the assigned Judge for disposition and signature. After the continuance is acted upon, it will be delivered to the filing office for completion of docketing and the mailing of the copies. If the continuance is received less than three (3) working days before the scheduled event, the attorney will be required to personally present it to the Motions and Petitions Coordinator for processing.

(2) *Filing Requirements.* All Motions and Petitions subject to this rule shall be accompanied by the following items in the following order:

(A) A completed cover sheet in the Form of Exhibit "A";

(B) A proposed order (and rule to show cause, if necessary);

(C) Stamped, addressed envelopes for each attorney of record and unrepresented party;

(D) Sufficient copies of the Petition, Motion and proposed Order or Rules for each attorney of record and unrepresented party; and

(E) Memorandum of Law, if Motion or Petition is contested.

(F) All Motions and Petitions shall be in writing, signed by a party or counsel of record and shall contain the caption of the case, the name, address, telephone number and Supreme Court identification of counsel for the moving party and the names and addresses of adverse parties and their attorneys.

(3) No motion for a preliminary injunction shall be filed unless a complaint in equity has already been docketed in the Civil Filing Office. Upon the filing of said complaint, the attorney presenting said motion shall attach to his motion a copy of his complaint and an affidavit that a preliminary injunction is an appropriate relief. This motion shall then be presented to the Motions and Petitions Coordinator who will present it to the assigned judge.

For any motion for a Temporary Restraining Order to be considered, a brief must be filed prior to the preliminary injunction hearing. The brief shall address, with particularity, why irreparable harm will result if an injunction is not granted and why an adequate remedy at law is not available.

(4) *Response Requirements.* Any party opposing the Motion or Petition shall file the following documents with the Civil Filing Office no later than 4:30 p.m. on the date twenty (20) days after the date of the signing of the Court Order or Rule to Show Cause:

(A) Completed cover sheet in the form of Exhibit "A";

(B) Proposed order;

(C) Answer to the Motion or Petition (if necessary);

(D) Copy of a transmittal letter to each counsel of record and/or unrepresented party; and

(E) A Memorandum of Law.

The filing party shall immediately serve copies of all documents filed in the Civil Filing Office on each attorney of record and unrepresented party.

(5) *Discovery Motions.* Any Motion relating to discovery must be accompanied by a Certificate signed by counsel for the moving party certifying that counsel has conferred with opposing counsel with respect to each matter set forth in the discovery Motion and was unable to resolve the differences which exist. Said Certificate shall set forth the exact time and place of the conference or consultation.

Where counsel for the moving party cannot furnish the required Certificate, he shall furnish an alternate Certificate stating that opposing counsel has refused to so meet and confer and stating such other facts and circumstances supporting the absence of the required Certificate and movant's efforts to obtain compliance by opposing counsel. (NOTE: This Rule is borrowed from Rule 4 of Local Rules for Fed. Dist. Ct. of Western PA).

(6) The Court shall not act upon any Petition or Motion which does not conform with the provisions of this Rule.

CARBON COURT OF COMMON PLEAS
CIVIL DIVISION
MOTION COURT COVER SHEET

vs.

No. _____

FILING OF: _____
Movant () Respondent ()

_____ Assigned Judge
_____ Court Action Taken
_____ Returned to Attorney for Deficiencies
_____ Action Deferred by Court
<i>For Court Use Only</i>

TYPE OF FILING (check one):

- () 1. Pretrial Discovery Motion (432)
- () 2. Motion for Discovery in Aid of Execution (480)
- () 3. Preliminary Objections to (576) _____
- () 4. Motion for Summary Judgment (306)
- () 5. Motion for Judgment on Pleadings (294)
- () 6. Petition for Leave to Join Additional Defendant (403)
- () 7. Petition for TRO or Preliminary Injunction (438)
- () 8. Petition to Open or Strike Judgment (498)
- () 9. Petition for Alternative Service (409)
- () 10. Petition for Leave to Amend (465) _____
- () 11. Petition to Consolidate Actions (424)
- () 12. Petition to Compromise Minor's Action (435)
- () 13. Petition for Leave to Withdraw (510)
- () 14. Petition for Reconsideration (441)
- () 15. Petition for Advancement on Trial List (404)
- () 16. Other Motion or Petition (specify): _____
- () 17. Response to: _____

OTHER PARTIES:

Attorney's Name (Typed) _____

Attorney for: _____
() Movant () Respondent

N.B. The numbers after the Motion or Petition above are docket codes used in the Court Computer System. Please be precise when checking your Motion or Petition.

Exhibit "A"

Rev. 6/12/96

[Pa.B. Doc. No. 96-1249. Filed for public inspection August 2, 1996, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Disbarment

Notice is hereby given that Richard L. Donald has been disbarred from the practice of law before the United States District Court for the District of Maryland. The Supreme Court of Pennsylvania issued an Order dated July 18, 1996 Disbarring Richard L. Donald from the practice of law in this Commonwealth, to be effective August 17, 1996.

ELAINE M. BIXLER,
Secretary,
The Disciplinary Board of
the Supreme Court of Pennsylvania

[Pa.B. Doc. No. 96-1250. Filed for public inspection August 2, 1996, 9:00 a.m.]

Notice of Transfer to Inactive Status

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated July 18, 1996, Calvin Willie Wood is transferred to inactive status pursuant to Rule 301(d), Pa.R.D.E. (relating to disabled attorneys) for an indefinite period and until further order of the Court.

ELAINE M. BIXLER,
Secretary
The Disciplinary Board of
the Supreme Court of Pennsylvania

[Pa.B. Doc. No. 96-1251. Filed for public inspection August 2, 1996, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

HARNESS RACING COMMISSION

[58 PA. CODE CH. 183]

Corrective Amendment to 58 Pa. Code § 183.292(c)

The Harness Racing Commission has discovered a discrepancy between the agency text of 58 Pa. Code § 183.292(c), as deposited with the Legislative Reference Bureau and published at 7 Pa.B. 524 (February 26, 1977), and the official text as published in the *Pennsylvania Code Reporter* (November, 1980) and as currently appearing in the *Pennsylvania Code*. Subsection (c) was codified incorrectly.

Therefore, under 45 Pa.C.S. § 901: The Harness Racing Commission has deposited with the Legislative Reference Bureau a corrective amendment to 58 Pa. Code § 183.292(c). The corrective amendment to 58 Pa. Code § 183.292(c) is effective as of November 1980, the date the defective official text was published in the *Pennsylvania Code*.

The correct version of 58 Pa. Code § 183.292(c) appears in Annex A.

Annex A

TITLE 58. RECREATION

PART V. HARNESS RACING COMMISSION

CHAPTER 183. RULES OF RACING

§ 183.292. Breaking.

(a) When a horse breaks from its gate in trotting or pacing, the driver shall at once, where clearance exists, take the horse to the outside and pull it to its gate.

(b) The following shall be considered violations of section 12Q:

- (1) Failure to properly attempt to pull the horse to its gait.
- (2) Failure to take the outside where clearance exists.
- (3) Failure to lose ground by the break.

(c) If there has been no failure on the part of the driver in complying with subsection (b)(1)—(3), the horse may not be set back unless a contending horse on his gait is lapped on the hind quarter of the breaking horse at the finish.

(d) The Judges may set any horse back one or more places if in their judgment any of the above violations have been committed, and the driver may be penalized.

[Pa.B. Doc. No. 96-1252. Filed for public inspection August 2, 1996, 9:00 a.m.]

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CH. 93]

Corrections to Drainage Lists

The Environmental Quality Board (Board) proposes to amend §§ 93.9c—93.9g, 93.9i, 93.9l, 93.9n, 93.9o, 93.9q, 93.9r, 93.9t, 93.9w and 93.9x to read as set forth in Annex A.

This order was adopted by the Board at its meeting of June 18, 1996.

A. Effective Date

These proposed amendments are effective upon publication in the *Pennsylvania Bulletin* as final rulemaking.

B. Contact Persons

For further information, contact Edward R. Brezina, Chief, Division of Assessment and Standards, Bureau of Water Quality Management, 10th Floor, Rachel Carson State Office Building, P. O. Box 8465, 400 Market Street, Harrisburg, PA 17105-8465, (717) 787-9637 or William J. Gerlach, Assistant Counsel, Bureau of Regulatory Counsel, 9th Floor, Rachel Carson State Office Building, P. O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) and request that the call be relayed. This proposal is available electronically through the Department of Environmental Protection (Department) Web site (<http://www.dep.state.pa.us>).

C. Statutory Authority

These proposed amendments are made under the authority of the following acts: sections 5(b)(1) and 402 of The Clean Streams Law (35 P. S. §§ 691.5(b)(1) and 691.402); and section 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20), which grant to the Board the authority to develop and adopt rules and regulations to implement the provisions of The Clean Streams Law.

D. Background of the Amendment

The Commonwealth's Water Quality Standards, which are set forth in part in Chapter 93 (relating to water quality standards) implement the provisions of sections 5 and 402 of The Clean Streams Law and section 303 of the Federal Clean Water Act (33 U.S.C.A. § 1313). Water quality standards are in-stream water quality goals which are implemented by imposing specific regulatory requirements (such as treatment requirements and effluent limits) on individual sources of pollution.

The Department considers candidates for special protection status or redesignation, or both, in its ongoing review of water quality standards. Candidates may be identified by the Department based on routine waterbody investigations. Requests for consideration may also be initiated by other agencies, such as the Fish and Boat Commission, and by the general public through a rulemaking petition to the Board. The Department also continuously reviews the water quality standards and receives various requests to investigate possible errors that have been found in Chapter 93. The Department reviewed the stream listings and the suggested errors that are summarized in Section E of this Preamble in response to requests from regional staff, the Fish and Boat Commission and the general public who brought various errors or inconsistencies in the stream lists to the Department's attention.

The Department investigated the alleged errors by researching previous rulemaking activities, changes that resulted from the 1992 Reformatting of Stream Drainage Lists in Chapter 93 and by comparing the drainage lists to the Gazetteer of Streams and topographic maps for these streams. Based upon the data collected in this research, the Board has made the proposed revisions described in Section E of this Preamble. The recommended revisions do not change the protected uses or impose any additional requirements than that which have been implemented for any of the streams within this proposal. This proposed rulemaking merely corrects duplicate entries, typographic errors or reinserts entries that have been incorrectly removed or changed.

E. Summary of Regulatory Revisions

Drainage List	Stream	Brief Description of Revision Needed
93.9c	4—Sand Hill	Creek missing from stream name
	2—Cherry Creek	Add entry for missing lower reach, it appeared in the <i>Pennsylvania Bulletin</i> (18 Pa.B. 5260 (November 26, 1988)) notice during redesignation, but was incorrectly codified in 25 Pa. Code Ch. 93
93.9d	4—Hummer Run	Should be 4— <i>Hummler Run</i>
	4—Tunkhanna Creek	Should be 4— <i>Upper Tunkhannock Creek</i>
93.9e	2—Neshaminy Creek	<i>PA 614 Dam</i> should refer to it being <i>Proposed</i> , since it was never built according to available records
	3—UNT Nesh. Creek	
	3—Core Creek	<i>PA Rte 620 Dam</i> should not contain reference to <i>Rte</i>
93.9f	3—Tumbling Run	<i>Schuylkill Haven Dam</i> should be <i>Tumbling Run Dam</i> . Also note the label of <i>Silver Creek Res</i> on the Pottsville Topo map is incorrect and should be corrected by Geological Survey/USGS.

<i>Drainage List</i>	<i>Stream</i>	<i>Brief Description of Revision Needed</i>
	3—UNT to Schuylkill River	Montgomery County UNTs should not be HQ-TSF, but should be WWF. Also add entries for missing reference to UNTs from Valley Creek to head of tide. Errors resulted from reformatting. Also note that 3— <i>Matsunk Creek</i> and 3— <i>Glanraffan Creek</i> , are not listed for this reach, but these changes require additional study and/or stream evaluations to determine the appropriate use.
	3—Perkiomen Creek	Should reference that it is the second <i>LR 06119 (SR 1010)</i> bridge at Hereford
93.9g	4—Goose Creek	Should be 4— <i>Unnamed Tributary to East Branch Chester Creek at RM 0.4 ("Goose Creek")</i> since Goose Creek is not found on topos or in Gazetteer of Streams, and is a local name for an UNT (#00605, near State Rt 926)
	2—Chester Creek	Clarify that Chester Creek does not start at the confluence of the East and West Branches of Chester Creek as currently stated
93.9i	2—Starrucca Creek	<i>RM 11.28</i> should be <i>11.68</i>
	2—Wyalusing Creek	Should delete <i>Bradford WWF None</i> from the first 2— <i>Wyalusing Creek</i> entry, which serves only as a marker
	3—Sugar Hollow	<i>Creek</i> missing from the stream name
93.9l	5—Clear Creek	6— <i>Mud Run</i> and the rest of 5— <i>Clear Creek</i> basin not listed in Ch. 93, although it was listed prior to reformatting. Add the missing entries.
	5—Logan Branch	<i>HQ-CWF</i> is a typo resulting from the redesignation of 5— <i>Buffalo Run</i> from <i>CWF</i> to <i>HQ-CWF</i> , which originally was codified incorrectly and is the stream which follows the 5— <i>Logan Branch</i> entry. A correction for 5— <i>Buffalo Run</i> was published at 24 Pa.B. 4461 (Sept. 3, 1994), but the Buffalo Run HQ that was incorrectly applied to Logan Branch was not corrected by the Sept. 3, 1994 Notice of Corrective Amendments.
	4—Slate Run and 4—UNT to Slate Run	Extraneous entries for 4— <i>Slate Run (Main Stem)</i> and 4— <i>UNT to Slate</i> should delete first entries referring to the <i>Main Stem</i> . The correct entries appear later in drainage list.
	4—Kettle Creek and 5—Ogdonia Creek	4— <i>Kettle Creek</i> is a trib to 5— <i>Ogdonia Creek</i> , so the stream order and drainage numbers should be switched accordingly
	3—Buffalo Creek	(<i>SR 1004</i>) should be (<i>SR 3005</i>)
93.9n	3—Frankstown Branch	Source of Frankstown Br is at the confluence of Beaverdam Creek and South Poplar Run, but Ch. 93 does not reflect this.
	4—Pine Run	4— <i>Pine Run</i> is a trib to Beaverdam Creek, so should be 5— <i>Pine Run</i> and since 4— <i>Pine Run</i> is WWF, while the rest of Beaverdam Creek basin is CWF, will have to use basin zones to show this.
93.9o	3—Reynolds Run	Duplicate entries, and HQ-TSF should be HQ-CWF according to pre-reformatted code
93.9q	3—Nigger Run	<i>Nigger Run</i> does not appear in current Gazetteer of Streams, but is an UNT to the Allegheny River, so it is covered by the UNT zone described as <i>Basins, PA-NY State Border to French Creek</i> . The 3— <i>Nigger Run</i> entry should be deleted.
93.9r	4—Elk Creek	Entry should appear between 4— <i>Mason Creek</i> and 4— <i>Island Run</i> . 4— <i>Elk Creek</i> entry was lost during reformatting
93.9t	5—Laughlintown Run	6— <i>McMullen Run</i> is called <i>McCullen Run</i> on the topo map. 5— <i>Laughlintown Run</i> had a <i>Basin</i> designation prior to the Rosetown, et al rulemaking, which incorrectly changed the zone description to a <i>Main Stem</i> format. The code should be changed back to a basin zone format.
93.9w	4—Shenango River	Should be 3— <i>Shenango River Basin, Source to Pymatuning Reservoir</i>
93.9x	3—Fish Creek, 3—Foster Run and 3—Crazy Run	These streams do not enter <i>Erie County</i> ; but are entirely within Crawford County. Change County for these three tribs and add <i>Crawford</i> to County column for the first 3— <i>Unnamed Tributaries to Conneaut Creek</i> entry.

The purpose of these proposed regulatory amendments is to clarify stream designations, correct misspellings, reinsert entries that have been incorrectly changed or dropped from Chapter 93 and correct errors that have resulted from the reformatting of Chapter 93 for these waterbody segments. These changes allow wastewater treatment requirements for dischargers to these streams to be consistent with the water uses to be protected. The proposed rulemaking makes only nonsubstantive modifications to Chapter 93 and does not alter the protected uses that have been implemented for the stream sections in questions.

F. Benefits, Costs and Compliance

Executive Order 1996-1 requires a cost/benefit analysis of the proposed amendments.

1. *Benefits*—Overall, the citizens of this Commonwealth will benefit from these recommended changes because they will reflect the appropriate designated use and maintain the most appropriate degree of protection for each stream in question by correcting errors or clarifying descriptions of stream zones or stream orders.

2. *Compliance Costs*—The changes should have no fiscal impact on, or create additional compliance costs for the Commonwealth, political subdivisions or the private sector. No costs will be imposed directly upon local government by this recommendation. There are no changes with this proposal which impose more stringent requirements than would already be imposed for these streams.

3. *Compliance Assistance Plan*—The Department does not anticipate the need for compliance assistance plans to support this regulation since this proposal does not impose more stringent requirements than would already be imposed for these streams.

4. *Paperwork Requirements*—The regulatory revisions should have no paperwork impact on the Commonwealth, its political subdivisions, or the private sector since the revisions do not change the designated uses already being implemented for the streams contained in this proposal. The proposal is based on existing Department programs and policies.

G. Sunset Review

This chapter will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulations effectively fulfill the goals for which they were intended.

H. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Department submitted a copy of the proposed rulemaking on July 24, 1996, to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate and House Environmental Resources and Energy Committees. In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed regulatory analysis form prepared by the Department. A copy of this material is available to the public upon request.

If IRRC has objections to any portion of the proposed amendments, it will notify the Department within 30 days of the close of the public comment period. The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for the Department, the Governor and the General Assembly to review these objections before final publication of the regulations.

I. Public Comments

Written Comments—Interested persons are invited to submit comments, suggestions or objections regarding the proposed amendments to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 15th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by September 17, 1996. Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by September 17, 1996. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final regulation will be considered.

Electronic Comments—Comments may be submitted electronically to the Board at RegComments@A1.dep.state.pa.us. A subject heading of the proposal and return name and address must be included in each transmission. Comments submitted electronically must also be received by the Board by September 17, 1996.

JAMES M. SEIF,
Chairperson

Fiscal Note: 7-299. No fiscal impact; (8) recommends adoption.

Annex A

**TITLE 25. ENVIRONMENTAL PROTECTION
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION
Subpart C. PROTECTION OF NATURAL RESOURCES
ARTICLE II. WATER RESOURCES
CHAPTER 93. WATER QUALITY STANDARDS**

§ 93.9c. Drainage List C.

Delaware River Basin in Pennsylvania

Delaware River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
	* * * * *			

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
3—Unnamed Tributaries to Bush Kill	Basins, Saw Creek to Mouth	Monroe	HQ-CWF	None
4—Sand Hill Creek	Basin	Monroe	HQ-CWF	None
4—Little Bush Kill	Basin	Pike	HQ-CWF	None
	* * * *	*		
2—Cherry Creek	Basin, Source to LR 45010 (SR 2006) Bridge	Monroe	HQ-CWF, MF	None
2—Cherry Creek	Basin, LR 45010 Bridge to Mouth	Monroe	CWF, MF	None
	* * * *	*		

§ 93.9d. Drainage List D.

Delaware River Basin in Pennsylvania

Lehigh River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
	* * * *	*		
4—Pollys Run	Basin	Monroe	HQ-CWF	None
4—[Hummer] Hummler Run	Basin	Monroe	HQ-CWF	None
	* * * *	*		
4—Wagner Run	Basin	Monroe	HQ-CWF	None
4—Upper [Tunkhanna] Tunkhannock Creek	Basin	Monroe	HQ-CWF	None
	* * * *	*		

§ 93.9e. Drainage List E.

Delaware River Basin in Pennsylvania

Delaware River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
	* * * *	*		
2—Neshaminy Creek	Main Stem, Confluence of West and North Branches to Proposed PA 614 Dam	Bucks	TSF, MF	Add Col ₂ , Tur ₄
3—Unnamed Tributaries to Neshaminy Creek	Basins, Confluence of West and North Branches [of] to Proposed PA 614 Dam	Bucks	TSF, MF	Add Col ₂ , Tur ₄
	* * * *	*		
2—Neshaminy Creek	Non-Tidal Portion of Main Stem, Proposed PA 614 Dam to Mouth	Bucks	WWF, MF	Add Col ₂ , Tur ₃
3—Unnamed Tributaries to Neshaminy Creek	Non-Tidal Portions of Basins, Proposed PA 614 Dam to Mouth	Bucks	WWF, MF	Add Col ₂ , Tur ₃
	* * * *	*		
3—Core Creek	Basin, Source to PA [Rte] 620 Dam	Bucks	CWF, MF	Add Col ₂ , and Tur ₄
3—Core Creek	Basin, PA [Rte] 620 Dam to Mouth	Bucks	WWF, MF	Add Col ₂ , and Tur ₃
	* * * *	*		

§ 93.9f. Drainage List F.

Delaware River Basin in Pennsylvania

Schuylkill River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
3—Tumbling Run	Basin, Source to [Schuylkill Haven Dam] Tumbling Run Dam	Schuylkill	HQ-CWF	None
3—Tumbling Run	Basin, [Schuylkill Haven Dam] Tumbling Run Dam to Mouth	Schuylkill	CWF	None
3—Unnamed Tributaries to Schuylkill River	Basins, Berks-Chester-Montgomery County Border to Valley Creek, (except those in Spring City and Phoenixville)	Chester [-Montgomery]	HQ-TSF	None
3—Unnamed Tributaries to Schuylkill River	Basins, Berks-Chester-Montgomery County Border to Valley Creek	Montgomery	WWF	None
3—Perkiomen Creek	Basin, Source to Second LR 06119 (SR 1010) Bridge at Hereford	Berks	CWF	None
3—Valley Creek	Basin	Montgomery-Chester	EV	None
3—Unnamed Tributaries to Schuylkill River	Basins, Valley Creek to Tide	Chester-Montgomery	WWF	None
3—Mellshamic Creek	Basin	Montgomery	WWF	None

§ 93.9g. Drainage List G.

Delaware River Basin in Pennsylvania

Delaware River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
2—Chester Creek	Basin, Source to East Branch Chester Creek	Chester	TSF	None
3—East Branch Chester Creek	Basin, Source to Unnamed Tributary at RM 0.4 (“Goose Creek”)	Chester	TSF	None
4—Unnamed Tributary to East Branch Chester Creek at RM 0.4 (“Goose Creek”)	Basin	Chester	WWF	None
3—East Branch Chester Creek	Basin, [Goose Creek] Unnamed Tributary at RM 0.4 to [Rocky Run] Mouth	[Delaware] Chester	TSF	None
2—Chester Creek	Basin, East Branch Chester Creek to Rocky Run	Delaware	TSF	None

PROPOSED RULEMAKING

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
[4] 3—Rocky Run	Basin	Delaware	HQ-CWF, MF	None
[3] 2—[East Branch] Chester Creek	Basin, Rocky Run to Confluence with West Branch	Delaware	TSF, MF	None
3—West Branch Chester Creek	Basin, Source to Green Creek	Delaware	TSF	None
4—Green Creek	Basin	Delaware	CWF, MF	None
3—West Branch Chester Creek	Basin, Green Creek to [Confluence with East Branch] Mouth	Delaware	TSF, MF	None
2—Chester Creek	Basin[, Confluence of East and] West [Branches] Branch to Dutton Mills Road Bridge	Delaware	TSF, MF	None
	* * * * *			

§ 93.9i. Drainage List I.

Susquehanna River Basin in Pennsylvania

Susquehanna River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
	* * * * *			
2—Starrucca	Basin, (all sections in PA) Unnamed Tributary at RM 11.[2]68 to Mouth	Susquehanna	CWF	None
	* * * * *			
2—Rummerfield Creek	Basin	Bradford	WWF	None
2—Wyalusing Creek		[Bradford]	[WWF]	[None]
	* * * * *			
3—Sugar Hollow Creek	Basin	Wyoming	HQ-CWF	None
3—Benson Hollow	Basin	Wyoming	HQ-CWF	None
	* * * * *			

§ 93.9l. Drainage List L.

Susquehanna River Basin in Pennsylvania

West Branch Susquehanna River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
	* * * * *			
5—Clear Creek	Basin, Source to Mud Run	Cameron	EV	None
6—Mud Run	Basin	Cameron	HQ-CWF	None
5—Clear Creek	Basin, Mud Run to Mouth	Cameron	HQ-CWF	None
	* * * * *			
5—Unnamed Tributaries to Spring Creek	Basins, PA 550 Bridge to Mouth	Centre	CWF	None
5—Logan Branch	Basin	Centre	[HQ-] CWF	None
	* * * * *			

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
4—Unnamed Tributaries to Pine Creek	Basins, South Branch Pine Creek to Marsh Creek	Potter-Tioga	HQ-CWF	None
[4—Slate Run]	[Main Stem, Confluence of Francis and Cushman Branches to Mouth]	[Lycoming]	[HQ-CWF]	[None]
[4—Unnamed Tributaries to Slate Run]	[Basins, Confluence of Francis and Cushman Branches to Mouth]	[Tioga-Lycoming]	[HQ-CWF]	[None]
	* * * *	*		
[4—Kettle Creek]	[Basin, Source to Ogdonia Creek]	[Sullivan]	[EV]	[None]
[5] 4-Ogdonia Creek	Basin, Source to Kettle Creek	Sullivan	HQ-CWF	None
[4] 5—Kettle Creek	Basin[, Ogdonia Creek to Mouth]	Sullivan	[HQ-CWF] EV	None
4—Ogdonia Creek	Basin, Kettle Creek to Mouth	Sullivan	HQ-CWF	None
	* * * *	*		
3—Buffalo Creek	Basin, Source to LR 59042 (SR [1004] 3005) Bridge	Union	HQ-CWF	None
	* * * *	*		

§ 93.9n. Drainage List N.

Susquehanna River Basin in Pennsylvania

Juniata River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
	* * * *	*		
3—Frankstown Branch Juniata River	[Main Stem, Source to South Poplar Run]	[Blair]	[CWF]	[None]
[3—Unnamed Tributaries to Frankstown Branch]	[Basins, Source to South Poplar Run to Halter Creek]	[Blair]	[CWF]	[None]
4—Beaverdam Creek	Basin, Source to Pine Run	Blair	CWF	None
[4] 5—Pine Run	Basin	Blair	WWF	None
4—Beaverdam Creek	Basin, Pine Run to Confluence with South Poplar Run	Blair	CWF	None
4—South Poplar Run	Basin, Source to Confluence with Beaverdam Creek	Blair	CWF	None
3—Frankstown Branch Juniata River	Main Stem, Confluence of Beaverdam Creek and South Poplar Run to Halter Creek	Blair	TSF	None

PROPOSED RULEMAKING

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
4—Unnamed Tributaries to Frankstown Branch	Basins, Confluence of Beaverdam Creek and South Poplar Run to Halter Creek	Blair	WWF	None
	* * * * *			

§ 93.9o. Drainage List O.

Susquehanna River Basin in Pennsylvania
Susquehanna River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
3—Reynolds Run	Basin	Lancaster	HQ-[TSF] CWF; MF	None
[3—Reynolds Run]	[Basin]	[Lancaster]	[HQ-TSF; MF]	[None]
2—Octoraro Creek (MD)				
	* * * * *			

§ 93.9q. Drainage List Q.

Ohio River Basin in Pennsylvania
Allegheny River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
3—Charley Run	Basin	Warren	CWF	None
[3—Nigger Run]	[Basin]	[Warren]	[CWF]	[None]
3—Hedgehog Run	Basin	Warren	HQ-CWF	None
	* * * * *			

§ 93.9r. Drainage List R.

Ohio River Basin in Pennsylvania
Clarion River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
4—Mason Creek	Basin	Elk	CWF	Add TON
4—Elk Creek	Basin	Elk	CWF	Add TON
4—Island Run	Basin	Elk	CWF	Add TON
	* * * * *			

§ 93.9t. Drainage List T.

Ohio River Basin in Pennsylvania
Kiskiminetas River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
5—Laughlintown Run	[Main Stem] Basin, Source to Furnace Run	Westmoreland	HQ-CWF	None
	* * * * *			

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
[6—Unnamed Tributaries to Laughlintown Run]	[Basins]	[Westmoreland]	[HQ-CWF]	[None]
[6—McMullen Run]	[Basin]	[Westmoreland]	[HQ-CWF]	[None]
6—Furnace Run	Basin	Westmoreland	EV	None
5—Laughlintown Run	Basin, Furnace Run to Mouth	Westmoreland	HQ-CWF	None
	* * * * *			

§ 93.9w. Drainage List W.

Ohio River Basin in Pennsylvania
Ohio River

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
	* * * * *			
[4] 3—Shenango River	Basin, Source to Pymatuning Reservoir	Crawford	WWF	None
	* * * * *			

§ 93.9x. Drainage List X.

Lake Erie

Stream	Zone	County	Water Uses Protected	Exceptions To Specific Criteria
	* * * * *			
3—Unnamed Tributaries to Conneaut Creek	Basins (all sections in PA) Source to PA-OH State [order] Border	Erie-Crawford	CWF; MF	None
3—Fish Creek	Basin	[Erie] Crawford	CWF; MF	None
3—Foster Run	Basin	[Erie] Crawford	CWF; MF	None
3—Crazy Run	Basin	[Erie] Crawford	CWF; MF	None
	* * * * *			

[Pa.B. Doc. No. 96-1253. Filed for public inspection August 2, 1996, 9:00 a.m.]

GAME COMMISSION

[58 PA. CODE CHS. 135, 141 AND 143]

Lands and Buildings; Hunting and Trapping; and Hunting and Furtaker Licenses

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission), at its June 25, 1996, meeting, proposed the following amendments:

Amend § 135.48 (relative to State Game Lands) to provide for additional time to use certain roads on designated State Game Lands by individuals issued a Disabled Persons Permit under section 2923(a) of the code (relating to disabled person permits) and to give those permittees the privilege of having their children accompany them, provided the children are in possession of a valid junior hunting or furtakers license.

Amend § 141.25 (relating to early and late goose hunting seasons) by removing the language concerning the required permit since it will no longer be necessary due to the new Migratory Game Bird License.

Amend Chapter 143 by adding Subchapter J (relating to migratory game bird license). This new subchapter will provide for the implementation of this new license authorized by the act.

These amendments will have no adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposal is 34 Pa.C.S. (relating to the Game and Wildlife Code) (code).

These proposals were made public at the June 25, 1996, meeting of the Commission and comments on these proposals can be sent to the Executive Director of the Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797 until August 30, 1996.

*Proposed Amendment to § 135.48*1. *Introduction*

During meetings held between representatives of the Commission and representatives of organizations of sportsmen with disabilities (Sportsmen), Sportsmen requested changes to the Commission's regulations relating to access to State game lands by individuals with a disability. After careful staff consideration of these requests, the Commission, at its June 25, 1996, meeting, proposed changing § 135.48 to permit wider access for sportsmen holding disabled permits. These changes are adopted under section 721(a) of the code (relating to control of property) and are consistent with the spirit of Title II of the Federal Americans with Disabilities Act.

2. *Purpose and Authority*

As was indicated in the Introduction, representatives of the Commission have met with representatives of groups of sportsmen with disabilities to discuss matters of mutual concern. During one meeting, a request was made to open the designated roads on game lands prior to the hunting season to allow individuals holding disabled permits to scout for deer. At another meeting a request was made to allow children, who cannot legally hunt alone, to accompany a disabled permit holder in addition to the one person currently authorized. After careful consideration, it was decided that both of these requests could be granted in the form of the proposed changes.

Section 721(a) of the code authorizes the Commission to promulgate regulations necessary to properly manage lands under its control. Section 2923 of the code provides for disabled person permits and allows individuals holding these permits to hunt from a vehicle.

3. *Regulatory Requirements*

Both of the proposed changes relax current restrictions. Children accompanying a disabled permit holder would be required to hold a valid junior hunting or furtakers license.

4. *Persons Affected*

Individuals holding disabled person permits and their families will be affected by the amendments.

5. *Cost and Paperwork Requirements*

The proposed amendments would not involve additional cost or paperwork.

*Proposed Amendment to § 141.25*1. *Introduction*

Under Act No. 1996-19 (Act 19), adopted on April 4, 1996, the General Assembly adopted changes to sections 102, 2705 and 2709 of the code (relating to definitions; classes of licenses; and license costs and fees) to provide for migratory game bird licenses. With the passage of Act 19, there is no longer a need for the special permit created for the early and late Canada goose seasons. As a result, at its meeting held on June 25, 1996, the Commission proposed eliminating § 141.25(d), relating to permit required. This action is being proposed under section 2901(b) of the code (relating to regulations).

2. *Purpose and Authority*

The early and late Canada goose permit was created originally to obtain information with regard to goose harvests in the seasons involved. This information will now be obtained through return of survey cards completed as part of the migratory game bird license issuing process. The permit is therefore unnecessary and the

Commission is proposing changes to the regulations to eliminate it. The permit was created under section 2901(b) of the code and is being eliminated under that same authority.

3. *Regulatory Requirements*

The proposed amendment eliminates a requirement.

4. *Persons Affected*

Individuals hunting Canada geese in the early or late seasons would be affected.

5. *Cost and Paperwork Requirements*

Current cost and paperwork requirements would be eliminated as a result of the proposed amendment.

*Proposed amendment to Chapter 143*1. *Introduction*

Under Act 19, adopted on April 4, 1996, the General Assembly adopted changes to sections 102, 2705 and 2709 to provide for migratory game bird licenses. Section 2705(14) of the code specifically provides for these licenses to be "... subject to the regulations, requirements and conditions which the Commission shall establish." At its meeting held on June 25, 1996, the Commission proposed adding Subchapter J, relating to hunting and furtaker licenses, to provide for the implementing regulations.

2. *Purpose and Authority*

By final rule adopted by the United States Fish and Wildlife Service published in the *Federal Register* on August 18, 1995 (Vol. 60, No. 160), 50 CFR Part 20 was amended to provide for a Migratory Bird Harvest Information Program (Program). That regulation contemplated that the Commonwealth would start participating in the Program in 1996.

In order to implement the Commonwealth participation in the Program, the General Assembly enacted Act 19, which changed sections 102, 2705 and 2709 of the code to provide for a migratory game bird license. Those revisions specifically contemplated the adoption by the Commission of implementing regulations. In addition, section 2721 of the code (relating to license issuance supervision) requires that license issuance be in accordance with regulations of the Commission. The proposed amendments fulfill these purposes. In addition to providing procedures for the issuance of migratory game bird licenses, the proposed amendments provide for submission of the survey cards required by the Federal Program.

3. *Regulatory Requirements*

Act 19 requires the purchasing of a migratory game bird license in order to hunt migratory game birds. The proposed amendments would provide detailed procedures and require return of the survey card under the Federal Program.

4. *Persons Affected*

Individuals wishing to hunt migratory game birds in this Commonwealth and authorized hunting license issuing agents would be affected by the proposed amendments.

5. *Cost and Paperwork Requirements*

The only cost for the migratory game bird license is 75¢ which is the hunting license issuing agent's fee. A simple application for the license and survey card would need to be completed prior to issuance. Hunting license issuing

agents will be required to return completed survey cards directly to the United States Fish and Wildlife Service once per month.

Effective Dates

The proposed amendments would be effective on final adoption and publication in the *Pennsylvania Bulletin* and would remain in effect until changed by the Commission.

Contact Person

For further information on the proposed amendments, contact James R. Fagan, Director, Bureau of Law Enforcement, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

DONALD C. MADL,
Executive Director

Fiscal Note: 48-94. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 58. RECREATION

PART III. GAME COMMISSION

CHAPTER 135. LANDS AND BUILDINGS

Subchapter C. STATE GAME LANDS

§ 135.48. State game lands roads open to vehicular traffic for disabled persons.

(a) *Vehicular traffic permitted.* Vehicular traffic will be permitted on designated roads on State game lands for persons issued a Disabled Persons Permit under section 2923(a) of the act (relating to disabled person permits).

(1) Roads will be open for one-way travel, weather permitting, from **14 days prior** to the opening day of archery season to the closing day of the muzzleloader/archery season.

(2) A permittee may be accompanied by only one person, and that person shall be in possession of a valid Pennsylvania hunting or furtakers license. **The permittee may also be accompanied by one or more of the permittee's children who hold a valid junior hunting or furtakers license.**

* * * * *

CHAPTER 141. HUNTING AND TRAPPING

Subchapter B. SMALL GAME

§ 141.25. Early and late goose hunting seasons.

* * * * *

[(d) Permit required.

(1) Licensed hunters wishing to hunt Canada geese during the early or late season shall obtain a permit and goose harvest report card for the respective season in one of the following ways:

(i) By sending their name, address and telephone number together with a self-addressed stamped envelope to the Harrisburg Office of the Commission.

(ii) By submitting their name, address and telephone number at the sales counter of the Commission's Harrisburg Office or one of its regional offices.

(2) Early and late goose hunting permits will be issued free-of-charge.

(3) Individuals hunting geese during the early or late goose season shall have in their possession a valid Pennsylvania hunting license, the appropriate early or late goose hunting permit and a Migratory Bird Hunting and Conservation (Duck) Stamp, if they are 16 years of age or older.

(4) Recipients of early and late goose hunting permits shall return a properly completed goose harvest report card to the Harrisburg Office of the Commission within 10 days following the close of the respective early and late seasons. Failure to return a properly completed goose harvest report card could result in the loss of eligibility to receive future early or late goose season permits.

(e)] (d) Unlawful acts. It is unlawful to **[(1) Hunt]** Canada geese during the early or late goose hunting seasons inside the boundaries of the closed areas.

[(2) Hunt Canada geese during the early or late goose hunting seasons without the required permit for the respective season.

(3) Fail to return the goose harvest report card within the allotted time, even if no harvest occurred.

(4) Provide false information on the goose harvest report card.]

CHAPTER 143. HUNTING AND FURTKER LICENSES

(Editor's Note: The following subchapter is proposed to be added and is being printed in regular typeface to enhance readability.)

Subchapter J. MIGRATORY GAME BIRD LICENSE

- Sec.
- 143.181. Purpose and scope.
- 143.182. Definitions.
- 143.183. Application.
- 143.184. Issuance of license.
- 143.185. The license.
- 143.186. Processing survey cards.
- 143.187. Unlawful acts.
- 143.188. Penalties.

§ 143.181. Purpose and scope.

This subchapter establishes rules for application and issuance of Migratory Game Bird Licenses and survey cards.

§ 143.182. Definitions.

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

Migratory Game Bird License—The numbered, wallet-size card authorizing the holder thereof to hunt for migratory game birds. The license is not valid unless used in conjunction with a regular resident or nonresident hunting license.

Survey card—The matching, numbered Migratory Game Bird Harvest Information Program card that is attached to the Migratory Game Bird License. The survey card will be completed at the time the license is issued.

§ 143.183. Application.

Application may be made when purchasing a hunting license, or at any time thereafter. In addition to filling out the application for a hunting license, the applicant shall complete the matching numbered Migratory Game Bird Harvest Information Program survey card.

§ 143.184. Issuance of license.

After confirming that the survey card has been completed in its entirety, the issuing agent shall enter the date of issuance in ink on the license and the matching numbered survey card in the spaces provided and issue the license.

§ 143.185. The license.

The Migratory Game Bird License shall be signed by the holder in the space provided and shall be carried at all times while hunting for migratory game birds. The holder shall produce the license upon demand of an officer authorized to enforce the act and this title.

§ 143.186. Processing survey cards.

Issuing agents shall forward survey cards completed each month directly to the United States Fish and Wildlife Service, Office of Migratory Bird Management, no later than the 5th day of the following month. Issuing agents shall forward the survey cards in the postage-paid envelopes provided by the Commission, as per the in-

structions set forth in the current issuing agents instruction manual.

§ 143.187. Unlawful acts.

It is unlawful to:

- (1) Issue a Migratory Game Bird License contrary to this subchapter.
- (2) Process survey cards contrary to § 143.186 (relating to processing survey cards).
- (3) Apply for or receive a Migratory Game Bird License contrary to the act or this subchapter.
- (4) Violate other provisions of this subchapter.

§ 143.188. Penalties.

A person violating this subchapter shall, upon conviction, be sentenced to pay the penalties prescribed in the act.

[Pa.B. Doc. No. 96-1254. Filed for public inspection August 2, 1996, 9:00 a.m.]

NOTICES

DELAWARE RIVER BASIN COMMISSION

Commission Meeting and Public Hearing

The Delaware River Basin Commission will hold a public hearing on Wednesday, August 7, 1996. The hearing will be part of the Commission's regular business meeting which is open to the public and scheduled to begin at 11 a.m. in the Goddard Conference Room of the Commission's offices at 25 State Police Drive, West Trenton, NJ.

An informal conference among the Commissioners and staff will be held at 9:30 a.m. at the same location and will include discussion of proposed revisions to the Commission's Rules of Practice and Procedure and status reports on Blue Marsh Reservoir/Tulpehocken Creek water quality and the Commission's 35th anniversary.

The subjects of the hearing will be as follows:

Applications for Approval of the Following Projects Under Article 10.3, Article 11 and/or Section 3.8 of the Compact.

1. *Fallsburg Consolidated Water District D-90-105 CP Renewal.* An application for the renewal of a groundwater withdrawal project to supply up to 90 million gallons (mg)/30 days of water to the applicant's distribution system from well nos. Fallsburg 1-7, Woodbourne 1 and 2, Sheldrake 1, Hurleyville 1 and 2, and Brae 1. Commission approval on May 22, 1991 was limited to 5 years. The applicant requests that the total withdrawal from all wells remain limited to 90 mg/30 days. The project is located in the Town of Fallsburg, Sullivan County, NY

2. *Warner Company D-91-26 Renewal.* An application for the renewal of a groundwater withdrawal project to supply up to 6.23 mg/30 days of water to the applicant's quarrying operation from well nos. CH-4115 and CH-251. Commission approval on September 25, 1991, was limited

to 5 years and will expire unless renewed. The applicant requests that the total withdrawal from all wells remain limited to 6.23 mg/30 days. The project is located in East Whiteland Township, Chester County, in the Southeastern Pennsylvania Ground Water Protected Area.

3. *United Water Delaware D-91-72 CP.* A resolution to extend the time limit for compliance with Conditions "p." and "q." of DRBC Docket No. D-91-72 CP to June 1, 1997. The project is located in New Castle County, DE.

4. *Westwood Golf Club D-96-3.* An application for approval of a groundwater and surface water withdrawal project to supply up to 6 mg/30 days of water to the applicant's irrigation system from well no. 2, existing well no. 1, and a new intake on Matthews Branch; and to increase the existing withdrawal limit from all sources to 6 mg/30 days. The project is located in West Deptford Township, Gloucester County, NJ.

5. *Matrix Realty, Inc. (Commonwealth National Country Club) D-96-27.* An application to replace the withdrawal of water from well no. 1 that has been sold as part of a property transfer. The applicant requests that the withdrawal from replacement well no. 2 be limited to 5.0 mg/30 days and that the total withdrawal from all sources remain limited to 5.0 mg/30 days. The project is located in Horsham Township, Montgomery County, in the Southeastern Pennsylvania Ground Water Protected Area.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Contact George C. Elias concerning docketed-related questions. Persons wishing to testify at this hearing are requested to register with the Secretary prior to the hearing.

SUSAN M. WEISMAN,
Secretary

[Pa.B. Doc. No. 96-1255. Filed for public inspection August 2, 1996, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking of the Commonwealth of Pennsylvania, under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending July 23, 1996.

BANKING INSTITUTIONS

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-12-96	The Scottdale Bank & Trust Company Scottdale Westmoreland County	Route 201 and Liberty Street Vanderbilt Fayette County	Opened
7-17-96	Farmers and Merchants Trust Company Chambersburg Franklin County	3 East First Street Boiling Springs Cumberland County	Approved

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-19-96	United Bank of Philadelphia Philadelphia Philadelphia County	38th Street and Lancaster Avenue Philadelphia Philadelphia County	Approved

Branch Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-17-96	Johnstown Bank and Trust Company Johnstown Cambria County		Approved
<i>From:</i>	Jefferson Avenue Extension Windber Somerset County	<i>To:</i> 415 Park Place Windber Somerset County	
<i>From:</i>	112 North Market St. Ligonier Westmoreland County and #1 Ligonier Valley Mini Mall Ligonier Westmoreland County	<i>To:</i> 402 West Main Street Ligonier Westmoreland County	
<i>From:</i>	262 East Main Street Somerset Somerset County	<i>To:</i> 121 South Center Avenue Somerset Somerset County	
<i>From:</i>	1231 Scalp Avenue Johnstown Cambria County	<i>To:</i> 1458 Scalp Avenue Johnstown Cambria County	
<i>From:</i>	407 Main Street Johnstown Cambria County	<i>To:</i> 532-534 Main Street Johnstown Cambria County (Main Office)	
7-23-96	Northern Central Bank Williamsport Lycoming County		Approved
<i>From:</i>	400 Main Street Towanda Bradford County	<i>To:</i> 312 Main Street Towanda Bradford County	

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-17-96	First Savings Bank of Perkasie Perkasie Bucks County	<i>To:</i> Southeast Corner of Easton Road and Deep Run Road Bedminster Township Bucks County	Filed
		<i>From:</i> 5962 East Road Plumstead Township Bucks County (Approved/Unopened)	
7-19-96	First Sterling Bank Devon Chester County	<i>To:</i> 101 W. Baltimore Pike Media Delaware County	Filed
		<i>From:</i> Northeast Corner of State and Jackson Sts. Media Delaware County (Approved/Unopened)	

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-19-96	Northern Central Bank Williamsport Lycoming County	100 S. Henry St. South Waverly Bradford County	Effective

SAVINGS ASSOCIATIONS

No activity.

CREDIT UNIONS

No activity.

RICHARD C. RISHEL,
Secretary

[Pa.B. Doc. No. 96-1256. Filed for public inspection August 2, 1996, 9:00 a.m.]

**DEPARTMENT OF
CONSERVATION AND
NATURAL RESOURCES****Conservation and Natural Resources Advisory
Council; Meeting Notice**

Notice is hereby given of a meeting of the Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources on Monday, August 12, 1996. The meeting will be held at 10 a.m. in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Glenda Miller at (717) 772-9087.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Glenda Miller directly at (717) 772-9087 or through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN C. OLIVER,
Secretary

[Pa.B. Doc. No. 96-1257. Filed for public inspection August 2, 1996, 9:00 a.m.]

Retention of an Engineering Firm**Project Reference No. FDC-500-207**

The Department of Conservation and Natural Resources will retain an engineering firm for an open-end contract for various engineering, environmental and geological services on various bridge projects located on State forest land in Pennsylvania. The contract will be for a 12-month period with four 12-month extensions possible. Projects will be assigned on an as-needed basis.

Letters of interest for this project will only be accepted from individuals or firms or corporations duly authorized to engage in the practice of engineering. If an individual, firm or corporation not authorized to engage in the practice of engineering desires to submit a letter of interest, said individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

The services may encompass a wide range of design and environmental efforts with the possibility of several different types of projects being designed under short completion schedules. The anticipated types of projects may include, but are not limited to, bridge replacements (single and multi-span), bridge rehabilitation, bridge approach work, minor location studies and CADD services.

Areas of environmental study associated with these projects may include, but are not limited to, wetlands, soil, geology, DEP Chapter 105, and Corps of Engineers 404 permits. The environmental studies will be conducted in accordance with accepted analysis techniques and methodologies.

The selected firm may be required to perform any or all of the following in order to ensure a complete environmental investigation has been performed: provide all necessary environmental services, material and equipment necessary to collect, analyze and organize data, assess impacts, prepare reports and design mitigation plans. The reports and other graphic material to be prepared may include, but are not limited to, plans of study, meeting minutes, preparation of permit application documents, mitigation plans and reports, and wetland and floodplain findings.

The engineering firm may be required to perform any or all of the following duties: attend site visits; prepare minutes; perform necessary field surveys; plot topography and cross sections; develop erosion control details and narrative; prepare type, size and location report; prepare construction drawings, specifications and estimates; procure core borings; provide soil and foundation engineering report; investigate utility involvement; and evaluate alternatives using benefit/cost analysis.

The services shall include, but not be limited to, a preliminary meeting in the Bureau of Facility Design and Construction, 8th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, for this project. The contract shall be based on the hours of service and qualifying expenses not exceeding the contract amount. The design work will be reviewed by the engineering staff of the Bureau of Facility Design and Construction, and when acceptable, approved by same staff.

Commitment to Enhance Socially/Economically Restricted Businesses (SERB).

The Commonwealth of Pennsylvania strongly encourages the submission of proposals by SERBs.

To achieve the objective of enhancing SERB participation, the Commonwealth has established SERB utilization as a selection criteria in the evaluation process.

The Bureau of Contract Administration and Business Development (BCABD), Department of General Services, will evaluate the aforementioned criteria and will assign a point value to be considered within the overall RFP total point tabulation.

Proposals submitted by individuals claiming SERB status or proposals submitted by individuals reflecting joint venture and subcontracting opportunities with SERBs must submit documentation verifying their claim.

SERBs are businesses whose economic growth and development has been restricted based on social and economic bias. Such businesses are BCABD certified minority and women owned businesses and certain re-

stricted businesses whose development has been impeded because their primary or headquarter facility is physically located in an area designated by the Commonwealth as being in an enterprise zone. Businesses will not be considered socially/economically restricted if one of the conditions listed exists:

1. The business has gross revenues exceeding \$4,000 annually.

2. The concentration of an industry is such that more than 50% of the market is controlled by the same type of SERB (Minority Business Enterprise (MBE) Women Business Enterprise (WBE)) or businesses within designated enterprise zones.

Proposers not considered to be socially/economically restricted businesses seeking to identify such businesses for joint venture and subcontracting opportunities are encouraged to contact the: Department of General Services, Bureau of Contract Administration & Business Development, Room 502, North Office Building, Harrisburg, PA 17125, Phone: (717) 787-7380, FAX: (717) 787-7052.

SERB Information

SERBs are encouraged to participate as prime proposers. SERBs qualifying as an MBE/WBE must provide their BCABD certificate number. SERBs qualifying as a result of being located in a designated enterprise zone must provide proof of this status.

Proposers not considered to be SERBs must describe, in narrative form, their company's approach to enhance SERB utilization on a professional level in the implementation of this proposal.

The following options will be considered as part of the final criteria for selection:

Priority Rank 1. Proposals submitted by SERBs.

Priority Rank 2. Proposals submitted from a joint venture with a Commonwealth approved SERB as a joint venture partner.

Priority Rank 3. Proposals submitted with subcontracting commitments to SERBs.

Each proposal will be rated for its approach to enhancing the utilization of SERB. The optional approach used will be evaluated with option number 1 receiving the greatest value and the succeeding options receiving a value in accordance with the above-listed priority ranking.

The percent designated for SERB Commitment should be placed in a separate sealed envelope and stapled to the SERB section of the proposal. Contractor proposals should also include the SERB value in the Cost and Price Analysis section of the proposal. The applicable items shown in the Cost and Price Analysis section should also be used to prepare and detail the proposed SERB Commitment value including, if applicable, fiscal year breakdown. The selected contractor's SERB Commitment amount will be included as a contractual obligation when a contract is entered into.

General Requirements and Information

Firms interested in performing the required services for this project are invited to submit letters of interest to Eugene J. Comoss, P.E., Director, Bureau of Facility Design and Construction, Rachel Carson State Office Building, 8th Floor, 400 Market Street, P. O. Box 8451, Harrisburg, PA 17105-8451.

Each letter of interest must include the firm's Federal identification number and the project reference number. The letter of interest shall also include a description of the firm's three most recently completed projects similar to the project being proposed. The description shall include the client, contact person and phone number, the estimated or actual construction cost of the portion of the work which the firm designed, the project manager and the names of all personnel who made major contributions to the project.

A standard current revised 1996 DGS Form 150-S must accompany the letter of interest and shall indicate the individual in charge. A standard current revised 1996 DGS Form 150 must also accompany the letter of interest. Additional information pertinent to the firm's qualifications to do the work of this contract may be included.

General Requirements

A cost proposal shall be submitted in a separate sealed envelope, clearly marked. The proposal shall include a listing of anticipated project personnel, payroll classification of each employe, direct hourly rates, overhead rate, total costs, net fee (profit) and total price.

All direct costs of services performed by others shall be broken down using the same criteria as above. This information shall be all inclusive to cover all 5 years of the contract.

Direct costs other than payroll, such as travel and subsistence, shall be based on the current state rates. Miscellaneous expenses such as copies, prints, sepias, postage and film shall be reimbursed at cost upon approval by the Department.

The following factors will be considered during the evaluation of the firm's letter of interest:

Criteria evaluated by the Technical review will include:

1. Professional's understanding of the problem as demonstrated in letter of interest.
2. Qualifications of firm.
3. Professional personnel in firm.
4. Soundness of approach as demonstrated in letter of interest.
5. Geographic proximity of the professional to the facility or study area.
6. Available manpower to perform the services required.
7. SERB participation. (Evaluated by DGS)
8. Cost.

Each proposer shall relate their proposal to the above criteria.

Six copies of the letter of interest and the required forms must be received no later than 4 p.m. on August 27, 1996. The six copies shall be submitted in six complete sets that shall be spiral bound or in folders or secured by binder clips. The assignment and services will be made to one of the firms responding to this notice. However, the Department reserves the right to reject all letters of interest submitted, cancel the solicitation requested under this notice, and/or re-advertise solicitation for this service.

The Department will not offer a debriefing session to the unsuccessful firms. The Department disclaims any liability whatsoever to its review of the proposal submit-

ted and in formulating a recommendation for selections. Recommendations made by the Department shall be final.

JOHN C. OLIVER,
Secretary

[Pa.B. Doc. No. 96-1258. Filed for public inspection August 2, 1996, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of the Pennsylvania State University to Alter its Degree Level at a Number of its Branch Campuses; Notice of Opportunity to Respond

Under 22 Pa. Code § 34.11 (relating to the alteration of degree level at previously established branch campuses by a state-supported institution), the Department of Education will consider the application of The Pennsylvania State University, a state-supported institution, for approval by the Secretary of Education to alter the previously established degree level at a number of its branch campuses.

The application was received by the Secretary of Education on July 16, 1996 and is available for public inspection at the branch campuses involved, as well as at the institution's main campus.

Written public comment on this application may be submitted to the Department within 30 days of the date of publication of this notice. Comments should be brief and should be limited to: a) whether and how the application adversely affects the respondent or others; b) whether and how the application assists the respondent or others; and, c) whether the application is feasible and needed or not feasible and not needed in particular areas. In cases where the application contains actions previously publicized and commented upon, those comments already received will be considered during the Department's evaluation and should not be resubmitted.

All written comments shall be filed with Dr. Warren D. Evans, Liaison to Postsecondary and Higher Education Institutions, Department of Education, 333 Market Street, Harrisburg, PA 17126-0333, (717) 787-6576 on or before 4 p.m. on the due date prescribed by this notice.

EUGENE W. HICKOK,
Secretary

[Pa.B. Doc. No. 96-1259. Filed for public inspection August 2, 1996, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

The following parties have applied for an NPDES permit to discharge controlled wastewaters into the surface waters of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection proposes to issue a permit to discharge, subject to certain effluent limitations and special conditions. These proposed determinations are tentative.

Where indicated, the EPA, Region III, Regional Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.6E.

Persons wishing to comment on the proposed permit are invited to submit a statement to the office noted above the application within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the responsible office considers the public response significant.

Following the 30-day comment period, the Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, proposed effluent limitations and special conditions, comments received and other information are on file and may be inspected and arrangements made for copying at the office indicated above the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

Applications received for National Pollutant Discharge Elimination System (NPDES) permit to discharge to State waters.

Northwest Regional Office: Regional Manager, Water Management, 230 Chestnut Street, Meadville, PA 16335, telephone (814) 332-6942.

PA 0005622. Industrial waste, SIC: 4011. **Bessemer and Lake Erie Railroad Company**, 135 Jamison Lane, P. O. Box 68, Monroeville, PA 15146.

This application is for renewal of an NPDES permit to discharge treated industrial waste, noncontact cooling water and stormwater to the Shenango River in Hempfield Township, **Mercer County**. This is an existing discharge.

The receiving water is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Reynolds Water Company and Shenango River located in Hempfield Township, approximately 2.8 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of .0003 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX		
Total Suspended Solids	30		60
Oil and Grease	15		30
pH	6.0—9.0 at all times		

The proposed discharge limits for Outfall No. 002 based on a design flow of N/A mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
	Refer to Special Condition A of this permit.		

The EPA waiver is in effect.

PA 0222097. Sewage. **John P. Vandenberg**, R. D. 1, Box 161A, Grand Valley, PA 16420.

This application is for a new Part I NPDES permit to discharge treated sewage to the unnamed tributary to Caldwell Creek in Eldred Township, **Warren County**. This is a new discharge.

The receiving water is classified for the following uses: high quality-cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Supply on the Allegheny River located at Emlenton, approximately 57 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 (after chlorine contact tank) based on a design flow of .0004 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10	20
Total Suspended Solids	20	40
Fecal Coliforms (5-1 to 9-30)	200/100 ml as a geometric average	
Total Residual Chlorine	XX	XX
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0102369. Sewage, **Jack R. Foht**, 400 Lord Road, Fairview, PA 16415.

This application is for renewal of an NPDES permit to discharge treated sanitary sewage from Rainbow Valley Mobile Home Park to an unnamed tributary to LeBoeuf Creek in Waterford Township, **Erie County**. This is an existing discharge.

The receiving water is classified as a trout stream, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Cambridge Springs Borough on French Creek, approximately 24 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on average design flow of 0.050 mgd are:

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
CBOD ₅ (5-1 to 10-31)	20	40
(11-1 to 4-30)	25	50
Total Suspended Solids	30	60
NH ₃ -N (5-1 to 10-31)	15	30
(11-1 to 4-30)	no limit set	
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
Total Residual Chlorine (interim)	monitor and report	
(final)	0.50	0.750

<i>Parameter</i>	<i>Effluent Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Instantaneous Maximum</i>
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200/100 ml 2,000/100 ml	
pH	6.0—9.0 standard units at all times	

The EPA waiver is in effect.

Southeast Regional Office: Regional Manager; Water Management, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, telephone (610) 832-6130.

PA 0013714. Industrial waste, **PECO Energy Company**, No. 1 Industrial Highway, Eddystone, PA 19022.

This application is for renewal of an NPDES permit to discharge once through cooling water, noncontact cooling water and stormwater runoff from Eddystone Generating Station in Eddystone Borough, **Delaware County**. This is an existing discharge to Crum Creek (Outfalls 001, 002, 004, 005) and the Delaware River—Zone 4 (Outfalls 007, 008, 010, 013, 014).

The receiving stream is classified for warm water fish, migratory fish, industrial water supply, wildlife water supply, boating, fishing, navigation and esthetics.

The proposed effluent limits for Outfall 001, 002, 004, 013 and 014.

These discharges shall consist solely of stormwater runoff. No limits are required, however, monitoring of certain pollutants is required once a year.

The proposed effluent limits for Outfall 005 from fans and air compressor based on an average flow of 0.45 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	30	60	75
Oil and Grease	15	20	30
pH	within limits of 6.0—9.0 standard units at all times		
Temperature			110°F
Total Copper	monitor/report		
Total Zinc	monitor/report		
Dissolved Iron	monitor/report		

The proposed effluent limits for Outfall 007 for once through cooling water based on an average flow of 604 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Clam-Trol CT-2		0.05	
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		
Total Residual Chlorine			0.2
Free Available Chlorine		0.2	0.5
Oil and Grease	15		30
Total Dissolved Solids	700	1,400	1,750

The proposed effluent limits for Outfall 008 based on an average flow of 835 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Clam-Trol CT-2		0.05	
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		
Total Residual Chlorine			0.2
Hydrazine	not detectable (<0.002 mg/l)		
Free Available Chlorine		0.2	0.5
Oil and Grease	15		30
Total Dissolved Solids	700	1,400	1,750

The proposed effluent limits for discharge from industrial wastewater treatment plant for monitoring points 107 and 108 during operation of the generating units are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	60	75
Oil and Grease	15	20	30
Total Copper	1.0	1.0	

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Iron	1.0	1.0	
pH	within limits of 6.0—9.0 standard units at all times		

The proposed effluent limits for noncontact cooling water and groundwater for Outfall 010 based on an average flow of 0.144 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Suspended Solids	30	60	75
Oil and Grease	15	20	30
pH	within limits of 6.0—9.0 standard units at all times		
Temperature			110°F
Total Aluminum	monitor only		

Other Conditions:

Thermal Requirements and mixing zone for Outfalls 005, 007, 008 and 010

Special Test Methods for certain pollutants

Approved Cooling/Boiler Water Additives

Intake Debris Not to be Returned to Waterway

No Discharge of PCB's

FAC/TRC Limitations and Definitions

Chemical Metal Cleaning

Coal Pile Runoff

Hydrazine Sampling Method

The EPA waiver is not in effect.

PA 0053929. Sewage, **Barryway Enterprises, Inc.**, t/a Bubba's Potbelly Stove, 1485 Route 309, Quakertown, PA 18951.

This application is for renewal of an NPDES permit to discharge treated sewage from Bubba's Potbelly Stove in Springfield Township, **Bucks County**. This is an existing discharge to Tributary to Tohickon Creek.

The receiving stream is classified for warm water fish, trout stocking, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports and esthetics.

The proposed effluent limits for Outfall 001, based on an average flow of 7,500 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Suspended Solids	30	60
Ammonia (as N)		
(11-1 to 4-30)	6	12
(5-1 to 10-31)	2	4
Phosphorus (as P)	0.5	1.0
Oil and Grease	15	30
Fecal Coliforms	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 4.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	
Total Residual Chlorine		
(Issuance to year-3)	1.0	2.5
(Year 4 through expiration)	0.15	0.4

Other Conditions:

Requirements for final WQBEL for Total Residual Chlorine.

Conditions for future permit modification.

The EPA waiver is in effect.

PA 0011266. Industrial waste, **Cabot Corporation**, County Line Road, Boyertown, PA 19512.

This application is for renewal of an NPDES permit to discharge treated process wastewater and cooling water from the Cabot Corporation facility in Douglass Township, **Montgomery County**. This is an existing discharge to West Swamp Creek.

The receiving stream is classified for warm water fish, trout stocking, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports and esthetics.

The proposed effluent limits for Outfall 001 based on an average flow of 0.0837 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	20	40	50
Total Dissolved Solids	300		750
Ammonia (as N)	7		14
Fluoride	2.5		6.3
Phosphorus (as P)	2		5
Oil and Grease	15		30
pH	within limits of 6.0—9.0 standard units at all times		
Total Lead			
(years 1, 2 and 3)	monitor/report	monitor/report	
(years 4 and 5)	0.01	0.02	0.03
Total Zinc	0.12	0.24	0.30
Total Arsenic	0.30	0.60	0.75
Total Beryllium	0.027	0.054	0.067
Total Cadmium	0.037	0.074	0.039
Hexavalent Chromium	0.022	0.044	0.055
Total Copper	0.02	0.04	0.05
Total Selenium	0.02	0.04	0.05
Total Silver	0.001	0.002	0.003
Total Thallium	0.08	0.16	0.20
Total Molybdenum	monitor/report	monitor/report	13.8
Total Titanium	monitor/report	monitor/report	
Total Zirconium	monitor/report	monitor/report	
Total Cesium	monitor/report	monitor/report	
Total Rubidium	monitor/report	monitor/report	
Total Nickel	monitor/report	monitor/report	2.2
Free Cyanide	0.02	0.04	0.05
Gross Alpha		2 pCi/l	
Gross Beta		1,000 pCi/l	

The proposed effluent limits for Outfall 002 based on an average flow of 0.081 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature			110°F
pH	within limits of 6.0—9.0 standard units at all times		
Total Suspended Solids	20	40	50
Total Dissolved Solids	300		750
Ammonia (as N)	7		14
Fluoride	2.5		6.3
Sulfate	250		500
Total Zinc	0.12	0.24	0.30
Hexavalent Chromium			
(years 1, 2 and 3)	monitor/report	monitor/report	
(years 4 and 5)	0.022	0.044	0.055

The proposed effluent limits for Outfall 003 based on an average flow of 4,500 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	20	40	50
Phosphorus (as P)	2		5
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is not in effect.

PA 0054810. Sewage, **Upper Frederick Township**, P. O. Box 597, Frederick, PA 19435-0597.

This application is for renewal of an NPDES permit to discharge treated sewage from the Perkiomen Crossing WWTP in Upper Frederick Township, **Montgomery County**. This is an existing discharge to intermittent swale tributary to Goshenhoppen Creek.

The receiving stream is classified for warm water fish, trout stocking, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports and esthetics.

The proposed effluent limits for Outfall 001, based on an average flow of 47,850 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	25	30
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	4.5		9.0
(11-1 to 4-30)	13.5		27.0
Nitrate and Nitrate (as N)	10.0		20.0
Phosphorus (as P)			
(4-1 to 10-31)	2.0		4.0
Total Residual Chlorine	0.5		1.20
Fecal Coliforms	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		

The EPA waiver is in effect.

PA 0050920. Sewage, **William Henry Apartments**, 1086 King Road, Malvern, PA 19355.

This application is for renewal of an NPDES permit to discharge treated sewage from the William Henry Apartments in East Whiteland Township, **Chester County**. This is an existing discharge to unnamed tributary to Ridley Creek.

The receiving stream is classified for warm water fish, trout stocking, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports, high quality waters and esthetics.

The proposed effluent limits for Outfall 001 based on an average flow of .069 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	20	40
(11-1 to 4-30)	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	1.8	3.6
(11-1 to 4-30)	5.4	10.8
Total Residual Chlorine	0.1	0.2
Fecal Coliforms	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 6.0 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

PA 0030970. Sewage, **Cheyney University of Pennsylvania**, P. O. Box 62, Cheyney University, Cheyney, PA 19319.

This application is for renewal of an NPDES permit to discharge treated sewage from Cheyney University of Pennsylvania in Thornbury Township, **Delaware County**. This is an existing discharge to East Branch of Chester Creek.

The receiving stream is classified for warm water fish, trout stocking, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports and esthetics.

The proposed effluent limits for Outfall 001 based on an average flow of 0.27 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50
Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	6.5	13
(11-1 to 4-30)	19.5	39
Total Residual Chlorine		
(years 1 and 2)		monitor/report
(years 3, 4 and 5)	0.5	1.6
Fecal Coliforms	200 colonies/100 ml as a geometric average	
Dissolved Oxygen	minimum of 3 mg/l at all times	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

Southcentral Regional Office: Regional Water Management Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4590.

PA 0044054. Industrial waste, SIC: 0921, **Fish and Boat Commission**, Reynoldsdale Fish Culture Station, R. R. 2, Box 550, New Paris, PA 15554-9401.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Dunning Creek (14586), in New Paris Township, **Bedford County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Saxton Municipal Waterworks located in Saxton. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001, for a design flow of 1.944 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (s.u.)	from 6.0—9.0 inclusive		
Total Suspended Solids	report		
CBOD ₅	report		
Dissolved Oxygen	report		

The proposed effluent limits for Outfall 002 for a design flow of 0.084 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (s.u.)	from 6.0—9.0 inclusive		
Total Suspended Solids	10	20	25
Dissolved Oxygen	5.0 mg/l minimum at all times		
Total Iron	2.7	5.4	6.7
CBOD ₅			
(5-1 to 10-31)	10	20	25
(5-11 to 4-30)	20	40	50
NH ₃ -N			
(5-1 to 10-31)	3	6	7.5
(11-1 to 4-30)	9	18	22

The proposed effluent limits for Outfall 003, for a design flow of 0.000089 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (s.u.)	from 6.0—9.0 inclusive		
Total Suspended Solids	10		20
NH ₃ -N			
(5-1 to 10-31)	3		6
(11-1 to 4-30)	9		18
CBOD ₅	10		20
Fecal Coliforms			
(5-1 to 10-31)	200		
(11-1 to 4-30)	2,000		

The EPA waiver is in effect.

PA 0084247. Sewage, SIC: 3357, **Berk Tek, Inc.**, 132 White Oak Road, P. O. Box 888, New Holland, PA 17557.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to an unnamed tributary of the Conestoga River, in Earl Township, **Lancaster County**.

The receiving stream is classified for warm water fishery, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was the Lancaster Municipal Water Authority located in Lancaster City, Lancaster County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0075 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25			50
Total Suspended Solids	30			60
NH ₃ -N				
(5-1 to 10-31)	20			40
Total Residual Chlorine	1.0			2.0
Dissolved Oxygen	minimum of 5.0 at all times			
pH	from 6.0—9.0 inclusive			

<i>Parameter</i>	<i>Average</i>		<i>Maximum</i>	<i>Instantaneous</i>
	<i>Monthly (mg/l)</i>	<i>Weekly (mg/l)</i>	<i>Daily (mg/l)</i>	<i>Maximum (mg/l)</i>
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 3,300/100 ml as a geometric average			

The EPA waiver is in effect.

Southwest Regional Office: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.

PA 0004472. Amendment No. 2, Industrial waste, SIC: 3312, **USX Corporation**, U. S. Steel Group, 600 Grant Street, Pittsburgh, PA 15219.

This application is for amendment of an NPDES permit to discharge treated process water, cooling water and stormwater from the Clairton Works in Clairton, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River, classified as warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation.

Outfall 081: existing discharge, design flow of 18.45 mgd. The following limits are applicable after Outfalls 083 and 084 are rerouted to Outfall 081.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	monitor and report				
Temperature (°F)	110				
pH	6.0—9.0				

If a bypass from Outfall 038 occurs, then the following additional monitoring requirements are applicable:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine	monitor and report				
Suspended Solids (Influent)	monitor and report		monitor and report		
(Effluent)	monitor and report		monitor and report		

Outfalls 083 and 084: The following limits are applicable after the completion of the re-routing project.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>

These outfalls shall consist solely of uncontaminated stormwater runoff.

The EPA waiver is not in effect.

PA 0094722. Industrial waste, **TAPCO, Inc.**, 3800 Neville Road, Neville Island, PA 15225.

This application is for renewal of an NPDES permit to discharge noncontact cooling water and stormwater from the Neville Island Plant in Neville Township, **Allegheny County**

The following effluent limitations are proposed for discharge to the receiving waters, Back Channel of the Ohio River, classified as warm fishery, fishery with existing and/or potential uses for aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is the Robinson Township Municipal Authority, located at Mile Point 8.6, 2.4 miles below the discharge point.

Outfall 001: discharge, design flow of 0.744 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	monitor and report				
Temperature (°F)	110				
pH	between 6—9 at all times				

Outfalls 002, 003, 004, 005 and 006: stormwater discharges

BOD ₅	30*			75	
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Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
COD			120*		300
Nitrate and Nitrite Nitrogen			0.68*		1.7
TSS			100*		250
Oil and Grease					30
Fecal Coliforms	monitor and report				

*Yearly average limits.

Outfall 007: stormwater discharges

This outfall consists of uncontaminated stormwater runoff only. No specific limitations are imposed.

Other Conditions:

1. All process wastewaters at the facility are pretreated and discharged to ALCOSAN.
2. BMPs relating to stormwater discharges.

The EPA waiver is in effect.

PA 0045438. Sewage, **U. S. Government**, Department of the Army, Oakdale, PA 15071-5000.

This application is for issuance of an NPDES permit to discharge treated sewage from Charles E. Kelly, U. S. Army Support Element STP, Collier Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Robinson Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the West View Municipal Water.

Outfall 001: existing discharge, design flow of .180 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration	1.0			3.3
pH	6.0—9.0			

The EPA waiver is in effect.

PA 0093050. Sewage, **Burrell Township Sewer Authority** P. O. Box 454, Black Lick, PA 15716.

This application is for renewal of an NPDES permit to discharge treated sewage from Burrell Township Municipal Treatment Plant in Burrell Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Blacklick Creek, which are classified as a trout stock fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Saltsburg Municipal Water Works.

Outfall 001: existing discharge, design flow of .180 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	100,000/100 ml as a geometric mean			
Total Residual Chlorine				
1st month—36th month	monitor and report			
37th month—expiration date	1.0			3.3
pH	6.0—9.0			

The EPA waiver is in effect.

PA 0098256. Sewage, **Allyn J. Willner, Jr.**, 211 Seik Road, Washington, PA 15301.

This application is for renewal of an NPDES permit to discharge treated sewage from the Allyn J. Willner, Jr. Single Residence Sewage Treatment Plant, Chartiers Township, **Washington County**

The following effluent limitations are proposed for discharge to the receiving waters, known as unnamed tributary of Chartiers Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the West View Municipal Authority on the Ohio River.

Outfall 001: existing discharge, design flow of 0.0004 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	monitor and report			
pH	6.0—9.0			

The EPA waiver is in effect.

PA 0205524. Sewage, **Amy C. Smeltzer**, 297 Ford City Road, Freeport, PA 16229.

This application is for renewal of an NPDES permit to discharge treated sewage from the Smeltzer Single Residence STP in South Buffalo Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as an unnamed tributary of Hill Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Freeport Water Company.

Outfall 001: existing discharge, design flow of .0004 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliforms				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	monitor and report			
pH	6.0—9.0			

The EPA waiver is in effect.

Proposed NPDES Permit Renewal Actions for Minor Sewage Discharges

The following parties have applied to renew their current NPDES permits to allow the continued discharge of controlled wastewater into the surface waters of this Commonwealth. The Department of Environmental Protection (DEP) has made a tentative determination to renew these permits and proposes to issue them, subject to their current permit effluent limitations, and monitoring and reporting requirements, with appropriate and necessary updated requirements to reflect new or changed regulations and other requirements. The updates may include, but will not be limited to, applicable permit conditions and/or requirements addressing combined sewer overflows (CSOs), municipal sewage sludge management, and total residual chlorine control (TRC). Any major changes to or deviations from the terms of the existing permit will be documented and published with the final Department actions.

The EPA, Region III, Regional Administrator has waived the right to review or object to these proposed permit actions under the waiver provision 40 CFR 123.6E.

Persons wishing to comment on the proposed permits are invited to submit a statement to the Field Operations indicated as the office responsible, within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding these applications and proposed permit actions. Comments should include the name, address and telephone number of the writer and a brief statement to inform the Field Office of the basis of the comment and the relevant facts upon which it is based. A public hearing may be held if the Field Office considers the public response significant.

Following the 30-day comment period, the Water Management Program Managers will make a final determination regarding the proposed permit action. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit renewal application and related documents, proposed effluent limitations and special conditions, comments received and other information are on DEP's file. The documents may be inspected at, or a copy requested from, the Field Office that has been indicated above the application notice.

Southcentral Regional Office: Water Management Program, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4590.

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0081060	Meadowbrook Mobile Home Park 314 Erford Road Camp Hill, PA 17011	York Fairview	UNT Yellow Breeches	TRC

The following parties have applied for an NPDES permit to discharge stormwater from a proposed construction activity into the surface waters of the Commonwealth. Unless otherwise indicated on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection proposes to issue a permit to discharge, subject to certain limitations set forth in the permit and special conditions. These proposed determinations are tentative. Limitations are provided in the permit as erosion and sedimentation control measures and facilities which restrict the rate and quantity of sediment discharged.

Where indicated, the EPA, Region III, Regional Administrator has waived the right to review or object to this proposed permit action under the waiver provision 40 CFR 123.24(d).

Persons wishing to comment on the proposed permit are invited to submit a statement to the Regional Office or County Conservation District Office indicated as the responsible office, within 30 days from the date of this public notice. A copy of the written comments should be sent to the County Conservation District Office. Comments reviewed within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Regional Office of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

Following the 30-day comment period, the Water Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the County Conservation District Office or the Department Regional Office indicated above the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

Southeast Regional Office: Regional Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428-2233, telephone (610) 832-6130.

Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 825-2511.

Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6942.

Butler County Conservation District, District Manager, 122 McCune Drive, Butler, PA 16001-6501, telephone (412) 284-5270.

NPDES Permit PAS10E057. Stormwater. **Dominic Gigliotti**, Pine Center Corporation, 11279 Perry Highway, Wexford, PA 15090 has applied to discharge stormwater from a construction activity located in Cranberry Township, **Butler County**, to Brush Creek.

Chester County Conservation District, District Manager, Gov. Serv. Ctr., Ste. 395, 601 Westtown Rd., West Chester, PA 19382, telephone (610) 696-5126.

NPDES Permit PAS10G219. Stormwater. **Stephen Cushman and Donald Marshman**, P. O. Box 294, Thorndale, PA 19372 have applied to discharge stormwater from a construction activity located in East Brandywine Township, **Chester County**, to the east branch of Brandywine Creek.

NPDES Permit PAS10G220. Stormwater. **Oxford Area School District**, 119 S. 5th Street, Oxford, PA 19363 has applied to discharge stormwater from a construction activity located in Oxford and East Nottingham Townships, **Chester County**, to Little Elk Creek.

Lehigh County Conservation District, District Manager, Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Rd., Allentown, PA 18104, telephone (610) 820-3398.

NPDES Permit PAS10Q118. Stormwater. **Thomas Hess**, 1929 Tilghman Street, Allentown, PA 18102 has applied to discharge stormwater from a construction activity located in Upper Macungie Township, **Lehigh County**, to Little Lehigh Creek.

NPDES Permit PAS10Q119. Stormwater. **Pointe West Associates**, P. O. Box 86, Bath, PA 18014 has applied to discharge stormwater from a construction activity located in Upper Macungie Township, **Lehigh County**, to Hassen Creek.

NPDES Permit PAS10Q120. Stormwater. **Lower Macungie Township Park**, 3400 Brookside Road, Macungie, PA 18062 has applied to discharge stormwater from a construction activity located in Lower Macungie Township, **Lehigh County**, to Little Lehigh Creek.

Luzerne County Conservation District, District Manager, Courthouse Annex, 5 Water Street, Wilkes-Barre, PA 18711, telephone (717) 825-1844.

NPDES Permit PAS10R021. Stormwater. **Quail Hill Company**, 198 S. Main Boulevard, Mountaintop, PA 18707 has applied to discharge stormwater from a construction activity located in Dupont and Avoca Boroughs and Pittston Township, **Luzerne County**, to a municipal storm sewer.

Northampton County Conservation District, District Manager, R. R. 4, Nazareth, PA 18064, telephone (610) 746-1971.

NPDES Permit PAS10U057. Stormwater. **Liberty Property Limited Partnership**, 1510 Valley Center

Parkway, Bethlehem, PA 18017 has applied to discharge stormwater from a construction activity located in Hanover Township, **Northampton County**, to Monocacy Creek.

Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6942.

NPDES Permit PAS104103. Stormwater. **Dept. Of Transportation 2-0**, 1924-30 Daisy Street, P. O. Box 342, Clearfield, PA 16830, has applied to discharge stormwater from a construction activity located in Hamlin and Lafayette Townships, **McKean County**, to Kinzua Creek.

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection.

Persons objecting on the grounds of public or private interest to the approval of an application or submitted plan may file a written protest with the Department of Environmental Protection at the address indicated above each permit application or plan. Each written protest should contain the following: name, address and telephone number, identification of the plan or application to which the protest is addressed and a concise statement in sufficient detail to inform the Department of the exact basis of the protest and the relevant facts upon which it is based. The Department may conduct a fact-finding hearing or an informal conference in response to any given protest or protests. Each commentator will be notified in writing of the time and place if a hearing or conference concerning the plan or action or application to which the protest relates is held. To insure consideration by the Department prior to final action on permit applications and proposed plans, initial protests and additions or amendments to protests already filed should be filed within 15 calendar days from the date of this issue of the *Pennsylvania Bulletin*. A copy of each permit application and proposed plan is on file in the office indicated and is open to public inspection.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

Industrial Waste and Sewage Applications under The Clean Stream Law (35 P. S. §§ 691.1—691.1001).

Southcentral Regional Office: Water Management Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, telephone (717) 657-4590.

A. 0196405. Sewage, **Donald and Linda Yingling**, 3574 Taneytown Road, Gettysburg, PA 17325 to construct a sewage treatment plant in Cumberland Township, **Adams County** was received in the Southcentral Regional Office on June 25, 1996.

A. 3896403. Sewage, **City of Lebanon**, Municipal Building, 400 South Eighth Street, Room 220, Lebanon, PA 17042 to modify and improve the treatment system of the Lebanon Wastewater Treatment Facility was received in the Southcentral Regional Office on July 15, 1996.

A. 6796409. Sewage, **Stewartstown Borough Authority**, P. O. Box 415, Stewartstown, PA 17363 to construct a pumping station was received in the Southcentral Regional Office on July 12, 1996.

A. 2896403. Sewage, **Cumberland Franklin Joint Municipal Authority**, 725 Municipal Drive, Shippenburg, PA 17257 to construct a sewage pumping station was received in the Southcentral Regional Office on July 15, 1996.

A. 2290202. Sewage, **Dauphin Meadows Landfill**, USA Waste Services, Inc., Northern Region, 310 Leger Road, North Huntingdon, PA 15642 to construct an outfall in Upper Paxton Township, Washington Township, **Dauphin County** was received in the Southcentral Regional Office on July 5, 1996.

Southwest Regional Office: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.

A. 2690401. Amendment No. 1. Sewerage, **Williamhouse-Regency, Inc.**, One Wedding Lane, Scottdale, PA 15683. Application for the expansion and operation of Williamhouse Regency Sewage Treatment Plant located in Upper Tyrone Township, **Fayette County**.

Southeast Regional Office: Regional Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428-2233, telephone (610) 832-6130.

0996414. Sewerage. **Milford-Trumbauersville Area Sewer Authority**, (P. O. Box 126 Spinnerstown, PA 18968). Modification of a proposed facility to serve Milford-Trumbauersville Area Sewer Authority located in Milford Township, **Bucks County**.

4696413. Sewerage. **Borough of Lansdale**, (One Vine Street, Lansdale, PA 19446). Rerate of wastewater treatment plant to serve the Borough of Lansdale located in the Borough of Lansdale, **Montgomery County**.

4696414. Sewerage. **Panaete Dantis**, (216 Neiffer Road, Schwenksville, PA 19473). Construction of a small flow sewage treatment facility to serve the Dantis residence located in Limerick Township, **Montgomery County**.

Approvals for Coverage Under the General NPDES Permit for Discharges from Stripper Oil Well Facilities—Permit PAG310001

Northwest Regional Office: Regional Oil and Gas Manager, 230 Chestnut Street, Meadville, PA 16335, telephone (814) 332-6860.

6194001. Amendment No. 4. **James L. Beck**, 15852 Pleasant Valley Drive, Pleasantville, PA 16341 is approved for coverage for a new discharge (Outfall 006) to Pine Run in President Township, and a new discharge (Outfall 008) to an unnamed tributary to Pithole Creek in Allegheny Township, **Venango County**.

Applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

Southwest Regional Office: Regional Manager, Water Supply and Community Health, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.

A. 0388503-A3. **Municipal Authority of Buffalo Township**, 707 South Pike Road, Sarver, PA 16055. Installation of a booster pumping station and water distribution lines to supply water to the Route 356 areas, Buffalo Township, **Butler County**.

A. 5696505. **Lincoln Township Municipal Authority**, P. O. Box 162, Sipesville, PA 15561. To construct and

operate a new concrete reservoir to replace the existing structure, Lincoln Township, **Somerset County**.

Northeast Regional Office: Sanitarian Regional Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2511.

5888502. Public water supply. **Lake Raylean Corporation, c/o George J. Kalafut**, R.R. 1, Box 151, Montrose, PA 18801. This proposal involves permitting of an existing system for installation of raw water disinfection facilities and modifications to the distribution system and well head. It is located in Bridgewater Township, **Susquehanna County**.

Engineer: Gregg F. Bates, P.E., 19 Culver Street, Forty Fort, PA 18704.

Acknowledgment of Notices of Intent to Remediate

Acknowledgment of Notices of Intent to Remediate submitted to the Department of Environmental Protection under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (the act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of any Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate identifies a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the background or Statewide health standard to remediate a site must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known contaminants at the site, the proposed remediation measures for the site, and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of the cleanup standards 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 the Department and shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

For further information concerning the content of a Notice of Intent to Remediate, please contact the Department of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

The Department of Environmental Protection has received the following Notices of Intent to Remediate:

Southcentral Regional Office: Environmental Cleanup Program Manager, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4592.

Frito-Lay, Inc., West Manchester Township, **York County**. Frito-Lay, Inc., 7701 Legacy Drive, Plano, TX 75024 has submitted a Notice of Intent to Remediate site groundwater contaminated with solvents. The applicant proposes to remediate the site to meet background standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* on July 11, 1996.

Southwest Field Office: John J. Matviya, Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-5217.

PPG Industries, Inc., South Greensburg, **Westmoreland County**. PPG Industries, Inc., P.O. Box 11210, Pittsburgh, PA 15238 has submitted a Notice of Intent to Remediate soil contaminated with PAHs and lead. The applicant proposes to remediate the site to meet the Statewide health standard.

Riverside Associates Property, O'Hara Township, **Allegheny County**, Stern Enterprise, c/o Richard Stern, 1300 Fulton Building, 107 Sixth Street, Pittsburgh, PA 15222 has submitted a Notice of Intent to Remediate groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the background standard.

M & S Building Parking Lot, Borough of Pleasant Hills, **Allegheny County**. Arbor Centre Corporation, c/o Langhotz, Wilson & Associates, Inc., 606 Liberty Ave., Suite 300, Pittsburgh, PA 15222 has submitted a Notice of Intent to Remediate soil contaminated with PHCs. The applicant proposes to remediate the site to meet the Statewide health standard.

Advanced Environmental Consultants, Inc. Borough of Wilkensburg, **Allegheny County**. ERM-EnviroClean, Inc., 20120 Rte. 19 North, Suite 208, Cranberry Township, PA 16066 has submitted a Notice of Intent to Remediate soil contaminated with PAHs and heavy metals. The applicant proposes to remediate the site to meet the Statewide health standard.

Renewal Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport infectious and chemotherapeutic waste.

Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P.O. Box 8471, Harrisburg, PA 17105-8471.

Med Waste, Inc., 639B Bolmar Street, West Chester, PA 19382-4901; License No. **PA-HC 0098**; application received July 15, 1996.

Beneficial use determinations received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the regulations for municipal and residual waste.

Northwest Regional Office: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6848.

BU60038. Bearcreek Watershed Authority P.O. Box C, Bruin, PA 16022, located in Bruin Borough, **Butler County**. A Beneficial Use Determination to utilize treated sewage sludge, in bulk, for use as a landscaping mulch following housing construction was received in the Regional Office on July 2, 1996.

Applications received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a solid waste processing or disposal area or site.

Southwest Regional Office: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.

Permit ID No. 301238, ARC Transfer and Processing Facility, Allegheny Recovery Corporation, One Library Place, Box No. 2, Duquesne, PA 15110. Permit renewal application for the operation of a residual waste processing facility in the City of Duquesne, **Allegheny County**. Application received in the Regional Office on June 28, 1996.

Regional Office: Regional Solid Waste Manager, One Ararat Boulevard, Harrisburg, PA 17110.

A. 603446. Richard Covert Farm, Charles Lake, (HCR 62, Box 444, Shade Gap, PA 17255). Application for agricultural utilization of sewage sludge to a site in Shirley Township, **Huntingdon County**. Application determined to be administratively complete in the Regional Office July 16, 1996.

A. 301297. Holtwood SES Ash Basin No. 2, PP&L, (Two North Ninth Street, Allentown, PA 18101-1179). Application for major modification for residual waste disposal impoundment site in Martic Township, **Lancaster County**. Application determined to be administratively complete in the Regional Office July 16, 1996.

Applications received for Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.

06-302-089A. The Department intends to issue an Air Quality Operating Permit to **Deitrich's Milk Products, Inc.** (100 McKinley Avenue, Reading, PA 19605-2117) for a boiler in Muhlenberg Township, **Berks County**.

06-317-001. The Department intends to issue an Air Quality Operating Permit to **Dietrich's Milk Products, Inc.** (100 McKinley Avenue, Reading, PA 19605-2117) for four spray dryers controlled by three fabric collectors and a combination cyclone and low-pressure wet scrubber in Muhlenberg Township, **Berks County**.

21-310-006C. The Department intends to issue an Air Quality Operating Permit to **Union Quarries, Inc.** (P. O. Box 686, Carlisle, PA 17013) for a limestone crushing plant in South Middleton Township, **Cumberland County**.

21-314-004. The Department intends to issue an Air Quality Operating Permit to **Carlisle SynTec Systems** (P. O. Box 7000, Carlisle, PA 17013) for a rubber mixing system in Carlisle, **Cumberland County**.

21-317-057. The Department intends to issue an Air Quality Operating Permit to **Holly Milk** (405 Park Drive, Carlisle, PA 17013) for a milk powder processing plant in South Middleton Township, **Cumberland County**.

22-2003. The Department intends to issue an Air Quality Operating Permit to **Stroehmann Bakeries, Inc.** (3996 Paxton Street, Harrisburg, PA 17111) for their Capital Bakery facility in Swatara Township, **Dauphin County**.

36-309-030G. The Department intends to issue an Air Quality Operating Permit to **Armstrong World Industries, Inc.** (P. O. Box 3001, Lancaster, PA 17604) for their No. 3 tile line in Lancaster, **Lancaster County**.

36-309-077B. The Department intends to issue an Air Quality Operating Permit to **Armstrong World Industries, Inc.** (P. O. Box 3001, Lancaster, PA 17604) for a pneumatic conveying system in Lancaster, **Lancaster County**.

36-309-094. The Department intends to issue an Air Quality Operating Permit to **Armstrong World Industries, Inc.** (P. O. Box 3001, Lancaster, PA 17604) for two truck unloading/bulk storage systems in Lancaster, **Lancaster County**.

Regional Office: Northeast Regional Office, Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.

The Department intends to issue an Air Quality Operating Permit for the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **39-313-038**
Source: TME Reactor w/Packtower Scrubber
Company: **Mallinckrodt Chemical, Inc.**
Location: South Whitehall Township
County: **Lehigh**

Permit: **45-318-025A**
Source: Plating Lines with Scrubbers
Company: **Instrument Specialties Company**
Location: Delaware Water Gap Boro
County: **Monroe**

Permit: **54-399-021**
Source: Portable Ash Conditioning System
Company: **J T M Industries**
Location: Porter Township
County: **Schuylkill**

Applications received for Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contamination sources.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335.

10-303-007A. The Department intends to issue an Air Quality operating permit to **IA Construction Corp.** (R. D. 2, Box 348, Punxsutawney, PA 15767) for the operation of a batch asphalt plant in Mercer Township, **Butler County**.

Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

The Department intends to issue an air quality operating permit for the air contaminant sources and associated air cleaning devices described below for the specified companies.

Permit: **46-320-031**
Source: 3 Flexographic Printing Presses
Company: **Careco**
Location: Horsham
County: **Montgomery**

Permit: **23-399-023B**
Source: 4 Holding Tanks
Company: **DELCORA**
Location: City of Chester
County: **Delaware**

Permit: **09-314-002**
Source: New Bulk Rubber Conveying System
Company: **3M**
Location: Bristol
County: **Bucks**

Permit: **09-320-003A**
 Source: Graphic Arts Facility
 Company: **Gilbreth International Corp.**
 Location: Bristol
 County: **Bucks**

Applications under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contamination sources.

Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.

06-308-039A. Construction of a nickel plating line by **Baldwin Hardware Corporation** (P. O. Box 15048, Reading, PA 19612) in Reading, **Berks County**.

07-310-020D. Modification of the existing limestone crushing plant by **New Enterprise Stone and Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664) in Taylor Township, **Blair County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

21-310-032. Construction of an aggregate processing plant by **NEP Sand and Gravel, Inc.** (Goodhart Quarry, 245 Butler Avenue, Lancaster, PA 17601) in Southampton Township, **Cumberland County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

36-320-026C. Modification of the control strategy of their heater presses by **R. R. Donnelley & Sons Company** (216 Greenfield Road, Lancaster, PA 17601-5885) in Lancaster, **Lancaster County**.

67-3001A. Construction of a starch dryer and modification of a corn handling system by **Frito-Lay, Inc.** (P. O. Box 660634, Dallas, TX 75266) in West Manchester Township, **York County**.

Approval of Operating Permit; Public Hearing

The Department of Environmental Protection will conduct a Public Hearing on Tuesday, August 27, 1996, beginning at 7 p.m. in the meeting room of the Fairview Township Municipal Building.

The hearing is for DEP to accept testimony concerning the Department's decision to approve an operating permit for the Lindy Paving asphalt plant, located on Market Road, in Fairview Township, Erie County. The plant is owned by Lindy Paving, Incorporated, R. D. 3, Box 2A, Northgate Industrial Park, New Castle, PA 16105.

Emissions from this source are estimated to be 14.0 lbs/hr of NO_x, 22.2 lbs/hr of SO_x, 3.5 lbs/hr of CO, 3.29 lbs/hr of VOC, and 12.8 lbs/hr of particulate matter.

The following conditions will be included in the operating permit:

—Particulate emissions shall not exceed 0.02 grain per dry standard cubic foot and visible emissions shall not exhibit 20% or greater opacity.

—The source shall comply with 25 Pa. Code §§ 123.1 for fugitive emissions, 123.31 for odor emission standards and 123.41 for visible emission standards.

—The Department is to be notified, and prior approval obtained, if the source is to be operated with an additive other than the AKZO NOBEL Asphalt Applications, Inc., WETFIX 312 used during emission testing.

—The Department is to be notified, and prior approval obtained, if the source is to be operated using any materials not listed in the application.

The Department has made a preliminary determination to approve the operating permit request submitted by Lindy Paving subject to the conditions listed above. The final determination will be made based on any additional inputs received.

The Public Hearing will be held for the purpose of receiving comments on the above proposed Operating Permit. The public hearing is scheduled as follows:

Tuesday, August 27, 1996
 7 p.m. to 9 p.m.

Fairview Township Building
 7471 McCray Road
 Fairview, PA 16415

Persons wishing to present testimony at the hearing should contact Steve Curcio, Community Relations Coordinator, DEP, 230 Chestnut Street, Meadville, PA 16335-3494, (814) 3321-6816 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes and a written copy of the oral testimony should be provided. Each organization is requested to designate one witness to present testimony in its own behalf.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Steve Curcio, Community Relations Coordinator, (814) 332-6816, or the Pennsylvania AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing, but wishing to comment, should provide written comments to Jeffrey D. Fuller, Air Pollution Control Engineer, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494. Comments should be submitted within 30 days of the date of this notice publication.

All the pertinent documents (applications, review memos, and draft approvals) are also available for review from 8 a.m. to 4 p.m. at the Meadville Regional DEP office (Air Quality). Appointments for scheduling a review must be made by calling Pam Foulk at (814) 332-6340.

Notice of Plan Approval Application Minor Source

The following stationary sources have filed a request for a plan approval with the Department of Environmental Protection (DEP), Bureau of Air Quality. Persons wishing to file protests or comments on the proposed plan approval have 30 days to submit the protest or comments to the Regional Office at the address listed below. Interested persons may also request that a hearing be held concerning the plan approval application by filing a request with the Regional Office stating the reason for the request.

The Department will evaluate and consider all protests and comments received. The Department will, where appropriate, modify the proposed plan approval based on the protests and comments received.

The final plan approval will contain terms and conditions to ensure that the source is constructed and operated in compliance with the Department's regulations contained in 25 Pa. Code Chapters 121 through 143 and the requirements of the Federal Clean Air Act. A notice of the Department's final decision on the proposed plan approval will be published in the *Pennsylvania Bulletin*.

Air contaminants emitted from these sources are less than the amounts that would trigger major new source review requirements. For additional information on the following applications contact Devendra Verma, Engineering Services Chief, (814) 332-6940.

Northwest Regional Office: Bureau of Air Quality Control, 230 Chestnut Street, Meadville, PA 16335.

10-309-052A. The Department received a plan approval application for replacement of an existing Eirich ceramic material mixer with a Lancaster mixer (1,000 lb/cycle) by **Minteq International, Inc.** (R. D. 3, Box 192, Slippery Rock, PA 16057) in Slippery Rock, **Butler County**.

10-302-039. The Department received a plan approval application for construction of a combustion source consisting of wood (sawdust) storage and handling systems, primary and secondary combustors, heat recovery unit, cyclone filter, turbine and electric generator (110 x 10⁶ Btu/hr) by **West Allegheny Biomass Energy Corporation** (327 Winding Way, King of Prussia, PA 19406) in Allegheny Township, **Butler County**. This source is subject to New Source Performance Standard 40 CFR Part 60, Subpart Db.

24-327-004. The Department received a plan approval application for operation of 14 open top degreasers by **Keystone Thermometrics, Inc.** (967 Windfall Rd., St. Marys, PA 15857) in St. Marys, **Elk County**. These sources are subject to the MACT standard, 40 CFR Part 63, Subpart T—National Emission Standards for Halogenated Solvent Cleaning.

Preliminary Determination to Approve an Air Quality Application to Construct a Printing Press

R. R. Donnelley & Sons Company, 1375 Harrisburg Pike, Lancaster, PA 17601 has submitted an application to the Department of Environmental Protection, Southcentral Regional Office, One Ararat Boulevard, Harrisburg, PA 17110 for the construction of a four-unit, two-web non-heatset printing press at their Lancaster West facility in Lancaster, Lancaster County.

Based upon the Department's analysis of the information provided by the applicant, this project is subject to the Subchapter E—New Source Review regulations for volatile organic compound (VOC) emissions. These provisions require applicants (1) to secure offsets for emissions from the proposed project and (2) to apply emission control technology that provides the lowest achievable emission rate (LAER) for the respective emissions. Emissions offsets for this project's 8.6 tons per year of VOC emissions and other facility VOC emissions increases since 1991 and will be obtained from the company's East plant in Lancaster under Approval No. ER-5027.

The plan approval will include those conditions deemed necessary to ensure compliance with the applicable regulations:

- | | |
|-----------------|---|
| 25 Pa. Code 127 | Construction, Modification, Reactivation, and Operation of Sources—Subchapter E |
| 25 Pa. Code 135 | Reporting of Sources |

Conditions:

1. Volatile Organic Compound (VOC) emissions generated from the operation and maintenance of the LDM-673 press shall not exceed 8.6 tons/year based upon a consecutive 12-month period and 13.0 lb/hour based upon a daily average.

2. Records shall be maintained for a period of 5 years at the facility and made available to the Department upon request.

3. The following data shall be collected and recorded on a monthly basis:

- a. Press run time (hours or impressions for the press)
- b. Materials containing VOCs and (for the press)
 - (1) Manufacturer
 - (2) Product number and type
 - (3) Usage (by weight or volume)
 - (4) Density (s.g. or lb/gal)
 - (5) VOC content (% by weight) as applied
 - (6) Vapor pressure
 - (7) Hazardous Air Pollutants (type and % by weight)
- c. VOC emissions (for the press)
 - (1) the highest lb/hour based upon a daily average
 - (2) tons/year

d. For VOC emission calculation purposes, the total quantities of each pollutant shall be determined from the actual VOCs in each material and the quantities of each of those materials used rather than using overall averages.

4. The company shall keep all containers containing VOCs and HAPs tightly closed when not in use. This includes containers for clean-up solvents, used liquids and solvent-laden wipes.

5. Press LDM-673 shall not commence operation until the Emission Reduction Credits (ERC), Application ER 36-5027, are entered into the Department's ERC registry system.

An appointment to review the pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 540-5018 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

Comments on this action may be directed to Scott Werkheiser, Air Pollution Control Engineer, One Ararat Boulevard, Harrisburg, PA 17110, (717) 657-4587 within 30 days of the publication of this notice.

Plan Approval Applications received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contamination sources and associated air cleaning devices.

Regional Office: Northeast Regional Office, Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.

An application for Plan Approval has been received by this office for the construction, modification or reactivation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **40-309-037**
 Source: Asphalt Roofing w/Therm-Oxidizer
 Received: July 11, 1996
 Company: **Polyglass USA Incorporated**
 Location: Hazle Township
 County: **Luzerne**

Permit: **66-302-004B**

Source: Boilers 2 and 4 w/Pulpgas/Scrubber

Received: July 01, 1996

Company: **Procter & Gamble Paper Products**

Location: Washington Township

County: **Wyoming**Permit: **66-328-001A**

Source: Gas Turbine/6 Paper Machines

Received: July 01, 1996

Company: **Procter & Gamble Paper Products**

Location: Washington Township

County: **Wyoming****MINING ACTIVITY APPLICATIONS**

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection. A copy of the application is available for inspection at the District mining office indicated above each application. Where a 401 water quality certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for such certification.

Written comments or objections, or requests for informal conferences on applications, may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the same address 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 §§ 86.31—86.34 and 77.121—77.123 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Where any of the mining activities listed below will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. Such NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the above, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit when necessary for compliance with water quality standards (in accordance with 25 Pa. Code Chs. 93 and 95). Persons or agencies which have requested review of the NPDES permit requirements for a particular mining activity within the above-mentioned public comment period will be provided with a 30-day period to review and submit comments on those requirements.

Written comments or objections should contain the name, address and telephone number of persons submit-

ting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requester, application number, a brief summary of the issues to be raised by the requester at the conference and a statement whether the requester desires to have the conference conducted in the locality of the proposed mining activities.

District Mining Operations, R. D. 2, Box 603-C, Greensburg, PA 15601.

Coal Applications Received

03960106. Reichard Contracting, Inc. (R. D. 3, New Bethlehem, PA 16242). Application received for commencement, operation and reclamation of a bituminous surface mine with a coal preparation plant/processing facility located in Wayne Township, **Armstrong County**, proposed to affect 33.0 acres. Receiving stream two unnamed tributaries to Camp Run and one unnamed tributary to Scrubgrass Creek. Application received July 12, 1996.

District Mining Operations, P. O. Box 669, Knox, PA 16232.

37850101. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Revisions to an existing bituminous surface, auger, tippel refuse disposal operation in Plain Grove Township, **Lawrence County** affecting 415.3 acres. Receiving streams two unnamed tributaries to Taylor Run, Taylor Run to Slippery Rock Creek to Connoquenessing Creek to the Beaver River to the Ohio River. Revision to include a post mining land use change from "forestland" to "land occasionally cut for hay (grassland)" on lands of Robert D. Cress and Leora Heckathorne. Application received June 14, 1996.

33910106. Terry Coal Sales, Inc. (Box 58, Distant, PA 16223). Renewal of an existing bituminous surface strip and auger operation in Perry Township, **Jefferson County** affecting 195.0 acres. Receiving streams two unnamed tributaries to Foundry Run and Foundry Run. Application for reclamation only. Application received June 21, 1996.

33830116. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767). Renewal of an existing bituminous surface mining permit operation in Oliver Township, **Jefferson County**, affecting 154.3 acres. Receiving streams unnamed tributary to Little Sandy Creek to Redbank Creek to the Allegheny River. Application received July 5, 1996.

Mineral Resources Management District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

54840207C3. C. L. S. Coal Company, (P. O. Box 81, Port Carbon, PA 17965), correction to existing coal refuse reprocessing operation in Branch and Reilly Townships, **Schuylkill County**, receiving stream—Muddy Branch Creek to West Branch of Schuylkill River, application received July 5, 1996.

Mining and Reclamation, 3913 Washington Road, McMurray, PA 15317.

02851601. Aloe Coal Company, (P. O. Box 9327, Neville Island, PA 15225), to renew the permit for the Bald Knob Prep Plant in Findley Township, **Allegheny County** for reclamation only, no additional discharge. Application received July 9, 1996.

03841307. Keystone Coal Mining Corporation, (P. O. Box 729, Indiana, PA 15701), to renew the permit for the Emilie No. 4 bituminous deep mine in Plumcreek and Cowanshannock Townships, **Armstrong County** for reclamation only, no additional discharge. Application received July 1, 1996.

Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

19960101. Girard Estate, (City of Philadelphia, Trustee Board of Directors of City Trusts) (21 South 12th Street, Philadelphia, PA 19107-3684), commencement, operation and restoration of an Anthracite Surface Mine, including refuse removal and reprocessing and fly ash in Conyngham, Union and Butler Townships, **Columbia and Schuylkill Counties**, affecting 867 acres, receiving stream—Mahanoy Creek via Centralia Drainage Tunnel. Application received July 16, 1996.

54753038R2. Lensco Corp., (313 Pottsville Street, Minersville, PA 17954), renewal of an existing anthracite surface mine operation in Cass Township, **Schuylkill County** affecting 69.2 acres, receiving stream—west Branch Schuylkill River. Application received July 17, 1996.

54860106R2. Lensco Corp., (313 Pottsville Street, Minersville, PA 17954), renewal of an existing anthracite surface mine operation in Tremont Township, **Schuylkill County** affecting 330.0 acres, receiving stream—Lower Rausch Creek. Application received July 17, 1996.

District Mining Operations, P. O. Box 669, Knox, PA 16232.

Noncoal Applications Received

R. Hunter, Inc. (29780 Hickory Corners Road, Guys Mills, PA 16327) Commencement, operation and restoration of a gravel operation in Woodcock Township, **Crawford County** affecting 20.8 acres. Receiving streams an unnamed tributary to Woodcock Creek and Woodcock Creek. Application received June 14, 1996.

16960304. Miles Developing and Contracting, Inc. (521 South Street, Clarion, PA 16214) Commencement, operation and restoration of a sand and gravel operation in Perry Township, **Clarion County** affecting 91.2 acres. Receiving streams Dunlap Creek. Application received June 17, 1996.

300815-3075SM16-E-2. Hasbrouck Sand and Gravel, Inc. (R. D. 4, Titusville, PA 16354) Application for a stream encroachment to construct erosion and sedimentation controls within 100 feet of Oil Creek in Oil Creek Township and Hydetown Borough, **Crawford County**. Application received June 26, 1996.

Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

4873SM10A2C3. Codorus Stone and Supply Co., Inc., (135 Mundis Race Road, York, PA 17402), correction to an existing quarry in Manchester Township, **York County**, affecting 6.0 acres, receiving stream—Codorus Creek. Application received July 10, 1996.

67910301C2. Codorus Stone and Supply Company, Inc., (135 Mundis Race Road, York, PA 17402), correction to an existing quarry in East Manchester Township, **York County**, affecting 27.0 acres, receiving stream—Codorus Creek. Application received July 10, 1996.

7976SM2C2. Eureka Stone Quarry, Inc., (Pickertown and Lower State Roads, Chalfont, PA 18914),

renewal of NPDES Permit No. PA0122351 in Warrington Township, **Bucks County**, receiving stream—unnamed tributary to Neshaminy Creek. Application received July 11, 1996.

The following Dam Safety and Encroachment permit applications, requests for Environmental Assessment approval, and requests for water quality certification have been received by the Department of Environmental Protection. Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317, as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit or the approval of Environmental Assessments 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.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and requests for certification under section 401 of the Federal Water Pollution Control Act.

Northeast Regional Office: Regional Soils and Watersheds Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-5485.

E35-267. Encroachment. South Abington Township, 104 Shady Lane Road, P. O. Box 259, Chinchilla, PA 18410. To construct and maintain approximately 100 linear feet of streambank protection, consisting of 42 linear feet of gabion wall and 58 linear feet of R-7 riprap lining, along the left bank of a tributary to Leggetts Creek (CWF). The project includes removal of two gravel bars within the 100-foot channel reach, and removal of debris from the channel. The project is located along the west side of Willowbrook Road (T-525), intersection of T-525 and S. R. 4019 (Scranton, PA Quadrangle N: 21.7 inches; W: 7.5 inches) in South Abington Township, **Lackawanna County** (Baltimore District, Army Corps of Engineers).

E39-315. Encroachment. South Whitehall Township, Board of Commissioners, 4444 Walbert Avenue, Allentown, PA 18104-1699. To construct and maintain two 36-inch stormsewer pipes beneath the Haines Mill Head Race and an outfall structure consisting of three 36-inch pipes along Cedar Creek to alleviate local flooding problems. This project is located approximately 50 feet south of S. R. 2009 (Haines Mill Road) over Cedar Creek (Allentown West, PA Quadrangle N: 15.2 inches; W: 4.5 inches) in South Whitehall Township, **Lehigh County** (Philadelphia District, Army Corps of Engineers).

E45-301. Encroachment. Tannersville Realty Company, 490 North Main Street, Pittston, PA 18640. To construct and maintain a 1.5 inch water intake pipe in Pocono Creek (HQ-CWF) to withdraw a maximum of 500 gallons of water per day for washing equipment at the

Insalacos wastewater treatment plant. This project is located behind the Insalacos Market along S. R. 0715 (Mount Pocono, PA Quadrangle N: 7.5 inches; W: 8.3 inches) in Pocono Township, **Monroe County** (Philadelphia District, Army Corps of Engineers).

E52-143. Encroachment. **U. S. Department of the Interior**, National Park Service, Delaware Water Gap National Recreation Area, River Road, Bushkill, PA 18324. To remove the existing structures and to construct and maintain two pedestrian bridges having spans and underclearances of 81' x 8.1' and 70' x 9.9' at two separate locations across Dingman's Creek (HQ-CWF) (Lake Maskenozha, PA Quadrangle N: 19.2 inches; W: 2.0 inches and N: 19.0 inches; W: 1.7 inches) in Delaware Township, **Pike County** (Philadelphia District, Army Corps of Engineers).

E54-215A. Encroachment. **Fanelli Development Company**, 529 North Coal Street, Pottsville, PA 17901. To amend Permit No. E54-215 to utilize the Pennsylvania Wetlands Replacement Project in lieu of creating 0.20 acre of replacement wetlands. This permit authorized the placement of fill in a total of 0.11 acre of wetlands on three building lots in the Ridgeview Estates Subdivision for the purpose of constructing single family homes. This project is located at the intersection of Woodview Road and East Ridgeview Drive approximately 2,300 feet east of Liberty Street (S. R. 2013) (Orwigsburg, PA Quadrangle N: 3.8 inches; W: 13.3 inches) in Orwigsburg Borough, **Schuylkill County** (Philadelphia District, Army Corps of Engineers).

E64-170. Encroachment. **Department of Transportation** Engineering District 4-0, P. O. Box 111, Scranton, PA 18501. To remove the existing structure, to excavate 0.01 acre of wetlands (PEM-PSS), and to construct and maintain an 18.5' x 5.5' precast concrete box culvert, depressed 6 inches, in the channel of Starlight Creek (HQ-CWF). This project is located along S. R. 4020, Section 650, Segment 0030, at the intersection with S. R. 4033 (Hancock, PA Quadrangle N: 5.4 inches; W: 11 inches) in Buckingham Township, **Wayne County** (Philadelphia District, Army Corps of Engineers).

E64-171. Encroachment. **John C. and Helen G. Kohrs**, R. R. 2, Box 2215, Beach Lake, PA 18405. To excavate the reservoir area of two existing nonjurisdictional dams (0.46 acre combined) (HQ-CWF) to create a single 2.0 acre pond to be used for fire protection and recreation. This project is located 0.3 mile northeast of the intersection of S. R. 1004 and T-517 along the west side of S. R. 1004 (Damascus, PA Quadrangle N: 2.8 inches; W: 14.1 inches) in Damascus Township, **Wayne County** (Philadelphia District, Army Corps of Engineers).

Southeast Regional Office: Program Manager; Water Management Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

E09-720. Encroachment. **Salem Harbour Assoc.**, 455 Olde Bridge Rd., Bensalem, PA 19020. To construct and maintain a wooden pier structure in and along the Delaware River (WWF-MF) at the Salem Harbour Apartment complex. The proposed "T" shaped woodpile supported pier will be 150-foot long x 40-foot wide which is attached to a 108-foot long x 24-foot wide wood pile supported approach ramp extended riverward from the west bank of the Delaware River. A de minimus area of wetlands will be impacted along the shoreline. The site is situated approximately 1,500 feet southeast from the intersection of State Road and Olde Bridge Road (Beverly, NJ-PA Quadrangle N: 9.6 inches; W: 14.3 inches) in Bensalem Township, **Bucks County**.

E15-516. Encroachment. **K. Hovnanian Companies of PA, Inc.**, 1210 Northbrook Drive, Suite 135, Trevoise, PA 19053. To perform the following activities associated with the Bridlewood Farm Subdivision: to construct and maintain a twin 15-foot by 6-foot concrete box culvert in and along Radley Run and impacting 0.158 acre of associated wetlands for the proposed Leadline Lane stream crossing; to construct and maintain a footbridge crossing of Radley Run and impacting 0.038 acre of associated wetlands for the proposed hiking path; environmental assessment for basins No. 3, No. 8, No. 5, No. 10; to install and maintain utility line crossings of Radley Run and associated wetland at two locations near lot number 294 and 215; to install and maintain a utility line crossing and an outfall structure across/along Radley Run and associated wetlands for the proposed water treatment plant; to install and maintain a stormwater line through wetlands and an associated outfall structure along Radley Run; to install and maintain a force main crossing of Radley Run and associated wetlands; to install and maintain a water line crossing of Radley Run and associated wetlands adjacent to Route 926; to relocate an intermittent watercourse through a culvert underneath the proposed Bridlewood Boulevard, near its intersection with the proposed Forelock Court. The site is located approximately 2,500 feet southwest from the intersection of Route 202 and Route 926 (West Chester, PA Quadrangle N: 7 inches; W: 11.4 inches) in Thornbury Township, **Chester County**.

E46-747. Encroachment. **William Gross**, 1200 Route 100, Bechtelsville, PA 19505. To construct and maintain an additional 9-hole golf course at Gilbertsville Golf Club. The course layout includes the following stream and wetland encroachment impacts: 1) The construction of (4) four cartway bridges across Minister Creek which will impact 0.03 acre of wetland in area E/F. 2) To maintain two existing bridges across Minister Creek. 3) To construct three BDWW-GP-4, intake and outfall structures for stormwater runoff. 4) to relocate approximately 250 linear feet of an unnamed watercourse to Minister Creek. 5) Grading activities within the floodway of Minister Creek during the construction of hole numbers 1 & 9. The site is located at the east of the intersection of Swamp Pike Road and Lutheran Road (Sassamanville, PA Quadrangle N: 9.00 inches; W: 10.00 inches) in New Hanover Township, **Montgomery County**.

Southcentral Regional Office: Water Management Program, Soils and Waterways Section, One Ararat Boulevard, Room 126, Harrisburg, PA 17110, telephone (717) 657-4590.

E05-237. Encroachment. **James and Audrey Young**, R. R. 1, Schellsburg, PA 15559. To place fill material at least 30 feet from the top of the right bank of Dunning Creek in order to construct a storage building located immediately upstream of the old U. S. 220 bridge (Bedford, PA Quadrangle N: 18.3 inches; W: 3.55 inches) in Bedford Township, **Bedford County**.

E07-261. Encroachment. **Lloyd A. Patton**, R. R. 4, Box 262, Tyrone, PA 16686. To rehabilitate and maintain an existing unpermitted bridge having a clear span of about 20 feet and a underclearance of about 5.5 feet across Hutchinson Run to maintain access to a private residence located along the south side of Hoover Land (T515) about 0.55 mile west of its intersection with US 220 (Tipton, PA Quadrangle N: 7.8 inches; W: 1.65 inches) in Snyder Township, **Blair County**.

E07-262. Encroachment. **England Enterprises**, 1375 Foot of Ten Road, Duncansville, PA 16635-5503. To place

fill in the floodway of an unnamed tributary of Blair Gap Run and 0.20 acre of associated wetlands for the purpose of developing a 58 lot residential subdivision known as England Estates located along S. R. 3012, 6,800 feet west of S. R. 0022 (Hollidaysburg, PA Quadrangle N: 7.8 inches; W: 12.5 inches) in Allegheny Township, **Blair County**.

E07-263. Encroachment. **David Todd Allison**, R. R. 2, Box 54A-1, Williamsburg, PA 16693. To remove an existing structure and to construct and maintain a single span bridge having a span of 31.0 feet and an underclearance of about 7.5 feet across Piney Run located on a private driveway off L. R. 07061 about 0.9 mile northeast of its intersection with S. R. 2020 (Frankstown, PA Quadrangle N: 10.5 inches; W: 2.3 inches) in Woodbury Township, **Blair County**.

E21-250. Encroachment. **Highlands of Hampden Square Partnership**, 7100 Fishing Creek Valley Road, Harrisburg, PA 17112. To place fill in a 0.23 acre of wetland for a housing development located about 3,400 feet east of Orrs Bridge Road (Harrisburg West, PA Quadrangle N: 4.36 inches; W: 11.7 inches) in Hampden Township, **Cumberland County**.

E22-352. Encroachment. **Capital Region Economic Dev. Corp.**, 214 Senate Ave., Camp Hill, PA 17011. To demolish and remove an existing structure and to construct and maintain a 156,000 square foot mixed use commercial office building in the floodway of Paxton Creek located at the southwest corner of Cameron and Herr Streets (Harrisburg West, PA Quadrangle N: 4.0 inches; W: 0.5 inches) in the City of Harrisburg, **Dauphin County**.

E28-238. Encroachment. **Owls Club**, 87 West Main Street, Waynesboro, PA 17268. To construct and maintain a 5 foot wide foot bridge with a clear span of 40 feet with steel beams and timber decking across the West Branch Antietam Creek located about 4,400 feet west of PA 316 and PA 997 intersection in Waynesboro to provide continued access to the Owls Club of Waynesboro (Smithsburg MD-PA Quadrangle N: 22.6 inches; W: 14.35 inches) in Washington Township, **Franklin County**.

E34-083. Encroachment. **Game Commission**, P. O. Box 537, Huntingdon, PA 16652-0537. To remove an existing bridge and to construct and maintain a single span wood bridge having a span of 12 feet and an underclearance of 3.8 feet across Spiglemyer Run for maintenance purposes located off Township Road T-396 about 0.5 mile north of its intersection with Township Road T-527 (Alfarata, PA Quadrangle N: 1.25 inches; W: 1.69 inches) in Fermaugh Township, **Juniata County**.

E36-613. Encroachment. **The Horst Group, Inc.**, P. O. Box 3330, Lancaster, PA 17604-3330. To construct and maintain a wooden pedestrian bridge having a 16-foot clear span with a 3-foot underclearance across a tributary to the Little Conestoga Creek at the Granite Run Corporate Center located on the west side of the Fruitville Pike (L. R. 512) (Lancaster, PA Quadrangle N: 14.1 inches; W: 10.9 inches) in Manheim Township, **Lancaster County**.

E36-619. Encroachment. **Department of Transportation**, 2140 Herr Street, Harrisburg, PA 17103-1699. To remove the existing structure, construct and maintain a reinforced concrete box culvert having a clear span of 20.3 feet on an 80 degree skew with a minimum underclearance of 5 feet across a tributary to Little Conestoga Creek on S. R. 0722, Section 003, Segment 0030, Offset 2404 (Lancaster, PA Quadrangle N: 17.5 inches; W: 16 inches) in East Hempfield Township, **Lancaster County**.

E36-620. Encroachment. **Fulton Township**, 777 Nottingham Road, Peach Bottom, PA 17563. To remove the existing structure, construct and maintain a reinforced concrete box culvert having an 18-foot span with a 6-foot rise across the Little Conowingo Creek on Soapstone Hill Road (T-466) (Wakefield, PA Quadrangle N: 3.1 inches; W: 3.7 inches) in Fulton Township, **Lancaster County**.

E36-621. Encroachment. **Glenn B. and Miriam Thomas**, R. R. 3, Box 136, Lititz, PA 17543. To construct and maintain a bridge having a clear span of 30 feet with an average underclearance of 3 feet across Donegal Creek to provide a private access from Trout Run Road (Columbia, PA Quadrangle N: 15.9 inches; W: 5.8 inches) in East Donegal Township, **Lancaster County**.

E50-177. Encroachment. **Borough of Liverpool**, P. O. Box M, Liverpool, PA 17045. To remove an existing structure and to construct and maintain a single span bridge having a span of 12.0 foot and an underclearance of about 7.3 foot across an unnamed tributary to the Susquehanna River for the purpose of roadway maintenance located on Front Street about 1,200 feet south of Race Street in the Borough of Liverpool (Millersburg, PA Quadrangle N: 13.0 inches; W: 16.2 inches) Liverpool Borough, **Perry County**.

E67-567. Encroachment. **City of York**, P. O. Box 509, 50 W. King Street, York, PA 17405. To construct and maintain a pedestrian wooden footbridge having a clear span of 60 feet with an average underclearance of 4 feet across Willis Run for access from Wood Street to the Noonan Park recreational area located along Parkway Boulevard (York, PA Quadrangle N: 17.0 inches; W: 16.8 inches) in the City of York, **York County**.

E67-568. Encroachment. **County of York**, One West Market Way, 4th Floor, York, PA 17401. To construct and maintain a 10-foot width deck extension onto five railroad bridges at Mileposts 46.24, 48.38, 51.17, 52.67, and 53.16 across the south branch of the Codorus Creek to accommodate a pedestrian/bike trail parallel to the existing tracks (Seven Valleys, PA Quadrangle N: 17 inches; W: 3.75 inches) in Seven Valleys Borough, N. Codorus, York and Springfield Townships, **York County**.

E67-569. Encroachment. **Dept. of Transportation**, District 8-0, 2140 Herr St., Hbg., PA 17103. To remove the existing structure, construct and maintain a precast reinforced concrete culvert having a clear span of 16 feet with a minimum underclearance of 7.5 feet in the Stoverstown Branch, West Branch Codorus Creek on S. R. 3090, Section 001, Sec.0040, Offset 0000 (West York, PA Quadrangle N: 1 inch; W: 11.1 inches) in North Codorus Township, **York County**.

E67-571. Encroachment. **Barrington Development Corp.**, 3361 West Canal Road, Dover, PA 17315. To place fill within 10,890 s. f. (0.25 acre) of wetlands of the Heathers at Barrington Place residential development for lots along the east side of Lilac Road and Cobblestown Lane (West York, PA Quadrangle N: 19.9 inches; W: 4.8 inches) in West Manchester Township, **York County**.

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.

Northwest Regional Office: Soils and Waterways Section, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6942.

E10-243. Encroachment. **FYT Associates, L. P.**, 215 Executive Drive, Cranberry, PA 16066. To place fill in 0.83 acre of a wetland area for the development of an office/restaurant/hotel complex. The wetlands are located in the Brush Run (WWF) watershed. In addition, this project will include placement of a nonjurisdictional dam for creation of replacement wetlands within the floodplain and floodway of Brush Creek. The project is located on the corner of Freedom Road (S. R. 3020) and Commonwealth Drive approximately 2,800 feet west of the intersection of S. R. 0019 and S. R. 0228 (Mars, PA Quadrangle N: 10.75 inches; W: 15.4 inches) located in Cranberry Township, **Butler County**.

E10-244. Encroachment. **Slippery Rock Municipal Authority**, 633 Kelly Boulevard, Slippery Rock, PA 16057. To place and maintain an outfall structure for the Slippery Rock Municipal Authority Wastewater Treatment Facility in Slippery Rock Creek (CWF). The structure will be located in Slippery Rock Creek approximately 1,600 feet south of the intersection of T-372 and Crestview Road (Slippery Rock, PA Quadrangle N: 5.5 inches; W: 9.2 inches) located in Slippery Rock Township, **Butler County**.

E43-253. Encroachment. **Mercer County Commissioners**, 503 Mercer County Courthouse, Mercer, PA 16137. To remove existing county bridge no. 499 and to construct and maintain a concrete adjacent box beam bridge with a clear normal span of 35.75 feet on an 80 degree skew with an underclearance of 5.8 feet across Sandy Creek (WWF). The project is located on County Line Road (T-907) across Sandy Creek approximately 1,900 feet east of the intersection of S. R. 3017 and County Line Road (T-907) (Greenville East, PA Quadrangle N: 19.65 inches; W: 0.85 inch) located in Sandy Creek Township, **Mercer County**.

E43-254. Encroachment. **Mercer County Commissioners**, 503 Mercer County Courthouse, Mercer, PA 16137. To maintain County Bridge No. 2710 (constructed under EP4396602) a reinforced concrete box culvert bridge with a normal clear span of 20 feet on a skew of 80 degrees with an underclearance of 6.5 feet across a tributary to East Branch Wolf Creek (CWF). The project is located on Gilmore Road (T-481) across a tributary to East Branch Wolf Creek approximately 1,400 feet west of the Mercer County/Venango County Boundary (Grove City, PA Quadrangle N: 17.1 inches; W: 0.7 inch) located in Wolf Creek Township, **Mercer County**.

The following Environmental Assessment and request for Water Quality Certification are being processed under Section 105.12(a)(16) and 105.15(b), restoration activities undertaken and conducted under a restoration plan approved by the Department.

Northwest Regional Office: Soils and Waterways Section, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6942.

EA16-001NW. Environmental assessment. **Clarion County Conservation District**, R. R. 3, Box 265, Clarion, PA 16214. To spread and place 250 tons of limestone sand in 8 separate locations within the floodways and floodplains of Toby Creek, Step Creek, Tarkiln Run and Rapp Run (all CWF) as part of a pilot watershed pH improvement project. The locations of these eight sites are as follows: Site #1: Lucinda PA Quadrangle; N: 19.8 inches; W: 5.8 inches, Farmington Township, **Clarion County**. Site #2: Lucinda PA Quadrangle; N: 15.0 inches; W: 6.0 inches, Farmington Township, **Clarion County**. Site #3: Lucinda PA Quadrangle; N:

11.6 inches; W: 6.8 inches, Farmington Township, **Clarion County**. Site #4: Lucinda PA Quadrangle; N: 9.1 inches; W: 10.9 inches, Highland Township, **Clarion County**. Site #5: Lucinda PA Quadrangle; N: 6.9 inches; W: 16.1 inches, Paint Township, **Clarion County**. Site #6: Lucinda PA Quadrangle; N: 2.0 inches; W: 15.9 inches, Paint Township, **Clarion County**. Site #7: Lucinda PA Quadrangle; N: 0.1 inch; W: 16.0 inches, Paint Township, **Clarion County**. Site #8: Clarion PA Quadrangle; N: 21.3 inches; W: 2.6 inches, Paint Township, **Clarion County**.

ACTIONS

The Department of Environmental Protection has taken the following actions on previously received permit applications and requests for plan approval and has issued the following significant orders.

Any person aggrieved by this action may appeal, 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 the Administrative Agency Law) to the Environmental Hearing Board, 400 Market Street Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action 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 audio tape 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.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1 (800) 654-5984.

Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

Permits Issued

Southeast Regional Office: Regional Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, telephone (610) 832-6130.

NPDES Permit No. PA0053848. Industrial waste. **James Mulry/Johnson Flower Shop**, 1691 Horseshoe Pike, Manor Professional Building, Suite 4, Glenmoore, PA 19343 is authorized to discharge from a facility located in Lower Merion Township, **Montgomery County** into an unnamed tributary to the Schuylkill River.

NPDES Permit No. PA0054151. Sewerage. **Joseph L. Kennedy**, 7 College View Road, Malvern, PA 19355 is authorized to discharge from a residence located in East Whiteland Township, **Chester County** into an unnamed tributary to Ridley Creek.

NPDES Permit No. PA0020397. Amendment No. 2. Sewerage. **Bridgeport Borough**, P. O. Box 148, Bridgeport, PA 19405 is authorized to discharge from a facility located in Upper Merion Township, **Montgomery County** into the Schuylkill River.

NPDES Permit No. PA0045021. Amendment No. 1. Industrial waste. **Pre-Finish Metals, Inc.**, 1295 New

Ford Mill Road, Morrisville, PA 19067 is authorized to discharge from a facility located in Falls Township, **Bucks County** to an unnamed tributary to Biles Creek.

NPDES Permit No. PA0025437. Sewerage. **North Coventry Municipal Authority**, 1485 East Schuylkill Road, P. O. Box 833, Pottstown, PA 19464 is authorized to discharge from a facility located in North Coventry Township, **Chester County** to the Schuylkill River.

NPDES Permit No. PA0011681. Industrial waste. **Philadelphia Electric Company**, 2301 Market Street, P. O. Box 8699, Philadelphia, PA 19101 is authorized to discharge from a facility located in West Conshohocken Borough, **Montgomery County** to the Schuylkill River (002) Gulph Creek (001).

NPDES Permit No. PA0053589. Sewerage. **Buckingham Lumber and Millwork**, 4469 Upper Mountain Road, P. O. Box 307, Buckingham, PA 18912 is authorized to discharge from a facility located in Buckingham Township, **Bucks County** into Mill Creek.

NPDES Permit No. PA0056537. Industrial waste. **Highway Materials, Inc.**, 1750 Walton Road, Blue Bell, PA 19422 is authorized to discharge from a facility located in East Whiteland Township, **Chester County** into Valley Creek.

NPDES Permit No. PA0054054. Sewerage. **Richard J. Reblock**, 2026 Broad Street, Perkasio, PA 18944 is authorized to discharge from his residence located in Hilltown Township, **Bucks County** into Deep Run Creek.

NPDES Permit No. PA0040126. Sewerage. **Western Montgomery County Area Vocational-Technical School**, 177 Grateford Road, Limerick, PA 19468 is authorized to discharge from a facility located in Limerick Township, **Montgomery County** into Lodal Creek.

NPDES Permit PA0051365. Industrial waste. **West Chester Area Municipal Authority**, 990 Fern Hill Road, West Chester, PA 19380 is authorized to discharge from a facility located in East Bradford Township, **Chester County** into the east branch of the Brandywine Creek.

Northwest Regional Office: Regional Water Management Program Manager; 230 Chestnut Street, Meadville, PA 16335, telephone (814) 332-6942.

NPDES Permit No. PA0221775. Industrial waste. **Milestone Materials, Inc.**, (DBA HRI Inc.), 1750 West College Avenue, P. O. Box 155, State College, PA 16804-0755 is authorized to discharge from a facility located in Pinecreek Township, **Jefferson County** to an unnamed tributary to Fivemile Run.

NPDES Permit No. PA 0004154. Industrial waste. **Blair Strip Steel Company/New Castle Works**, 1209 Butler Avenue, New Castle, PA 16101 is authorized to discharge from a facility located in New Castle, **Lawrence County** to an unnamed tributary to Big Run.

NPDES Permit No. PA 0035718. Industrial waste. **Fairview Swiss Cheese**, 1734 Perry Highway, Fredonia, PA 16124 is authorized to discharge from a facility located in Fairview Township, **Mercer County** to an unnamed tributary to Otter Creek.

NPDES Permit No. PA 0005045. Industrial waste. **Pennsylvania Electric Company**, Seneca Generating Station, P. O. Box 126, Warren, PA 16365 is authorized to discharge from a facility located in Mead Township, **Warren County** to the Allegheny River.

NPDES Permit No. PA 0027227. Sewerage. **City of Farrell**, 625 Broadway Avenue, Farrell, PA 16121 is

authorized to discharge from a facility located in Farrell, **Mercer County** to the Shenango River.

NPDES Permit No. PA 0025569. Sewerage. **Slippery Rock Municipal Authority**, P. O. Box 157, Slippery Rock, PA 16057 is authorized to discharge from a facility located in Slippery Rock Township, **Butler County** to Slippery Rock Creek.

Southwest Regional Office: Water Management Program Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.

NPDES Permit No. PA 0000469. Amendment No. 1. Industrial waste, **Aluminum Company of America**, Alcoa Technical Center, Alcoa Center, PA 15069 is authorized to discharge from a facility located at Upper Burrell Township, **Westmoreland County**.

NPDES Permit No. PA 0092045. Sewerage, **Stanton Enterprises, Inc.**, 127 West Byers Avenue, New Stanton, PA 15672 is authorized to discharge from a facility located at Stanton Enterprises STP, Dunbar Township, **Fayette County** to unnamed tributary of Gist Run.

NPDES Permit No. PA 0095702. Sewerage, **Rosewood Farm Manor**, R. D. 1, Prosperity, PA 15329 is authorized to discharge from a facility located at Rosewood Farm STP, South Franklin Township, **Washington County** to Tenmile Creek.

Notices of Intent for Coverage Under NPDES General Permit for Construction Activities and Department Final Actions

Allegheny County Conservation District: District Manager; 875 Greentree Rd., Rm. 208 Acacia Bldg., Pittsburgh, PA 15220, telephone (412) 921-1999.

Berks County Conservation District: District Manager; P. O. Box 520 Ag. Ctr., Leesport, PA 19533, telephone (610) 372-4657.

Centre County Conservation District: District Manager; 414 Holmes Ave. Ste. 4, Bellefonte, PA 16823, telephone (814) 355-6817.

Chester County Conservation District: District Manager; Gov. Serv. Ctr. Ste. 395, 601 Westtown Rd., West Chester, PA 19382, telephone (610) 696-5126.

Clearfield County Conservation District: District Manager; 650 Leonard Street, Clearfield, PA 16830, telephone (814) 765-2629.

Cumberland County Conservation District: District Manager; 43 Brookwood Ave., Ste. 4, Carlisle, PA 17013, telephone (717) 249-8632.

Dauphin County Conservation District: District Manager; 1451 Peters Mtn. Rd., Dauphin, PA 17018, telephone (717) 921-8100.

Lehigh County Conservation District: District Manager; Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Rd., Allentown, PA 18104, telephone (610) 820-3398.

Luzerne County Conservation District: District Manager; Courthouse Annex, 5 Water Street, Wilkes-Barre, PA 18711, telephone (717) 825-1844.

Montgomery County Conservation District: District Manager; 1015 Bridge Rd., Ste. B, Colledgeville, PA 19426, telephone (610) 489-4506.

Northampton County Conservation District: District Manager; R. R. 4, Nazareth, PA 18064, telephone (610) 746-1971.

Tioga County Conservation District: District Manager, 5 East Avenue, Wellsboro, PA 16901, telephone (717) 724-4812.

Washington County Conservation District: District Manager, 602 Courthouse Sq., Washington, PA 15301, telephone (412) 228-6774.

York County Conservation District: District Manager, 118 Pleasant Acres Rd., York, PA 17402, telephone (717) 840-7430.

The following parties have submitted Notices of Intent for coverage under NPDES General Permit PAG-2, Gen-

eral Permit for Discharges of Stormwater From Construction Activities. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection will authorize, subject to the terms and conditions contained in the general permit, the discharge of stormwater from eligible new and existing discharges.

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the office noted above.

<i>NPDES Permit No.</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10A170	Krigger & Company 3025 Babcock Blvd. Pittsburgh, PA 15237	Allegheny Co. W. Deer Twp.	Deer Creek
PAR10A161	Franklin Park Borough 2428 Rochester Rd. Sewickley, PA 15143	Allegheny Co. Franklin Pk. Boro.	Fish Run
PAR10A172	Donald Pohl 3380 Babcock Blvd. Pittsburgh, PA 15237	Allegheny Co. Hampton Twp.	Crouse Run
PAR10C147	Forino Development 3000 Penn Ave., West Lawn, PA 19609	Berks Co. Exeter Twp.	Trout Run
PAR10C150	William Pangelinan Jr. 148 W. State St. Kennett Sq., PA 19348	Berks Co. Cumru Twp.	Angelica Crk.
PAR10C158	Tulpehocken School 430 N. Schaefferstown Rd. Bernville, PA	Berks Co. Jefferson Twp.	Ltl. Northkill
PAR10F052	Twp. of Ferguson 3147 Research Dr. State College, PA	Centre Co. Ferguson Twp. and St. College Boro.	Big Hollow Run
PAR10G180	Penn Fuel Gas Inc. 55 S. 3rd St. Oxford, PA 19363	Chester Co. L. Oxford Twp.	Leech Run
PAR10I724	Christ the King Manor 1100 W. Long Ave. Dubois, PA 15801	Clearfield Co. Sandy Twp.	Sandy Lick Crk.
PAR10I725	DCNR, Bureau of Forestry P. O. Box 8552 Harrisburg, PA	Clearfield Co. Huston Twp.	Bark Camp Run
PAR10H103	Reed Patton 3904 Corey Rd. Harrisburg, PA 17109	Cumberland Co. Hampden Twp.	Trindle Spg. Run
PAR10H098	Steve Fratto 7800 E. Kemper Rd. Cincinnati, OH 45249	Cumberland Co. U. Allen Twp.	Cedar Run
PAR10I094	Custer Homes Inc. 1309 Laurel Pt. Cir. Harrisburg, PA 17110	Dauphin Co. M. Paxton Twp.	Fishing Crk.
PAR10Q078	Musin Association of L. V. 20 N. 9th St. Emmaus, PA 18049	Lehigh Co. Whitehall Twp.	Jordan Crk.
PAR10Q080	Albert Haldeman Sr. 2007 Brickyard Rd. Allentown, PA 18104	Lehigh Co. S. Whitehall Twp.	Jordan Crk.

<i>NPDES Permit No.</i>	<i>Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10Q081	City of Allentown 635 Hamilton St. Allentown, PA 18101	Lehigh Co. City of Allentown	Jordan Crk.
PAR10R091	ByPass Realty 1500 Highway 315 Plains, PA 18705	Luzerne Co. Pittston Twp.	Municipal Storm Sewer
PAR10T285	Kulicke & Soffa Indus. 2101 Blair Mill Rd. Willow Grove, PA 19090	Montgomery Co. U. Moreland Twp.	Pennypack Crk.
PAR10T228	Jack Gambone P. O. Box 287 Fairview Vlg., PA	Montgomery Co. U. Merion Twp.	Mellshamic Crk.
PAR10U055	Benjamin Dev. Co. PA 377 Oak St. Garden City, NY 11530	Northampton Co. Forks Twp.	UNT to Delaware River
PAR106621	Twp. Mun. Auth. of Lawrence R. D. 1 Box 616 Lawrencevle., PA	Tioga Co. Lawrence Twp.	Tioga River
PAR10W072	Columbia Gas P. O. Box 1273 Charleston, WV	Washington Co. Fallowfield Twp.	S. Br. Maple Crk.
PAR10W073	Columbia Gas P. O. Box 1273 Charleston, WV	Washington Co. Fallowfield Twp.	Maple Crk.
PAR10W071	David Wasik P. O. Box O Avella, PA 15312	Washington Co. Independence Twp.	UNT to Cross Crk.
PAR10Y220	Yorlan Associates R. D. 1 Box 131-AA Seven Valleys, PA 17360	York Co. Springettsbury Twp.	UNT to Kreutz Crk.

Southwest Regional Office: Regional Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.

The application and related documents, including the erosion and sedimentation control plan for the construction activity, are on file and may be inspected at the office noted above.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAR10L024	NWL Co. P. O. Box 188 Farmington, PA 15437	Wharton Twp. Fayette County	Meadow Run

<i>NPDES No.</i>	<i>GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAG046111	4	Genevieve C. Leib Shirley R. Gleditsch 1545 Warrendale-Bayne Rd. Baden, PA 15005	Allegheny Co. Marshall Twp.	Unnamed tributary to Big Sewickley Creek	8811

NOI Received and Final Actions Under NPDES General Permits

Coverage under the General Permits issued under the National Pollutant Discharge Elimination System (NPDES) Permit Program to discharge wastewaters to waters of the Commonwealth.

Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6942.

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAG048385	PAG-4	Ronald W. Polzer 13191 Painesville-Warren Rd. Painesville, OH 44077	Warren Co. Mead Township	Unnamed tributary to Allegheny River	

<i>NPDES No.</i>	<i>Applicable GP No.</i>	<i>Facility Name and Address</i>	<i>Facility Location</i>	<i>Stream Name</i>	<i>SIC</i>
PAG048384	PAG-4	Frederick & Suanne Beardsley 889 Hatch Run Rd. Warren, PA 16365	Warren Co. Glade Twp.	Hatch Run	
PAG048386	PAG-4	Theodore N. Boyda 236 Renfrew Road Renfrew, PA 16053	Butler Co. Penn Township	Thorn Creek	
PAR118319	PAG-3	Star Iron Works, Inc. R. D. 3, Box 155 Punxsutawney, PA 15767	Jefferson Co. Big Run Boro.	Big Run Creek	3624

The following approvals for coverage under NPDES Individual Permit for Discharge of Stormwater from Construction Activities have been issued.

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, telephone (717) 787-3483, by any aggrieved person under The Environmental Hearing Board (35 P. S. § 7514); 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed with the Board within 30 days from the date of this issued of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

Southcentral Regional Office: Water Management Program, Soils and Waterways Section, One Ararat Boulevard, Room 126, Harrisburg, PA 17110, telephone (717) 657-4590.

PAS-10-0057. Individual NPDES. **Department of Transportation**, 2140 Herr Street, Harrisburg, PA 17103-1699. To implement an Erosion and Sedimentation Control Plan for roadway and bridge improvements on S. R. 0030, Section 009 and S. R. 0300, Section 006 on 136 acres in Manheim and East Hempfield Townships, **Lancaster County**. The project is located between PA Route 741/U. S. Route 283 to U. S. Route 30/222 and U. S. Route 30 to PA Route 72 (Lancaster, PA Quadrangle N: 14.6 inches; W: 14 inches). Drainage will be to tributaries of Little Conestoga Creek and Conestoga River.

The following NPDES Individual Permits for Discharges of Stormwater from Construction Activities have been issued.

Northeast Regional Office: Regional Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2511.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10U054	Arthur Wentzell 571 Belfast Road Nazareth, PA 18064	Plainfield Township Northampton County	Bushkill Creek
PAS10-G173	Jenner's Pond, Inc. 1015 West Baltimore Pike West Grove, PA 19390	West Grove Borough Chester County	Big Elk Creek
PAS10-G197	Johan Sheikholeslami 17 North Third Street Oxford, PA 19363	East Nottingham Township Chester County	East Branch Big Elk Creek

Industrial waste and sewerage actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

Permits Issued

Northwest Regional Office: Regional Oil and Gas Manager, 230 Chestnut Street, Meadville, PA 16335, telephone (814) 332-6860.

Permit No. 6196601. Industrial waste; **Big Sandy Oil Company**, P. O. Box 269, Franklin, PA 16323. Construction and operation of a passive treatment system for production fluids from an oil production operation in Cranberry Township, **Venango County**, with discharge of treated effluent to the Allegheny River.

Southeast Regional Office: Regional Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, telephone (610) 832-6130.

Permit No. 0994404. Sewerage. **Florence Coleman** (168 Cheese Factory Road, Doylestown, PA 18901). Approval for an upgrade and expansion of a sewage treatment plant located in Plumstead Township, **Bucks county** to serve the Coleman Property.

Permit No. 0996413. Sewerage. **Richard J. Landgreen** (70 West Oakland Avenue, Suite 203, P. O. Box 1040, Doyelstown, PA 18901). Construction of a small flow sewage treatment plant with spray irrigation located in Haycock Township, **Bucks County** to serve the Landgreen residence.

Permit No. 1592203. Industrial waste. **Unisys Corporation**, Corporate Environmental Affairs (P. O. Box 203, Paoli, PA 19301). Construction of a groundwater remediation system located in East Whiteland Township and Tredyffrin Township, **Chester County** to serve Unisys Corporation.

Permit No. 1587416. Amendment No. 2. Sewerage. **Longwood Gardens, Inc.**, (P. O. Box 501, Kennett Square, PA 19348-0501). Approval to modify existing sewage treatment plant located in East Marlborough Township, **Chester County** to serve Longwood Gardens.

Permit No. 1576408. Sewerage. **Quebecor Printing Atglen Inc.**, (Route 372, Lower Valley Road, Atglen, PA 19310). Request to amend the subject permit to include approval to replace the existing tablet chlorination system with a liquid sodium hypochlorite chlorination system located in West Sadsbury Township, **Chester County** to serve Quebecor Printing Atglen, Inc.

Northwest Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2511.

Permit No. 4596401. Sewerage. **Keystone Hollow Corporation**, P. O. Box 1158, Marshalls Creek, PA 18335. Permit to construct and operate low pressure sewers and pump stations to serve the Estates at Great Bear, located in Middle Smithfield Township, **Monroe County**.

Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6942.

WQM Permit No. 6296404. Sewerage, **Frederick and Suanne Beardsley**, SRSTP, 889 Hatch Run Road, Warren, PA 16365. Construction of Frederick and Suanne Beardsley SRSTP located in Glade Township, **Warren County**.

Southwest Regional Office: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.

Permit No. 0296407. Sewerage, **Shirley R. Gleditsch**, Genevieve C. Leib, 1545 Warrendale-Bayne Road, Baden, PA 15005. Construction of Single Residence Sewage Treatment Facility located in the Township of Marshall, **Allegheny County** to serve the Gleditsch/Leib Single Residence Sewage Treatment Facility.

Permit No. 1195401. Sewerage, **Jackson East Taylor Sewer Authority**, R. D. 6, Box 184, Johnstown, PA 15909. Construction of sewers and pump stations located in the Township of Jackson, **Cambria County** to serve the Jackson/East Taylor, Route 271 Area.

Plan approval granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

Southwest Regional Office: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephon (412) 442-4000.

Location: The Borough of Smithton, **Westmoreland County**.

Project Description: Approval of an Update revision to the Official Sewage Facilities Plan of Smithton Borough, Westmoreland County. The project involves the construction of sewage collection, conveyance and treatment facilities to service the Borough of Smithton. Treated effluent is to be discharged to an unnamed tributary of the Youghiogheny River. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal.

Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

Northwest Regional Office: Sanitarian Regional Manager, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6899.

Permits Issued

Permit No. 1096501. Public water supply. **Borough of Zelenople**, 11 West New Castle Street, Zelenople, PA 16063. Permit issued for the construction involving the expansion of the existing clear well, the replacement of the existing finished water pumps, installation of a backwash pump, and construction of new chemical handling and feed facilities in the Borough of Zelenople, **Butler County**.

Type of Facility: Municipality, Public water supply.

Consulting Engineer: Chris T. Yendell, P.E., Killam Associates, Consulting Engineers, Thorn Hill Industrial Park, 100 Allegheny Drive, Warrendale, PA 15086-7565.

Permit to Construct Issued: July 17, 1996.

Southwest Regional Office: Regional Manager, Water Supply and Community Health, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.

Permit No. 0396502. Public water supply. **Brady's Bend Township Water and Sewer Authority**, R. D. 1, East Brady, PA 16028.

Type of Facility: Brady's Bend Township Water and Sewer Authority Water Treatment Plant.

Permit to Construct Issued: July 12, 1996.

Permit No. 0296504. Public water supply. **Fox Chapel Authority**, 255 Alpha Drive, Pittsburgh, PA 15238-2944.

Type of Facility: Booster pump station, installation of master metering facilities and construction of a bi-directional stand-by (emergency) interconnection with Harmar Township Municipal Authority.

Permit to Construct Issued: July 1, 1996.

Permit No. 0494501. Public water supply. **Municipal Water Authority of Aliquippa**, 160 Hopewell Avenue, Aliquippa, PA 15001.

Type of Facility: Sheffield Terrace Booster Pump Station.

Permit to Operate Issued: July 9, 1996.

Northwest Regional Office: Sanitarian Regional Manager, 2 Public Square Wilkes-Barre, PA 18711-0790, telephone (717) 826-2511.

Permit No. 1390502. Public water supply. **D-Estates, c/o Grace Ruggiero**, Manager, 264 Harvard Avenue, Palmerton, PA 18071. This proposal involves the permitting of an existing community water supply serving the D-Estates in Palmerton Borough, **Carbon County**. The system includes one well with an 8,000 gallon storage tank, chlorination, water softener, two booster pumps and three x-trol tanks.

Engineer: Greg Schmidt, Engineer, Environmental Technology Association, P. O. Box 703, Cherryville, PA 18035.

Permit to Operate Issued: June 28, 1996.

Permit No. 4089526. Public water supply. **Bear Creek Health Care Center**, c/o James P. DuBell, President, P. O. Box 58, Route 115, Bear Creek, PA 18602. This proposal involves the permitting of the existing water supply system consisting of one well and distribution system. Proposed modification and improvements to this system include the installation of disinfection and pH

adjustment facilities, raw and finish water sample taps and well casing extension. It is located in Bear Creek Township, **Luzerne County**.

Permit to Operate Issued: June 27, 1996.

Permit No. 4096501. Public water supply. **Hazleton City Authority Water Department**, Hazleton Division, c/o Robert Zientek, Manager, 400 East Arthur Gardner Parkway, Hazleton, PA 18201-7356. This proposal involves the construction of a new 5.2 mgd pumping station to replace the existing pump station at the Dreck Creek Reservoir. This pump station has the capability of repumping water from the Lehigh River Pump Station and/or withdrawing water from the Lower Dreck Creek Reservoir. No treatment will be provided at this pump station. It is located in Hazle Township, **Luzerne County**.

Engineer: John Synoski, Schumacher Engineering, 55 North Conahan Drive, Hazleton, PA 18201.

Permit to Operate Issued: June 18, 1996.

Southeast Regional Office: Sanitarian Regional Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428-2233, telephone (610) 832-6130.

Permit No. 4696505. Public water supply. **Horsham Water Authority**, Ralph H. McQuaid, 617A Horsham Road, Horsham, PA 19044. This permit has been approved for the installation of a low profile aeration system to remove radon and carbon dioxide from existing well No. 26 in Horsham Township, **Montgomery County**.

Type of Facility: Water supply.

Consulting Engineer: Carroll Engineers Corporation, 949 Easton Road, Suite 100, Warrington, PA 18976.

Permit to Construct Issued: July 15, 1996.

Final Reports

The following final reports were submitted to the Department of Environmental Protection pursuant to the Land Recycling and Environmental Remediation Standards Act the act of May 19, 1995 (P. L. 4, No. 2).

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (the act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* a notice of submission of any final 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 methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, please contact the Environmental Cleanup Program in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at 1 (800) 654-5984.

The Department has received the following final report(s).

Southwest Field Office: John J. Matviya, Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-5217.

M & S Building Parking Lot, Borough of Pleasant Hills, **Allegheny County**. Arbor Centre Corporation, c/o Langhotz, Wilson and Associates, Inc., 606 Liberty Ave., Suite 300, Pittsburgh, PA 15222 has submitted a Final Report addressing soil contaminated with PHCs. The report is intended to document remediation of the site to meet the Statewide standard.

PPG Industries, Inc., South Greensburg, **Westmoreland County**. PPG Industries, Inc., P. O. Box 11210, Pittsburgh, PA 15238 has submitted a Final Report addressing soil contaminated with PAHs and lead. The report is intended to document remediation of the site to meet the Statewide health standard.

Advanced Environmental Consultant, Inc., Borough of Wilkensburg, **Allegheny County**. ERM-EnviroClean, Inc., 20120 Rte. 19 North, Suite 208, Cranberry Township, PA 16066 has submitted a Final Report addressing soil contaminated with PAHs and heavy metals. The report is intended to document remediation of the site to meet the Statewide standard.

License issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

Guardian Express, Inc., 100 Keller Drive, Wapakoneta, OH 45895; License No. **PA-AH 0535**; license issued July 22, 1996.

Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

G. Tresch Transportation, Inc., 630 South Evergreen Avenue, Woodbury, NJ 08097; License No. **PA-AH 0380**; license issued July 16, 1996.

Amended license issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

G. Tresch Transportation, Inc., 630 South Evergreen Avenue, Woodbury, NJ 08097; License No. **PA-AH 0380**; amended license issued July 16, 1996.

Permits modified under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste storage and treatment facility.

Southwest Regional Office: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.

Permit ID No. PAD004835146. Mill Service Inc., Yukon Facility, Cemetery Road, R. D. 1, Box 135-A, Yukon, PA 15698. Operation of a hazardous waste storage and treatment facility in South Huntingdon Township, **Westmoreland County**. Permit modified in the Regional Office on July 1, 1996. This minor modification authorizes the storage of untreated hazardous waste in existing container storage areas and authorizes the storage of 55 gallons drums of untreated hazardous waste in existing storage areas.

Permits issued under Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (35 P. S. §§ 4000.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.

Regional Office: Northeast Regional Office, Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-2516.

Permit ID No. 603276. Rorre Corporation, Rorre, Inc., R. R. 4, Box 926, Honesdale, PA 18431. A permit authorizing the construction and operation of a sludge processing/composting facility and land application for this facility, located in Berlin Township, **Wayne County**. The permit was issued in the Regional Office on July 11, 1996.

Permits under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate solid waste processing or disposal area or site.

Southwest Regional Office: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, telephone (412) 442-4000.

Permit ID No. 301281. Rochez Bros., Inc.—Rubber Recovery Division, 800 Ross Avenue, Pittsburgh, PA 15221. Operation of a waste tire storage and processing facility in Braddock Borough, **Allegheny County**. Permit issued in the Regional Office on July 9, 1996.

Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

Southeast Regional Office: Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

The Department has issued the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **09-302-078**
Source: 2 Boilers
Issued: June 30, 1996
Company: **Bucks County Community College**
Location: Newtown
County: **Bucks**

Permit: **23-315-006A**
Source: No. 12 Paper Machine-Dryer Hood Burner
Issued: July 15, 1996
Location: **City of Chester**
County: **Chester**

Permit: **15-310-040**
Source: Mold Grinding Operation
Issued: July 31, 1996
Location: South Coatesville
County: **Chester**

Permit: **46-301-266**
Source: Pathological Incinerator
Issued: July 15, 1996
Location: Upper Providence
County: **Montgomery**

Permit: **23-310-009**
Source: Portable
Issued: May 30, 1996
Company: **Safety-Kleen Corporation**
Location: West Goshen
County: **Chester**

Permit: **46-399-095**
Source: Fabric Collector
Issued: June 3, 1996
Company: **Ortho-McNeil Pharmaceutical**
Location: Lower Gwynedd
County: **Montgomery**

Permit: **46-313-002A**
Source: 3 Scrubbers
Issued: June 4, 1996
Company: **Quaker Chemical Corporation**
Location: Whitemarsh
County: **Montgomery**

Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an operating permit to comply with 25 Pa. Code § 127.450 for Reasonable Available Control Technology.

Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

The Department has issued the following air quality operating permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies:

Permit: **OP-46-0062**
Source: Facility VOC Sources
Issued: July 15, 1996
Company: **Jefferson Smurfit Corp.**
Location: North Wales
County: **Montgomery**

Operating Permits issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, reactivate, or operate air contamination sources and associated air cleaning devices.

Regional Office: Northeast Regional Office, Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.

The Department has issued the following Air Quality Operating Permits for the operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **48-310-028**
Source: Stone Crushing Plant/Water Spray
Company: **Chrin Brothers Sanitary Landfill**
Location: Williams Township
County: **Northampton**

Permit: **48-313-020A**
 Source: Mixers, Hoppers, and Silos
 Company: **Polymer Products Company Inc.**
 Location: Stockertown Borough
 County: **Northampton**

Permit: **54-303-014**
 Source: Batch Asphalt Plant #3
 Company: **Lehigh Asphalt Paving & Con. Co.**
 Location: Tamaqua Borough
 County: **Schuylkill**

Permit: **54-321-009**
 Source: Rear Bleachery w/Lint Filters
 Company: **Morgan Knitting Mills, J.E.**
 Location: Rush Township
 County: **Schuylkill**

Permit: **54-321-010**
 Source: Front Bleachery w/Lint Filters
 Company: **Morgan Knitting Mills, J.E.**
 Location: Rush Township
 County: **Schuylkill**

Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify, or reactivate and operate air contaminant sources or air cleaning devices.

Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

The Department has issued the following air quality plan approvals for the specified companies described below:

Permit: **46-320-032**
 Source: 32" Non-heatset Flexographic Printing Press
 Issued: July 5, 1996
 Company: **Handelok Bag**
 Location: Telford
 County: **Montgomery**

Permit: **15-312-028**
 Source: Gasoline Storage Tank No. 4
 Issued: July 11, 1996
 Company: **Sun Pipe Line**
 Location: Honey Brook
 County: **Chester**

Permit: **46-302-204**
 Source: Mohawk Superior Boiler
 Issued: July 15, 1996
 Company: **Lehigh Valley Dairies, Inc.**
 Location: Upper Gwynedd
 County: **Montgomery**

Permit: **46-313-117B**
 Source: Glatt Columns & 1 Methanol Storage Tank
 Issued: July 15, 1996
 Company: **Merck, Inc.**
 Location: Upper Gwynedd
 County: **Montgomery**

The Department has extended the following air quality plan approvals permits for the specified companies described below:

Permit: **09-313-090**
 Source: 7 Solvent Storage Tanks
 Issued: June 28, 1996
 Extended: October 30, 1996
 Company: **3M**
 Location: Bristol
 County: **Bucks**

Plan Approvals issued under the Air Pollution Control Act (35 P. S. 4001—4015) and regulations for a plan approval permit to comply with 25 Pa. Code § 129.91 for Reasonable Available Control Technology.

Regional Office: Southeast Regional Office, Bureau of Air Quality, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

The Department has extended the following air quality plan approval permit for the installation of the air contamination sources and associated air cleaning devices described below for the specified companies:

Permit: **PA-15-0027**
 Source: Production Scrubber System I Modified
 Issued: June 6, 1996
 Extended: October 6, 1996
 Company: **Johnson Matthey, Inc.**
 Location: Tredyffrin
 County: **Chester**

Plan Approvals issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contamination sources or air cleaning devices.

Regional Office: Southcentral Regional Office, Air Quality Program, One Ararat Boulevard, Harrisburg, PA 17110.

06-1007B. On July 18, 1996, the Department issued a Plan Approval to **Carpenter Technology Corporation** (P. O. Box 14662, Reading, PA 19612-4662) for the construction of two annealing furnaces with low NO_x burners at their Reading Plant in Reading, **Berks County**.

06-1007C. On July 18, 1996, the Department issued a Plan Approval to **Carpenter Technology Corporation** (P. O. Box 14662, Reading, PA 19612-4662) for the construction of a strip finishing process at their Reading Plant in Muhlenberg Township, **Berks County**.

07-327-001. On July 18, 1996, the Department issued a Plan Approval to **Chicago Rivet & Machine Company, Inc., Tyrone Division** (Industrial Park, Tyrone, PA 16686) for the construction of a Detrex rotating cross-bar, batch vapor degreaser in Tyrone Borough, **Blair County**. The source is subject to 40 CFR 63, Subpart T of the National Emission Standards for Hazardous Air Pollutants.

29-303-002B. On July 18, 1996, the Department issued a Plan Approval to **New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664) for the installation of a new fabric filter on an existing bituminous concrete batch plant at their Warfordsburg Plant in Bethel Township, **Fulton County**.

36-304-055D. On July 18, 1996, the Department issued a Plan Approval to **Grinnell Corporation** (1411 Lancaster Avenue, Columbia, PA 17512) for the construction of a foundry casting, grinding and cleaning system controlled by fabric collectors at their South Foundry in Columbia Borough, **Lancaster County**.

36-310-021F. On July 18, 1996, the Department issued a Plan Approval to **D. M. Stoltzfus & Son, Inc.** (219 Quarry Road, Talmage, PA 17580-0084) for the modification of a limestone crushing plant controlled by wet suppression and two fabric collectors in Fulton Township, **Lancaster County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6940.

20-301-028. On July 8, 1996, a Plan Approval was issued to **Tedes Co. Gizzie Memorials, Inc.** (614 Baldwin Street, Meadville, PA 16335) for the construction of an incinerator for cremation at Meadville, **Crawford County**.

24-307-026A. On July 8, 1996, a Plan Approval was issued to **Keystone Powdered Metal Company** (1935 State Street, St. Marys, PA 15857) for the construction of a rotary tempering furnace at St. Marys, **Elk County**.

Regional Office: Northeast Regional Office, Bureau of Air Quality, 2 Public Square, Wilkes-Barre, PA 18711-0790.

A Plan Approval has been issued by this office for the construction, modification, reactivation or operation of the air contamination sources and associated air cleaning devices described below for the specified companies.

Permit: **35-322-003A**

Source: Landfill Gas Flare

Issued: July 9, 1996

Company: **Empire Sanitary Landfill, Inc.**

Location: Taylor Borough

County: **Lackawanna**

Permit: **35-322-004**

Source: Landfill Gas Flare

Issued: July 3, 1996

Company: **Empire Sanitary Landfill, Inc.**

Location: Taylor Borough

County: **Lackawanna**

Permit: **39-318-074C**

Source: Paint Spray Line w/Cat Oxidizer

Issued: July 10, 1996

Company: **Stanley Storage Systems, Inc.**

Location: City of Allentown

County: **Lehigh**

Permit: **54-313-080**

Source: Coextrude/Corona TMT w/Ozone Dest

Issued: July 9, 1996

Company: **Allied-Signal, Incorporated**

Location: Pottsville

County: **Schuylkill**

Permit: **66-315-033**

Source: Diaper Prod. Line w/Baghouse

Issued: July 10, 1996

Company: **Procter & Gamble Paper Products**

Location: Washington Township

County: **Wyoming**

Preliminary Determination to Approve an Air Quality Application to Expand the Lanchester Landfill (Application Number 36-322-001B)

Chester County Solid Waste Authority (CCSWA), P. O. Box 476, Honey Brook, PA 19344, has filed an application with the Department of Environmental Protection (DEP), Southcentral Regional Office, One Ararat Boulevard, Harrisburg, PA 17110 to expand the existing Lanchester Landfill. The expansion (Overfill Area) is located in Caernarvon Township, Lancaster County. Overfill Area will be controlled by a gas extraction system, consisting of 45 wells. The extracted gas will be vented to the existing enclosed ground flare.

Conditions will be imposed in the plan approval under the authority granted to the Department by section 6.1 of

the Air Pollution Control Act (35 § 4006.1) and 25 Pa. Code § 127.12(b). Such conditions are deemed necessary to insure compliance with the following regulations:

40 CFR Part 60	Standards of Performance for New Stationary Sources
35 P. S. § 4000	Pennsylvania Air Pollution Control Act
25 Pa. Code § 122	National Standards of Performance for New Stationary Sources
25 Pa. Code § 127	Construction, Modification, Reactivation, and Operation of Sources
25 Pa. Code § 139	Sampling and Testing

Based on DEP's analysis of the information provided by the applicant, the following are predicted emissions from the facility after the expansion:

Pollutant	tpy
PM ₁₀	82.0
SO ₂	10.4
NO _x	36.7
NMOC	37.9

The plan approval would be subject to the following conditions:

- The design capacity of the landfill is as follows:
 - 2,340,000 tons
 - 3,350,000 cubic yards
- The landfill and its gas collection system are subject to 40 CFR, part 60, subpart WWW—Standards of Performance for Municipal Solid Waste Landfills.
- Sources subject to Subpart WWW of the Standards of Performance for New Stationary Sources shall comply with all applicable requirements of this subpart. 40 CFR, § 60.4 requires submission of copies of all requests, reports (as outlined in 40 CFR § 60.757), applications, submittals and other communications required under Subpart WWW to both EPA and the Department. The EPA copies shall be forwarded to Director, Air, Toxics and Radiation Division, U. S. EPA, Region III, 841 Chestnut Building, Philadelphia, PA 19107-4431.
- The landfill gas collection system shall be operated in a manner to minimize the occurrence of positive pressure events in components not designed to operate under positive pressure. The components designed to operate under positive pressure are the mechanical blower, the flare and all piping connecting those components.
- An unanticipated positive pressure event is any positive pressure reading in equipment not designed to operate under positive pressure, except that attributable to routine equipment maintenance. Routine equipment maintenance includes the following enumerated items and all similar activities:
 - Gas collection header repairs
 - Well head repairs or modifications
 - Well valve repairs or replacements
 - Temporary well shutdowns or vacuum reductions to minimize or prevent the introduction of excess air into the landfill
 - Flare station blower repair or replacement
 - Flare relight system testing or repair
 - Flare thermocouple or temperature switch repair or replacement
 - Flare liner inspection, repair or replacement

- i. Flare actuator valve repair or replacement
- j. Flare flame arrestor basket cleaning
- k. Flare control panel timer adjustment or replacement
- l. Condensate trap pump repair or replacement
- m. Condensate tank pumpouts
- n. Electrical service repairs

6. In addition to the monitoring requirements of Subpart WWW, routine leak monitoring of gas collection equipment designed to operate under positive pressure shall be performed monthly utilizing an instrument detector type meeting the specifications and performance criteria contained in Section 3 of 40 CFR, Part 60, Appendix A, EPA Method 21. The measured level of 1.25% v/v (12,500 ppmv) of total organic compounds measured as methane or higher constitutes a leak. Following detection of a leak, secondary testing consisting of application of a soapwater solution must be conducted to suspect equipment to precisely locate the leak.

Detected leaks of gas collection equipment designed to operate under positive pressure shall be repaired as soon as practicable. The Department shall be provided a tentative schedule for completing the repair of any leak not repaired within 72 hours of detection.

7. The existing flare shall be operated to either reduce the nonmethane organic compounds (NMOC) by 98% (by weight) or reduce the outlet NMOC concentration to less than 20 ppmv (as hexane at 3% oxygen).

8. Compliance with Condition 9 may be demonstrated by maintaining a 3-hour average flare operating temperature of 1,650F (899°C) at a temperature monitoring location which represents a flue gas retention time of 0.5 second. This 3-hour average flare operating temperature shall not deviate by more than 50°F (28°C) as specified in 40 CFR, § 60.758(c)(1)(i).

An alternative flare operating temperature may be authorized provided additional performance testing has demonstrated that compliance with Condition 9 has been achieved.

9. Except as otherwise stated in this condition, the flare shall be operated with a flame present at all times. The flare shall be equipped with an automatic shut-off mechanism designed to immediately stop the flow of landfill gas when a "flame-out" occurs. During restart or start-up, there shall be sufficient flow of auxiliary fuel to the burners to light the pilot and maintain a stable flame before landfill gas is delivered to the burners, such that unburned landfill gas is not emitted to the atmosphere. This condition does not apply to the timed "air purge" sequence (for removal of fugitive hydrocarbons from the flare enclosure) during restart or start-up.

An appointment to review the pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 540-5018 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

One public hearing will be held for the purpose of receiving comments on the proposals. The hearing will be held from 7 p.m. to 9 p.m. on August 29, 1996 at the Caernarvon Fire Hall.

Persons wishing to present testimony at the public hearing should contact Sandy Roderick at (717) 541-7969 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to 10 minutes and two written copies of the oral testi-

mony shall be provided. Each organization is requested to designate one witness to present testimony on its behalf.

Persons interested in submitting written comments should send their comments to Scott Werkheiser, Air Pollution Control Engineer, One Ararat Boulevard, Harrisburg, PA 17110, 30 days after this notice appears or before September 9, 1996, whichever is longer.

Persons with a disability who wish to attend the hearing scheduled for August 29, 1996, at the Caernarvon Fire Hall and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Sandy Roderick directly at (717) 541-7969 or through the AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MINING ACTIVITY ACTIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 water quality certification. Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4401—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).

District Mining Operations, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931-0625.

Coal Applications Issued

56900113. Permit Renewal, **Fieg Brothers** (R. D. 3, Box 45, Stoystown, PA 15563), commencement, operation and restoration of a bituminous strip mine in Brothersvalley Township, **Somerset County**, affecting 99.5 acres, receiving stream Hays Run and unnamed tributaries to Hays Run; unnamed tributaries to Buffalo Creek, application received May 24, 1996, permit issued July 16, 1996.

17820176. **K & J Coal Company, Inc.** (P. O. Box 189, Westover, PA 16692), permit revision to modify the 138.2 acre surface mine permit to include the application of sewage sludge in Chest Township, **Clearfield County**, receiving stream unnamed tributaries to Chest Creek to west branch of Susquehanna River, application received January 4, 1996, application issued July 16, 1996.

Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

40960201. **Continental Energy Associates**, (R. R. 1 Box 381-B, Hazleton, PA 18201), commencement, operation and restoration of a coal refuse reprocessing operation in Sugarloaf Township, **Luzerne County** affecting 32.0 acres, receiving stream—none. Permit issued July 17, 1996.

54830702R2. **Swatara Coal Company**, (P. O. Box 246, Tremont, PA 17981), renewal of an existing coal refuse reprocessing/coal preparation plant operation in Reilly Township, **Schuylkill County** affecting 180.4 acres, receiving stream—Swatara Creek. Renewal issued July 9, 1996.

49663004R2. Reading Anthracite Company, (200 Mahantongo Street, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Zerbe and West Cameron Townships, **Northumberland County** affecting 2,222.0 acre, receiving stream—none. Renewal issued July 9, 1996.

54851603R2. Pine Creek Coal Company, (P. O. Box 100, Spring Glen, PA 17978), renewal of an existing coal preparation plant facility in Hubley Township, **Schuylkill County** affecting 23.6 acres, receiving stream—Pine Creek. Renewal issued July 11, 1996.

Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Noncoal Permits Issued

64940302. Mahnob, Inc. (P. O. Box 248, Honesdale, PA 18431), commencement, operation and restoration of a quarry operation Damascus Township, **Wayne County** affecting 98.0 acres, receiving stream—unnamed tributary of North Branch Calkins Creek. Permit issued July 10, 1996.

Mineral Resources Management—District Mining, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

General Small Noncoal Authorizations Granted

40960802. Lonzetta Trucking & Excavating, (P. O. Box 644, Hazleton, PA 18201), commencement, operation and restoration of a small noncoal quarry operation in Butler Township, **Luzerne County** affecting 3.5 acres, receiving stream—Little Nescopeck Creek. Authorization granted July 11, 1996.

15960801. John D'Amico, (1703 Baltimore Pike, Avondale, PA 19311), commencement, operation and restoration of a small quarry operation in New Garden Township, **Chester County** affecting 5.0 acres, receiving stream—none. Authorization granted July 11, 1996.

Under 25 Pa. Code § 86.188(d) the Department of Environmental Protection submits the list of bonds which have been forfeited and bond proceeds which have been collected from April to July 1996. The list is sorted by District Office, County, Township and Mining Permit Number. This list is updated quarterly and is available for review in the Department's district or central offices. A copy of the complete list of bond forfeitures is available at Bureau of Mining and Reclamation, Compliance Section, P. O. Box 8461, Harrisburg, PA or the District Mining Operations offices listed.

District Mining Operations, Ebensburg District Office, R. D. 3 Wilmore Road P. O. Box 625, Ebensburg, PA 15931.

County	Township	SMP Number
Cambria	Richland	11870103

District Mining Operations, Greensburg District Office, R. D. 2 Box 603C, Greensburg, PA 15601.

County	Township	SMP Number
Beaver	South Beaver	04860101
Armstrong	West Franklin	3074SM28

District Mining Operations, Hawk Run District Office, P. O. Box 209 Empire Road, Hawk Run, PA 16840.

County	Township	SMP Number
Clearfield	Chest	3266BSM55
Clearfield	Chest	4375SM8

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment Approval, and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U. S.C.A. § 1341(a)).

Any person aggrieved by this action may appeal, 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 the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, telephone (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, telephone (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action 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, telephone (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.

Actions on applications filed 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 sections 5 and 402 of the act of June 22, 1937 (P. L. 1987, No. 394) (35 P. S. §§ 691.5 and 691.402) and notice of final action for certification under section 401 of the Federal Water Pollution Control Act (33 U. S.C.A. § 1341(a)), (*Note: Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.*)

Southcentral Regional Office: Water Management Program, Soils and Waterways Section, One Ararat Boulevard, Room 126, Harrisburg, PA 17110, telephone (717) 657-4590.

E34-071. Encroachment. John L. Bretz, R. R. 4, Box 105-A, Mifflintown, PA 17059. To moderately realign the channel of a tributary to the Juniata River by constructing and maintaining a 65-inch diameter, and approximately a 85-foot long culvert pipe in the channel for the purpose of gaining full use of a residential property located at the intersection of U. S. 22/322 and S. R. 34037 (Mifflintown, PA Quadrangle N: 14 inches; W: 3.3 inches) in Fermanagh Township, **Juniata County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E36-591. Encroachment. Wal-Mart Stores, Inc., 701 South Walton Blvd., Bentonville, AR 72716. To construct and maintain two reinforced concrete box culverts; 154 L. F. of 14-foot span x 6-foot rise with 0.2 acre of wetland fill for the main entrance road, and 111 L. F. of 12-foot span x 6-foot rise with 0.38 acre of wetland fill for a second access road. The roadways will cross a tributary to the Conestoga River for access to a retail facility, parking and service areas. Filing of two wetland areas of 0.05 and 0.18 acre are required for building foundation. Site is located at the northwest corner of the intersection of U. S. Routes 322 and 222 (Ephrata, PA Quadrangle N: 7.3 inches; W: 4.1 inches) in Ephrata Township, **Lancaster County**. The permittee is required to provide 0.86 acre of replacement wetland.

E36-612. Encroachment. **Department of Transportation**, 2140 Herr Street, Harrisburg, PA 17103-1699. To remove the existing structure, construct and maintain a prestressed R. C. I-beam bridge having two clear spans of 121 feet each on a 75 degrees skew with a minimum underclearance of 21.5 feet on S. R. 0300, Section 006 across the Little Conestoga Creek. To extend and maintain a 6-foot x 4-foot R. C. box culvert an additional 295 L. F. (total length of 416 L. F.) on S. R. 30, Section 009 to enclose a tributary of the Little Conestoga Creek. To remove/plug an existing 72-inch C.M.P., construct and maintain 126 L. F. of 72-inch R. C. pipe culvert to widen the Fruitville Pike (S. R. 4011) over a Little Conestoga Creek tributary (Lancaster, PA Quadrangle N: 12.7 inches; W: 9.5 inches) in Manheim and East Hempfield Townships, **Lancaster County**.

Northeast Regional Office: Regional Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, telephone (717) 826-5485.

E13-093. Encroachment. **Lehigh Water Authority**, Municipal Building, P. O. Box 29, Lehigh, PA 18235. To remove the existing pipeline and to install and maintain twin 16-inch diameter water pipelines, consisting of approximately 70 linear feet of concrete encased D. I. pipes across the Lehigh Canal, to provide potable water to Lehigh Borough. The project is located immediately east of the Packerton Railroad Yards, approximately 0.2 mile east of S. R. 0209 and S. R. 3006 (Lehigh, PA Quadrangle N: 18.1 inches; W: 11.7 inches) in Mahoning and Franklin Townships, **Carbon County**.

E13-095. Encroachment. **Marvin R. Eidem**, 2730 Blakeslee Boulevard Drive East, Lehigh, PA 18235. To construct and maintain a 2,100 square foot metal storage building within the floodway of an unnamed tributary to Mahoning Creek. The project is located on the north side of S. R. 0443, approximately 0.5 mile east of the intersection of S. R. 0443 and S. R. 3007 (Nesquehoning, PA Quadrangle N: 10.1 inches; W: 1.2 inches) in Mahoning Township, **Carbon County**.

E35-264. Encroachment. **Hemingway Development Corporation**, Glenmaura National Boulevard, Moosic, PA 18507-1726. To place fill in 0.55 acre of wetlands for the construction of a 2-story, 90,000 square foot building and associated parking lot. The project is located at the Glenmaura Corporate Center, Lot 19D, approximately 0.85 mile southeast of S. R. 0081, Interchange No. 51 (Avoca, PA Quadrangle N: 20.2 inches; W: 7.5 inches) in Moosic Borough, **Lackawanna County**. The Permittee is required to provide 0.68 acre of replacement wetlands.

Southeast Regional Office: Program Manager, Water Management Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.

E51-147. Encroachment. **Manayunk Development Corporation**, 4320 Main Street, Suite 2, Philadelphia, PA 19127. To maintain 420 linear feet of a concrete safety barricade situated along the western bank of Schuylkill River. This structure consists of 8-foot long concrete barricade segments which are 2-foot wide and 2-foot high and have been placed within the 100-year floodway of the river. The purpose of this project is to provide a safety barrier between the parking lot and the steep river bank. This project also includes the construction and maintenance of two outfall structures associated with parking lot stormwater management. These structures consist of precast concrete inlet boxes, two 15-inch diameter C.M.P. stormwater discharge conduits with concrete endwalls

and gabion outlet protections. This site is located approximately 1/2 mile south from the intersection of Green Lane and Main Street, and between Manayunk Canal and the Schuylkill River. (Germantown, PA Quadrangle N: 4.0 inches; W: 13.2 inches) in the City of Philadelphia, **Philadelphia County**.

E23-340. Encroachment. **James and Kathe Kisela**, 4 Ashbrooke Lane, Newtown Square, PA 19073. To complete construction activities associated with the reconstruction of a nonjurisdictional dam and the enlargement of an appurtenant impoundment area situated across and along an unnamed tributary to Darby Creek (CWF-MF). This project will impact a de minimus amount of wetlands (POW) and (PFOIA). Work site is located at 4 Ashbrooke Lane, approximately 400 feet northwest of the intersection of Ashbrooke Lane and Glendale Road (Valley Forge, PA Quadrangle N: 2.96 inches; W: 5.60 inches) in Newtown Township, **Delaware County**.

Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permits Issued

E02-1140. Encroachment. **ALCOSAN**, 3300 Preble Avenue, Pittsburgh, PA 15233. To extend, operate and maintain the existing Girty's Run outfall structure consisting of a 30-inch diameter RCP on the right bank and in the channel of the Allegheny River. The project is located approximately 800 feet upstream from the Washington Crossing Bridge (Pittsburgh East, PA Quadrangle N: 18.2 inches; W: 13.0 inches) in Millvale Borough, **Allegheny County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E02-1144. Encroachment. **Vosel Chiropractic Clinic**, 321 McLaughlin Run Road, Pittsburgh, PA 15241-3104. To construct and maintain a parking lot, drainage swale and an addition to an existing building in the floodway of and on the left bank of McLaughlin Run for the purpose of expanding the Vosel Chiropractic Clinic. The project is located on the north side of McLaughlin Run Road, approximately 100 feet west from the intersection of Coolidge Street and McLaughlin Run Road (Bridgeville, PA Quadrangle N: 19.9 inches; W: 14.4 inches) in Bridgeville Borough, **Allegheny County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E02-1145. Encroachment. **Board of Commissioners**, East Deer Township, Creighton, PA 15030. To construct and maintain a riverfront park in the floodplain on the right bank of the Allegheny River located on the north side of the confluence of Crawford Run and the Allegheny River (New Kensington West, PA Quadrangle N: 14.8 inches; W: 3.7 inches) in East Deer Township, **Allegheny County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E32-374. Encroachment. **Department of Transportation**, P. O. Box 429, Indiana, PA 15701. To remove the existing structure, to construct and maintain a one-foot depressed dual cell box culvert, each cell measuring 15-feet x 10-feet in Aultmans Run and to place and maintain fill in a de minimus area of wetlands less than or equal to 0.05 acre for the purpose of improving roadway alignment and safety. The project is located on S. R. 3031, Section 450 (McIntyre, PA Quadrangle N: 6.6 inches; W: 4.6 inches) in Blacklick Township, **Indiana County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E56-263. Encroachment. **Texas Eastern Transmission Corporation**, 5444 Westheimer Street, Houston, TX 77056-5310. To remove the existing pipeline and to install and maintain a 36-inch diameter pipe across Laurel Hill Creek as part of a 4.46 mile pipeline replacement project. The pipeline crossing is perpendicular to TR 342 at a point located approximately 0.25 mile south of King's Bridge (Kingwood, PA Quadrangle N: 10.7 inches; W: 2.9 inches) in Middlecreek Township, **Somerset County**.

Permits Issued and Actions on 401 Certification

Northwest Regional Office: Soils and Waterways Section, 230 Chestnut Street, Meadville, PA 16335-3481, telephone (814) 332-6942.

E24-190. Encroachment. **Highland Township Municipal Authority**, P. O. Box 148, James City, PA 16734. To construct and maintain a 6-inch diameter PVC outfall pipe with a rock riprap energy dissipator along the left bank of a tributary to Wolf Run from the Municipal Wastewater Treatment Facility in the Village of James City approximately 3,800 feet southwest of the intersection of T-457 and S. R. 68 (James City, PA Quadrangle N: 21.1 inches; W: 12.3 inches) located in Highland Township, **Elk County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E25-319A. Encroachment. **Citadel Development Company**, 2420 West 15th Street, Erie, PA 16505. To maintain pier no. 1 including pier faces, shore protection and residential structures, in Presque Isle Bay between the foot of Raspberry Street and the foot of Cascade Street located in the City of Erie, **Erie County**.

E25-319B. Encroachment. **Erie Western Port Authority**, 17 West Dobbins Landing, Erie, PA 16507. To maintain piers no. 2 and no. 3 including existing marina facilities on pier no. 2 and development of pier no. 3 in Presque Isle Bay between the foot of Cascade Street and the foot of Poplar Street located in the City of Erie, **Erie County**.

E37-107. Encroachment. **New Castle Sanitation Authority**, 110 East Washington Street, New Castle, PA 16101. To construct and maintain fill within two areas of the floodway and floodplain of the Mahoning River for the expansion of the levee system surrounding the existing City of New Castle Wastewater Treatment Plant located between the Mahoning River and Montgomery Avenue approximately 0.75 mile upstream of the confluence with the Shenango River (Bessemer, PA Quadrangle N: 1675 inches; W: 1.65 inches) located in the City of New Castle, **Lawrence County**.

DEP Central Office, Bureau of Dams, Waterways and Wetlands, P. O. Box 8554, Harrisburg, PA 17105-8554, telephone (717) 783-1384.

D14-121. Dam. **The Pennsylvania State University**, 416 Old Main, University Park, PA 16802. To construct, operate and maintain a stormwater detention dam (Pond 1A) at the University Park Airport in Benner Township, **Centre County**.

D14-123. Dam. **The Pennsylvania State University**, 416 Old Main, University Park, PA 16802. To construct, operate and maintain a stormwater detention dam (Pond 4A) at the University Park Airport in Benner Township, **Centre County**.

D58-159. Dam. **John F. Naber**, 1623 Williams Way, West Chester, PA 19380. To construct, operate and main-

tain a dam across a tributary to Nick Creek located in Auburn Township, **Susquehanna County**.

[Pa.B. Doc. No. 96-1260. Filed for public inspection August 2, 1996, 9:00 a.m.]

Availability of Final General Plan Approval and General Operating Permit for Storage Tanks for Volatile Organic Liquids (BAQ-GPA/GP-2)

The Department of Environmental Protection (Department) finalized the General Plan Approval and General Operating Permit No. BAQ-GPA/GP-2 for storage tanks for volatile organic liquids. Notice regarding the availability of the draft general permit was published at 26 Pa.B. 1412 (March 30, 1996).

The general permit was revised in accordance with comments received and is now available for use by qualifying applicants. Copies of the following are now available: the final general permit BAQ-GPA/GP-2; an application form; and a summary of the comments and the Department's responses to those comments. Any of the documents may be obtained by contacting Kimberly Maneval, Bureau of Air Quality, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

The documents have also been placed on the Department's World Wide Web site on the Internet which can be accessed at <http://www.dep.state.pa.us>, select Bureau of Air Quality, then Division of Permits.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 96-1261. Filed for public inspection August 2, 1996, 9:00 a.m.]

DEPARTMENT OF HEALTH

Notice of Beginning of Review; Certificates of Need

The Department has completed its preliminary assessment of the following applications for the offering, development, construction, renovation, expansion or establishment of reviewable clinically related health services or health care facilities. This notice is published in accordance with sections 702(c), 704(a) and 704(b) of the Health Care Facilities Act (35 P. S. §§ 448.702(c), 704(a) and 704(b)).

CON-96-C-2631-B: Carlisle Hospital, 246 Parker Street, P. O. Box 310, Carlisle, PA. Relocate and expand Oncology services, at an estimated cost of \$4,528,289.

CON-96-A-2458-B: Northwood Nursing Center L.P., 4621 Castor Avenue, Philadelphia, PA. Construct a 90-bed addition and renovate the existing facility creating three additional beds, at an estimated cost of \$5,900,000.

CON-96-H-7696-G: The Medical Center, Beaver, 1000 Dutch Ridge Road, Beaver, PA. The addition of Western Penna Hospital to the mobile renal lithotripsy route, at an estimated cost of \$10,000.

The projects are scheduled to be reviewed and a decision rendered by the Department of Health within 90 days beginning August 3, 1996. Any interested person, as

defined in section 103 of the act (35 P. S. § 448.103) may request a public meeting. Requests must be made in writing within 15 days of this notice, to the Department of Health, Division of Need Review, Room 1027, Health and Welfare Building, Harrisburg, PA 17120. In order to preserve any appeal rights under section 506(a) of the act (35 P. S. § 448.506(a)) regarding the decisions made on these applications, any interested person as defined in the act must request a public meeting and participate in that meeting.

If the Department of Health receives a timely request for public meeting, such meeting will be held in Room 812 of the Health and Welfare Building, Seventh and Forster Streets, Harrisburg, PA. Carlisle Hospital public meeting will begin at 11:30 a.m., and Northwood Nursing Center public meeting will begin at 1:30 p.m., Friday, August 23, 1996. Persons who need an accommodation due to a disability and want to attend a meeting should contact Jack W. Means, Jr., Director, Division of Need Review at (717) 787-5601 at least 24 hours in advance so arrangements can be made. These meetings are subject to cancellation without further notice.

For additional information, contact the Division of Need Review at (717) 787-5601.

DANIEL F. HOFFMANN,
Acting Secretary

[Pa.B. Doc. No. 96-1262. Filed for public inspection August 2, 1996, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

The Department of Transportation, under the authority contained in section 2002(c) of The Administrative Code of 1929 (71 P. S. § 512(c)) and in 67 Pa. Code § 495.4, gives notice that an application to lease highway right-of-way has been submitted to the Department by Grantville Hotel Assoc. of 604 Station Road, Grantville, PA seeking to lease highway right-of-way located at 604 Station Rd. & TR 525, Grantville, East Hanover Township, Dauphin, 27,038 square feet/ acres ±, adjacent to LR 1005, Section(s) 007, for purposes of parking only surface type improvements, no structures permitted.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Barry G. Hoffman, P.E., District Engineer, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699.

Questions regarding this application or the proposed use may be directed to Kim J. Smith, R/W Representative, 2140 Herr Street, Harrisburg, PA 17103-1699, (717) 772-5119.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 96-1263. Filed for public inspection August 2, 1996, 9:00 a.m.]

Application for Lease of Right-of-Way

The Department of Transportation, under the authority contained in section 2002(c) of The Administrative Code of 1929 (71 P. S. § 512(c)) and in 67 Pa. Code § 495.4 gives notice that an application to lease highway right-of-way has been submitted to the Department by The Erie Metropolitan Transit Authority (EMTA) of 127 E. 14th Street, P. O. Box 2057, Erie, PA 16512 seeking to lease highway right-of-way located at the corner of the Bayfront Highway (L. R. 1003-A10) and Lincoln Street in the City of Erie, Erie County, 1.62 acres±, adjacent to L. R. 1003-A10, for purposes of constructing a park and ride facility.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to John L. Baker, P.E., District Engineer, Engineering District 1-0, 1140 Liberty Street, P. O. Box 711, Franklin, PA 16323.

Questions regarding this application or the proposed use may be directed to William R. Pixley, Chief Appraiser/Property Manager, 1140 Liberty, P. O. Box 711, Franklin, PA 16323, (814) 437-4203.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 96-1264. Filed for public inspection August 2, 1996, 9:00 a.m.]

Retention of Engineering Firms

**Bradford, Columbia, Lycoming, Montour,
Northumberland, Snyder, Sullivan,
Tioga and Union Counties
Reference No. 08430AG2005**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately six inspectors, under the District's Permit Supervisor, for various Highway Occupancy Permit Projects in Engineering District 3-0, that is, Bradford, Columbia, Lycoming, Montour, Northumberland, Snyder, Sullivan, Tioga and Union Counties. The agreement will be for a period of 36 months with a maximum amount of \$300 thousand with assignments given on an as-needed basis.

The Department will establish an order of ranking of a minimum of three firms for the purpose of negotiating an Engineering Agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest.

- Understanding of Department's requirements, policies and specifications.
- Review of inspectors' resumes with emphasis on construction inspection capabilities and specialized experience in the maintenance and protection of traffic, soils, structures, concrete, asphalt paving, drainage and permit inspection procedures.
- Past performance.

- d. Workload.
- e. Number of NICET certified inspectors in each payroll classification.
- f. Number of available inspectors in each payroll classification.

The qualifications and experience required of the firm's inspectors will be established by the Department, and the qualifications of the firm's proposed employes will be reviewed and approved by the Department.

It is anticipated that the supplementary construction inspection staff for this assignment will consist of the following number of inspectors who meet the requirements for the following inspection classifications:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Inspector (TCI) (NICET Highway Construction Level 2 or equivalent)	6 (3)

The numbers in parenthesis above indicate the number of inspectors in each Classification that must meet at least one of the following requirements:

1. Be certified by the National Institute for Certification in Engineering Technologies (NICET) in the field of Transportation Engineering Technology, subfield of Highway Construction, or subfield of Highway Materials, at the level required for the Inspection Classification.
2. Be registered as a Professional Engineer by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
3. Be certified as an Engineer-in-Training by the Commonwealth of Pennsylvania with the required highway experience specified for the Inspection Classification.
4. Hold a Bachelor of Science degree in Civil Engineering or a Bachelor of Science degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.
5. Hold an Associate degree in Civil Engineering Technology with the required highway experience specified for the Inspection Classification.

The maximum reimbursement of direct payroll cost for each Department Payroll Classification for calendar year 1996 will be limited to the actual direct salary of the individual employe, or the following rates, whichever is less:

<i>Payroll Classification</i>	<i>Direct Payroll Rate</i>
Transportation Construction Inspector (TCI)	\$15.18

Maximum reimbursable direct payroll rates for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a preconstruction conference with the Department and the construction contractor for various projects assigned. Under the supervision and direction of the Department, the selected firm will be required to keep records and document the construction work; prepare current and final estimates for payment to the construction contractor; assist the Department in obtaining compliance with the labor standards, safety and accident prevention, and equal opportunity provisions of the contract item; and perform other duties as may be required.

Letters of interest for this project must include a letter, signed by the individuals proposed for all TCIS positions, giving their approval to use their name in the letter of interest for this specific project.

Technical questions concerning the requirements for this project should be directed to Gary R. Williams, P.E., District 3-0, at (717) 368-4275.

Questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

**Bucks, Chester, Delaware, Montgomery and Philadelphia Counties
Reference No. 08430AG2006**

The Department of Transportation will retain engineering firms for two separate open-end contracts for various engineering services for various projects located in Engineering District 6-0, that is, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties. The contracts will be for a 30 month period with projects assigned on an as-needed basis. The required services may encompass a wide range of design efforts with the possibility of several different types of projects having short completion schedules. The anticipated types of projects may include, but are not limited to, bridge replacements or bridge rehabilitations with minor approach work, roadway betterments (3R Type), SAMI design, Capital Improvement Projects (bridges or roadways), and minor alignment studies. The maximum amount of each open-end contract will be \$750 thousand.

The firm may be required to perform any or all of the following engineering services: attend field views and prepare minutes; prepare submissions for field views and safety review meeting; field surveys; plot topography and cross sections; prepare submissions and materials necessary for the Department to prepare the application to Public Utility Commission (PUC) for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during project design; develop erosion control details and narrative; develop right-of-way plans; prepare type, size and location reports; prepare hydraulic report for waterway approval; prepare bridge drawings; traffic control plans and narrative; procure core borings, provide the soil and foundation engineering report; investigate utility and property involvement; prepare and disseminate right of entry letters; prepare prints and information required for a value engineering review; make the necessary investigations and adjustments to the design as a result of the value engineering review comments; make all necessary contact with railroad officials for any railroad-related costs estimates, permits, insurance, approvals and other required information; collect traffic signal timing and accident data; perform traffic counts and speed delay studies; prepare plans for signal design and implementation of signal interconnections; evaluate alternatives using benefit/cost analysis; document study activities and findings; and prepare construction plans, specifications and estimates.

The format and content of all documents, plans and specifications will be consistent with applicable State and Federal regulations and guidelines.

The Department will establish an order of ranking of a minimum of eight firms for the purpose of negotiating two open-end contracts based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The ranking will be estab-

lished directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the ranking.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a. Specialized experience and technical competence of firm.
- b. Current workload.
- c. Available staffing for this assignment.
- d. Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on open-end contracts. The specific experience of individuals who constitute the firms shall be considered.
- e. Relative size of firm to size of projects that may be completed under these contracts.

The engineering services identified above are the general work activities that can be expected under these open-end contracts. A more specific and project-related scope of work will be outlined for each individual Work Order developed under these open-end contracts.

The letter of interest should be limited to four pages; double sided copy counts as two pages. The letter of interest should include no more than four resumes of key staff members for the prime consultant and two resumes for the subconsultants.

Technical questions concerning the requirements for this project should be directed to Timothy R. O'Brien, P.E., District 6-0, at (610) 964-6526.

Questions concerning the submittal of the letters of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

**Bucks and Philadelphia Counties
Reference No. 08430AG2007**

The Department of Transportation will retain an engineering firm to perform environmental studies, preliminary engineering, final design and construction consultation for the following projects:

1. S. R. 1006, Section 80S—Point Pleasant Pike over the Delaware River Canal in Tinicum Township, Bucks County. This is a bridge rehabilitation project that involves deck and bearing replacement, expansion capability, steel painting and minor roadway work. The project length is 0.230 km and the estimated construction cost is \$1.3 million.

2. S. R. 4006, Section 76S—City Avenue Southbound over the Schuylkill River, ConRail, S. B. Kelly Drive, Ramp E and N. B. Kelly Drive in City of Philadelphia. This project consists of two structures. One structure requires rehabilitation and the other requires replacement. Proposed rehabilitation includes seismic evaluation, deck replacement, pin and hangar retrofitting, piers and abutment repairs, sidewalk reconstruction, drainage improvement, installation of safety shape parapets, structural steel painting, lighting update and roadway approach work. The project length is 0.592 km and the estimated construction cost is \$7.5 million.

The selected firm will be required to provide the following engineering and design services: roadway design; pavement design; preparation of cross sections; soils and geological investigations; erosion and sedimentation

control design; highway lighting design; right-of-way investigation and plans; structure design; preparation of traffic control, pavement marking and signing plans; traffic signal design; utility coordination and design; coordination with PUC, DEP, Corps of Engineers, U. S. Coast Guard, municipal officials and the public; preparation of final plans, specifications and estimates; and construction services.

The selected firm will also be required to provide environmental services to identify and assess the following: historic and archaeological resources and parks and recreational facilities.

The environmental studies will be conducted to prepare a CE in accordance with accepted analysis techniques and methodologies.

The selected firm will be required to perform the following to insure that a complete environmental investigation has been performed: provide all necessary environmental services, material and equipment necessary to collect, analyze and organize data, assess impacts, conduct agency and public involvement activities, and prepare reports and mitigation plans. The reports and other written graphic material to be prepared may include, but are not limited to, early coordination and scoping correspondence; project need; preliminary alternatives analysis; meeting minutes; mailing lists; public meetings; handouts and displays; technical basis reports; NEPA environmental documents; Section 106 documents; Section 4(f) evaluation; mitigation plans; DEP permits; Corps of Engineers 404 permits; formulating and participating in public involvement program; and coordinating the development of the study with various agencies and special interest groups.

Firms that are currently serving, or are being considered for selection, as municipal engineer in the municipalities listed in the project description will not be considered for this assignment. Also, firms that are under contract, or are being considered, to provide engineering services to a land developer for a site located along the project will likewise not be considered for this assignment. Firms should state in the letter of interest that they are not serving in either capacity as a municipal engineer or as a representative of a site developer. Any questions concerning this requirement should be directed to Timothy R. O'Brien, at the telephone number listed below.

The goal for Disadvantaged Business Enterprise (DBE) participation in this agreement shall be 15% of the total contract price. Additional information concerning DBE participation in this agreement is contained in the General Requirements and Information section after the advertised projects.

We encourage small firms to submit a letter of interest for this assignment.

The letter of interest should be limited to four pages; double sided copy counts as two pages. The letter of interest should include no more than four resumes of key staff for the prime consultant and two resumes for the subconsultants.

Technical questions concerning the requirements for this project should be directed to Timothy R. O'Brien, P.E., District 6-0, at (610) 964-6526 or Madeleine C. Fausto, District 6-0, at (610) 964-6531.

Questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

General Requirements and Information

Firms interested in performing any of the above services are invited to submit letters of interest to: Director, Consultant Selection Committee, Room 1118, Transportation and Safety Building, Harrisburg, PA 17120.

A separate letter of interest and required forms must be submitted for each project for which the applicant wishes to be considered. The letter of interest and required forms must be received within 13 calendar days of this notice. The deadline for receipt of a letter of interest at the above address is 4:30 p.m. of the thirteenth day.

If the project advertisement indicates that the Department will retain an engineering firm, letters of interest will only be accepted from individuals, firms or corporations duly authorized to engage in the practice of engineering. If an individual, firm or corporation not authorized to engage in the practice of engineering desires to submit a letter of interest, said individual, firm or corporation may do so as part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

If a goal for Disadvantaged Business Enterprise (DBE) participation is established for an advertised project, firms expressing interest in the project must agree to ensure that Disadvantaged Business Enterprise (DBE) firms as defined in the Intermodal Surface Transportation Efficiency Act of 1991 and currently certified by the Department of Transportation shall have the maximum opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The act requires that firms owned and controlled by women (WBEs) be included, as a presumptive group, within the definition of Disadvantaged Business Enterprise (DBE). The goal for DBE participation shall be as stated in the individual project advertisement. Responding firms shall make good faith efforts to meet the DBE goal using DBEs (as they were defined prior to the act), WBEs or combinations thereof. Proposed DBE firms must be certified at the time of submission of the letter of interest. If the selected firm fails to meet the goal established, it shall be required to demonstrate its good faith efforts to attain the goal. Failure to meet the goal and to demonstrate good faith efforts may result in being barred from Department contracts in the future.

Responses are encouraged by small engineering firms, disadvantaged business enterprise engineering firms and other engineering firms who have not previously performed work for the Department of Transportation.

Each letter of interest must include in the heading, the firm's Federal Identification Number and the Project Reference Number indicated in the advertisement. The letter of interest must also include the following:

1. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project."

2. Standard Form 254, "Architect-Engineer and Related Services Questionnaire" not more than 1 year old as of the date of this advertisement, must accompany each letter of interest for the firm, each party to a joint venture and for each subconsultant the firm or joint venture is proposing to use for the performance of professional services regardless of whether the subconsultant is an individual, a college professor or a company. Please disregard the statements on Standard Form 255 that indicate a Standard Form 254 is only

required if not already on file with the contracting office. The Department does not maintain a file for Standard Form 254 for contracting purposes; therefore, this Form is required for the prime consultant and each subconsultant as stated above.

3. Two copies of the Department's Form D-427 (Rev. 6-89), "Current Workload" for the firm submitting the letter of interest. At least one copy of Form D-427 must remain free and not bound in any way to any other portion of the letter of interest or accompanying documentation. Copies of Form D-427 are available upon request from the above address or by contacting the Department's Consultant Agreement Division at (717) 783-9309.

4. Firms with out-of-State headquarters or corporations not incorporated in Pennsylvania must include with each letter of interest a copy of their registration to do business in the Commonwealth as provided by the Department of State. Firms who are not registered to do business in Pennsylvania at the time of this advertisement must document that they have applied for registration to the Department of State, Corporation Bureau. The telephone number for the Corporation Bureau is (717) 787-1057 or (717) 787-2004.

The Standard Form 255 must be filled out in its entirety including Item No. 6 listing the proposed subconsultants and the type of work or service they will perform on the project. If a Disadvantaged Business Enterprise (DBE) goal is specified for the project, the DBE must be presently certified by the Department of Transportation, and the name of the firm and the work to be performed must be indicated in Item 6. If a Women Business Enterprise (WBE) firm is substituted for the DBE, the WBE firm must also be presently certified by the Department of Transportation and indicated in Item 6.

The Standard Form 254 must be signed and dated and must be less than 1 year old as of the date of this advertisement. A Standard Form must accompany each letter of interest for the firm submitting the letter of interest, each party to a joint venture, and for each subconsultant shown under Item 6 of the Standard Form 255.

Unless other factors are identified under the individual project reference number, the following factors, listed in their order of importance, will be considered by the Committee during their evaluation of the firms submitting letters of interest:

a. Specialized experience and technical competence of firm.

b. Past record of performance with respect to cost control, work quality, and ability to meet schedules. The specific experience of individuals who constitute the firms shall be considered.

c. Current workload and capacity of firm to perform the work within the time limitations.

d. Location of consultant.

e. Special requirements of the project.

f. Other factors, if any, specific to the project.

The Department currently limits its participation in the remuneration of principals or consultant employees performing work on projects to \$72,800 per annum or \$35 per hour or their actual audited remuneration, whichever is less. The Department currently limits its participation

in the consultant's indirect payroll costs (overhead) on design and miscellaneous projects to 130% of the direct payroll cost or the consultant's actual audited overhead rate, whichever is less. The Department currently limits its participation in the consultant's indirect payroll costs (overhead) on construction inspection projects to 85.2% of the direct payroll cost or the consultant's actual audited overhead rate, whichever is less. The Department's limitations will apply to the projects advertised above unless the Department policy is revised prior to the negotiation of an agreement or contract.

The assignment of the above services will be made to one of the firms responding to this notice, but the Committee reserves the right to reject all letters of interest submitted, to cancel the solicitations requested under this notice, and/or to readvertise solicitation for these services.

BRADLEY L. MALLORY,
Secretary

[Pa.B. Doc. No. 96-1265. Filed for public inspection August 2, 1996, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Buckeye Pipe Line Company, L. P., v. DEP; EHB Doc. No. 96-146-R; 6/6/96 NPDES Permit No. PA 0096474

Buckeye Pipe Line Company, L. P., has appealed the issuance by the Department of Environmental Protection of an NPDES permit to the Buckeye Pipe Line Company, L. P. for a facility in Coraopolis Borough, Allegheny County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at 1 (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 96-1266. Filed for public inspection August 2, 1996, 9:00 a.m.]

Campbell's Ultra Service Station v. DEP; EHB Doc. No. 96-151-C

Campbell's Ultra Service Station has appealed the issuance by the Department of Environmental Protection of an NPDES permit to same for a facility in North Huntingdon Township, Westmoreland County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at 1 (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 96-1267. Filed for public inspection August 2, 1996, 9:00 a.m.]

Hegins Township Authority v. DEP and Interna- tional Anthracite Corp., Permittee; EHB Doc. No. 96-152-MR

Hegins Township Authority, has appealed the issuance by the Department of Environmental Protection of an NPDES permit to International Anthracite Corp. for a facility in Hegins Township, Schuylkill County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, please contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at 1 (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.62. Copies of the Board's rules of practice and procedure are available upon request from the Board.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 96-1268. Filed for public inspection August 2, 1996, 9:00 a.m.]

GOVERNOR'S OFFICE

Catalog of Nonregulatory Documents

Pursuant to Governor Ridge's Executive Order 1996-1, agencies under the jurisdiction of the Governor must catalog and publish all nonregulatory documents such as policy statements, guidance manuals, decisions, rules and other written materials that provide compliance related information. The following compilation is the first list of the Administration's nonregulatory documents. This list will be updated and published annually on the first Saturday in August.

This catalog is being provided to insure that the public has complete access to the information necessary to understand and comply with State regulations. Facilitating access to information is a critical component of the Ridge Administration's initiative to enhance to the partnership between the regulated community and the State.

Governor

AGING

DECISIONS:

Office of Chief Counsel

- Reynolds vs. Department of Aging, (570A.2d 1373 (PA Commw. 1990)).

Contact: Jacqueline Welby, Assistant Counsel (717)-783-2529

INTERNAL GUIDELINES:

- Pharmaceutical Program (PACE)

Contact: Gretchen Beard, Chief of Compliance Division (717)-787-7313

PACE Provider Bulletins: 1996

- 1/08/96: Prilosec and Prevacid: Notified Providers these drugs would be edited for maximum duration for all claims dispensed on or after January 8, 1996.
- 1/26/96: Non-Participating Manufacturer List.
- 5/24/96: Biaxin Filmtabs (NDC: 00074248660): Notified providers of an error on the formulary file from 1/22/96 to 3/21/96.
- 5/24/96: Solopak Pharmaceuticals: Notified providers that Labeler Codes 39769 and 59747 would be participating in the PACE Program.
- 7/12/96: PACE Cardholders with PEBTF Prescription Coverage: Notified Providers that PACE Cardholders with drug coverage through the Commonwealth's Retired Employees Health Plan had been notified they were being canceled from the PACE Program.

PACE Provider Bulletins: 1995

- 1/6/95: Drug Utilization Review Program: Addition of new criteria for antidepressants, antipsychotics and benzodiazepines.
- 2/17/95: Antidepressants, Antipsychotics and Benzodiazepines: Reminder to Pharmacy to carefully review both the reject codes and accompanying messages.
- 2/24/95: Toradol: Reimbursement restrictions.
- 2/24/95: Minitran: 30-day supply limit.
- 3/95: PACE Drug Utilization Review Criteria.
- 3/3/95: Medicare Update: Extended coverage for prescription drugs used in immunosuppressive therapy to three years following hospital discharge for an organ transplant.
- 3/3/95: Maximum Initial Dose for selected antipsychotic, antidepressant or benzodiazepine agents.
- 3/27/95: Non-Sedating Antihistamines and Oral Antifungals Coadministration is Contraindicated. PACE will reject claims for Seldane, Seldane-D, Hismanal, Claritin, Claritin-D, Diflucan, Nizoral and Sporanox.
- 3/95: Third Party Billing Reminder: PACE is payer of last resort, pharmacy must bill other third parties first.
- 5/5/95: Brand Patent Expirations/Generic Substitutions.
- 7/95: CellCept Billing Instructions.
- 7/1/95: Claims Submissions: 90-day limit to file claims for reimbursement.

- 8/1/95: Injectable Chemotherapeutics: Effective 9/1/95 PACE Reimbursement for list of injectable chemotherapeutics limited to 20% of AWP.
- 8/18/95: Non-Participating Manufacturer List.
- 8/18/95: Drug Utilization Review Program: New maximum dose criteria added to the PACE ProDur Program effective 8/28/95 - Nefazodone (Serzone) 600 mg/day; Fluvoxamine (Luvox) 50 mg/day (initial) and 300 mg/day (maximum); Lansoprazole (Prevacid) 30 mg/day.
- 9/1/95: Common Package Size Reimbursement Listing.
- 9/1/95: Epoetin Alfa (EPO) Injections: Effective 9/11/95 PACE reimbursing only 20% of AWP for Epogen and Procrit.
- 9/6/95: Early Refill Edit: Additional classes added to the Early Refill Edit.
- 9/22/95: Drug Utilization Review Program: Effective 9/25/95 duplicate therapy edit applied to the following class of drugs: Proton Pump Inhibitors - Prilosec and Prevacid.
- 10/95: PACE POCAS Telecommunications Number: New direct number available to pharmacy providers for Primary Claim Submission: 950-5545.

PACE Provider Bulletins: 1994

- 2/8/94: Reimbursement Criteria for Temazepam (effective 3/1/94).
- 5/23/94: Glyburide: Mandatory Substitution of Micronase and Diabeta.
- 5/94: Prograf Billing Instructions
- 5/94: Ophthalmics: Days Supply Provisions
- 5/94: Betaseron Billing Instructions
- 7/1/94: Ophthalmics: Noted billing discrepancies regarding pharmacies reporting of the days supply.
- 7/23/94: Narrow Therapeutic Index Exemption Listing (Revised)
- 8/94: Incorrect Physician License Numbers: Notice to Pharmacy Providers of Procedures to Disallow Claims Submitted with Wrong Prescriber I.D.
- 8/19/94: Physician/Medical Assistants: PACE Reimbursement of Prescriptions Written by Physician Assistants.
- 9/23/94: Serevent: PACE will no longer reimburse for more than 13 gm of Serevent per prescription.
- 9/26/94: Febatol - No PACE Reimbursement after 12/26/94.
- 9/30/94: Manufacturers' Rebate Update
- 10/3/94: DAW/Product Selection Code (Revised)
- 10/21/94: Oral Contraceptives: Effective 10/30/94 PACE no longer reimburses except through the Medical Exception process.
- 10/21/94: New Maximum Dose Criteria Added to the PACE ProDUR Program: Maximum daily dose and duplicate therapy criteria for NSAIDs (Trilisate; Disalcid; and Cataflam) and maximum daily dose criteria for miscellaneous anti-ulcer preparations (Propulsid and Reglan).
- 11/18/94: Oral Chemotherapeutics: Effective 12/15/94 PACE reimburses only 20% of AWP for Cyclophosphamide 25 mg/oral; Cytoxan 50 mg/oral; Etoposide/Vepesid 50 mg/oral; and Melphalan/Alkeran 2 mg/oral.
- 12/2/94: 30-Day Supply Requirement: Humulin and Solganal.

PACE Provider Bulletins: 1993

- 1/1/93: PACE Legislative Changes Effective 1/1/93
 - Dispense as Written (DAW) Codes
 - Mandatory Generic Substitution when an "A" rated generic therapeutically equivalent drug is available.
 - Pricing Information
 - Consultation Fee Discontinued
- 2/28/93: Deadline for PACE Provider Reenrollment and Conversion to 3.2 NCPDP Telecommunications Standard for PACE. Telecommunications Standard for Claims Submission.
- 3/1/93: Standard Error Codes
- 3/1/93: Early Refill Edit
- 3/1/93: Halcion Error Code Revisions
- 3/1/93: Processing Requirements: Conversion to NCPDP Version 3.2
- 3/19/93: POCAS System Maintenance on 4/10/93 and 4/11/93.
- 5/14/93: Delay in Provider Reimbursement
- 5/21/93: Change in the ProDUR screening criteria for H2 Receptor Antagonists effective 6/1/93.

- 6/28/93: Implementation of PACE ProDUR Changes:
 - Maximum daily dose for NSAIDs
 - Maximum daily dose for Omeprazole, Sucralfate and Misoprostrol.
 - Maximum daily dosage allowed for Famotidine (Pepcid) changed from 80 mg/day to 40 mg/day.
- 6/28/93: Claims Processing Procedures When POCAS Is Not Available.
- 7/1/93: Non-Participating Manufacturers List
- 7/23/93: 30-Day Supply Requirements
- 7/23/93: Narrow Therapeutic Index Exemption Listing (Revised)
- 9/28/93: Manufacturers Rebate Update (Non-Participating Manufacturer List, effective 10/5/93 was attached.)

PACE Provider Bulletins: 1992

- 4/92: Provider Training Seminars (5/11/92 through 7/2/92)
- 5/29/92: Manufacturers' Rebate News: Center Laboratories
- 6/19/92: Manufacturers' Rebate News: Roxane Laboratories, Inc.
 - Astra Pharmaceutical Products
 - Ocumed
 - IPR Pharmaceutical
 - Immunex Corporation
- 8/16/92: PACE Rescue Plan: Implementation of ProDUR; NCPDP Version 3.2 and related Program Changes
- 9/92: Dixon-Shane recoupments/pharmacy credits.
- 11/9/92: PACE Pharmacy Provider Manual
- 12/23/92: Narrow Therapeutic Index Exemption Listing
- 12/92: Generic Substitution on Oral Prescriptions (Included Poster and Informational Flyers).

PACE Provider Bulletins: 1991

- 6/21/91: Co-Pay Change (\$4 to \$6 effective 7/1/91)
- 8/14/91: General Program Issues:
 - Claims Payment
 - Cardholder Eligibility Changes (Income Eligibility Changed to \$13,000 for Single and \$16,200 for Married Couples)
 - Nursing Home Providers
 - Cosmetic Drugs (Effective 10/1/91 claims for Rogaine and Retin-A no longer paid)
 - Paper Claims (Only claims for Compound Drugs or claims whose Quantity is in Excess of 9999 accepted as paper claims)
 - Persantine and Dipyridamole (These two drugs must have an indication on the prescription that it is being used as an adjunct to Coumadin anticoagulants for the prevention of postoperative thromboembolic complications of cardiac valve replacement in order to be allowed payment by (PACE).
 - Audit Issues (Telephone Prescriptions and Brand Medically Necessary Requirements).
- 8/21/91: Final Instructions Concerning the PACE On-line Claims Adjudication System (POCAS).
- 9/27/91: Billing Instructions
 - Cosmetic Drugs
 - Exception Claim Processing
 - POCAS, post payment review
 - Nursing Home Claims

Division of Program & Regulatory Coordination

Contact: Robert Hussar, Division Chief (717)-783-8975

Current Aging Program Directives

Provided below is a comprehensive list of current Aging Program Directives and LAMP/OPTIONS Bulletins. Directives which do not appear on the list are no longer in effect. Current directives are as follows:

Program Area 01 - "AAA Administration"

- 88-01-06 County Human Service Plan for FY 1990-93
- 88-01-07 Personnel Action Plan for Private Non-Profit Area Agencies on Aging (AAA)
- 90-01-01 County Human Service Plan Update for FY 91-93 (supplements APD #88-01-06)
- 90-01-05 Contract Management and Direct Service Provision by AAAs
- 91-01-01 Certification and Disclosure Regarding Lobbying
- 91-01-02 County Human Service Plan Update for FY 92-93 (supplements APD #88-01-06)
- 91-01-05 Area Agency on Aging Involvement in Corporate Eldercare Activities
- 92-01-01 Single Audit Act Audit Requirements
- 92-01-05 FY 1993-96 Three Year Area Plan Requirements

- 92-01-06 Minimum Standards for Governing Boards of Private Non-Profit Area Agencies on Aging
- 93-01-04 Providing AAA Funded Services to Domiciliary Care and Personal Care Home Residents
- 94-01-01 Fiscal Year 1994-1995 Area Plan Update Requirements (supplements APD #92-01-05)
- 94-01-02 Indirect Cost Policy for Department of Aging Contracts
- 94-01-04 Department of Aging Heat Emergency Plan
- 95-01-02 PrimeTime Health Program—Program Requirements and Allocations for FY 1995-1996) rescinds APD #94-01-06)
- 95-01-03 APPRISE Program—Program Requirements and FY 95/96 Allocations (rescinds APD #94-01-05)
- 95-01-05 Emergency Cooling Project
- 95-01-06 1915(c) Medicaid Waiver Under 60 Attendant Care Program (ACP) assessment Protocols
- 95-01-07 Addendum to APD #95-01-06
- 95-01-08 FY 1996-99 Three Year Plan Requirements
- 95-01-09 Assessments of Persons With “An Other Related Condition” Who Are Exceptional Admissions
- 96-01-01 Accounting Manual For Area Agency on Aging Programs
- 96-01-02 AAA Program Requirements, Planning Allocations, and Aging Services Block Grant For FY 1996-97
- 96-01-03 AAA Program Income Policies
- 96-01-04 FY 1996-97 Program And Financial Reporting Requirements

Program Area 02 - “Home Delivered Meals”

See Program Area 03.

Program Area 03 - “Congregate Meals”

- 90-03-01 Policies and Standards for the Department of Aging Funded Nutrition Service Programs

Program Area 04 - “Socialization/Recreation/Education/Health Promotion”

- 85-04-03 The Senior Center Grant Program
- 86-04-01 Revisions to the Senior Center Grant Program
- 86-04-02 Senior Center Grant Program Extension
- 96-04-01 Senior Community Center And Satellite Center Policies and Standards

Program Area 05 - “Employment Services”

- 92-05-01 Title V Agreement, Allocation Schedule and Reporting Requirements for FY 1992-93
- 95-05-01 Title V Agreement, Allocation Schedule and Reporting Requirements for FY 1994-95 (supplements APD #94-05-01)
- 95-05-02 Title V Senior Community Service Employment Program: Final Rule

Program Area 06 - “Volunteer Services”

- 85-06-01 Volunteer Services

Program Area 07 - “Passenger Transportation Services”

- 85-07-01 Policies for Transportation Services

Program Area 11 - “Information and Referral”

- 85-11-01 Policies and Procedures for the Provision of I & R Services by AAAs

Program Area 23 - “Care Management”

- See OPTIONS-Level II Bulletin #93-01.

Program Area 24 - “Protective Services Intake/Investigation”

- 88-24-01 Older Adults Protective Services Program Requirements, Funding Provisions, Reporting Requirements and Grant Format
- 89-24-01 Protective Services for Older Adults Regulations
- 89-24-02 Required Standard Forms for Protective Services
- 92-24-01 Change in Report of Need Form (Supplements APD #89-12-02)
- 93-24-01 Protective Services Investigations
- 93-24-02 Protective Services Investigations (supplements APD #93-18-01)

Program Area 13 - “Personal Care”

- See OPTIONS-Level II Bulletin #93-01.

Program Area 12 - "Home Health"

- See OPTIONS-Level II Bulletin #93-01.

Program Area 19 - "Home Support"

- See OPTIONS-Level II Bulletin #93-01.

Program Area 20 - "Adult Day Care"

- See 6 Pa. Code Chapter 11, Sections 11.1 to 11.292.

Program Area 25 - "Domiciliary Care"

- 85-25-01 Revised Social Adjustment Assessment Form and Reassessment Form for Domiciliary Care
- 85-25-02 Statewide Expansion of Domiciliary Care Program
- 85-25-03 State Supplement Security Income for Licensed Personal Care Boarding Home Residents
- 90-25-01 Domiciliary Care Services for Adults—Final Rulemaking
- 93-25-01 Keys Amendment Implementation as It Relates to the Domiciliary Care Program
- 95-25-01 Domiciliary Care Consumer Payment to Providers

Program Area 09 - "Legal Assistance"

- 85-09-01 AAA Program of Legal Services to the Elderly

Program Area 10 - "Ombudsman"

- 90-10-01 Long Term Care Ombudsman Program (rescinds APD #85-19-01)
- 95-10-01 Pennsylvania Ombudsman Reporting System (rescinds Reporting Section, PFR95-16 of APD #94-01-07)

Program Area 14 - "Personal Assistance Service"

- 86-14-01 Program Instructions for Attendant Care for the Elderly

Program Area 18 - "Medical Equipment, Supplies and Adaptive Devices"

- 89-18-01 Durable Medical Equipment, Supplies and Adaptive Devices

Program Area 29 - "Other"

- 85-29-01 Changes in PSA Boundaries
- 85-29-02 Generic Policies and Procedures for the Request and Consideration of Waivers of PDA Policies
- 85-29-03 Statement of Departmental Policy Regarding the Allocation of Funds to Redesignated AAAs
- 85-29-04 PDA Fair Hearings and Appeals Regulations
- 85-29-06 Interdepartmental Cooperative Agreement between the PDA and DPW, Office of Mental Health
- 85-29-08 New Format for APDs and a List of Currently-Effective APDs
- 86-29-01 PACE Regulations
- 91-29-05 Department of Aging Energy Emergency Plan
- 92-29-03 Final Regulations -Family Caregiver Support Program (replaces Sections I-V of APD 92-22-02)
- 92-29-07 Advance Notice to Health Care Facilities Prior to Termination of Utility Service
- 94-29-01 Fiscal Year 1992-1993 Area Agency on Aging Self Evaluation Report (rescinds APD #92-22-06)
- 94-29-03 Family Caregiver Support Program—Program Requirements and Planning Allocations for FY 1994-95 (rescinds APD #93-22-02)
- 94-29-04 Emergency Operations Plan for the Department of Aging (rescinds APD #92-22-04)
- 95-29-01 Updated List of Currently Aging Program Directives, LAMP/OPTIONS Bulletins, 1994 Aging Information Memoranda and 1994 Technical Assistance Bulletins
- 95-29-02 Area Agency on Aging Annual Self Evaluation Report (rescinds APD #94-22-01)
- 95-29-03 Family Caregiver Support Program—Program Requirements and Planning Allocations for FY 1995-96

CURRENT OPTIONS/LONG TERM CARE ASSESSMENT AND MANAGEMENT PROGRAM (LAMP) Bulletins

- 84-01 Pre-Admission Assessment Bulletin
- 84-02 Transmit Mental Health Bulletin
- 84-03 Funding Ceilings for Services for Level II Clients Diverted from Nursing Homes through LAMP
- 85-01 Level of Care Changes Procedures
- 85-02 LAMP and State Mental Hospital System (supplements LAMP Bulletin #85-05)

- 85-05 LAMP Residency Issues
- 89-01 LAMP Alternative Community Care Services Standards
- 89-03 Pre-Admission Assessment Site Requirements for Level of Care Decisions or Recommendations Regarding Heavy Care/Intermediate Services (replaces LAMP Decision Narrative and Instructions; LAMP Determination Report and Instructions; and Page 3, LAMP Assessment Instruction Manual)
- 89-08 Pre-Admission Assessment and Management Program: 1989-90 Reporting Requirements and Instructions for Provision of Services to Alternative Community Care Clients (revises LAMP Bulletin #84-04)
- 89-10 Interim Operations Manual, Volumes I & II
- 90-02 Pre-Admission Assessment (PAA) Site Requirements for Requesting Payment for PAA Assessment Activities for the July 1, 1990 through June 30, 1991 PAA Contract Period (rescinds LAMP Bulletin #89-05)
- 90-03 LAMP Site Requirements for Requesting Payment for Alternative Community Care Services (rescinds LAMP Bulletin #89-07)
- 90-04 Revised PA Pre-Admission Assessment Form (PPAF) and the Assessment Manual (rescinds PA Long Term Care Assessment and Management Program Assessment Instruction [Rev. 11/88] and PA Long Term Care Assessment and Management Program Assessment Manual [Rev. 1988 & 1989])
- 90-05 Protocol Requirements for Serving Medicaid Nursing Home Applicants and Medical Assistance Recipients with Acquired Immune Deficiency Syndrome (AIDS) or Symptomatic Immune Deficiency Virus (HIV)
- 90-07 Transmit DPW/OMA Memo (8/30/90)
- 90-08 Policy Change in Referral Procedures for Individuals with Mental Retardation/Other Related Condition Diagnosis
- 91-01 Supplement 1 to OPTIONS-Level II Site Requirements for Requesting Payment for OPTIONS-Level II Assessment Activities for the July 1, 1990 through June 30, 1991 OPTIONS-Level II Contract Period
- 91-02 OPTIONS-Level II Program Requirements, Planning Allocations and Budget Format for the Twelve (12) Month Period July 1, 1991 through June 30, 1992 (supplements OPTIONS-Level II Bulletin #90-06)
- 91-04 Definitions of OPTIONS-Level II Assessment Categories
- 91-05 Evaluation of PASARR-ID's
- 92-01 Amendments to the Omnibus Budget Reconciliation Act of 1987 (OBRA)
- 92-02 OPTIONS-Level II Program Requirements, Planning Allocations and Budget Format for the Twelve (12) Month Period July 1, 1992 through June 30, 1993 (supplements OPTIONS-Level II Bulletin #90-06 and #91-02)
- 92-04 Nursing Facility "Yes" or "No" Determinations
- 92-05 Pseudo MA Case Number
- 93-01 OPTIONS-Level I/Level II Integration (rescinds LAMP Bulletin #90-01, APD #90-10-01, APD #89-13-01, APD #89-14-01 and APD #89-15-01)
Supplement #1, Update to the Level I/Level II Integration Bulletin #93-01
Supplement #2, Office of Mental Health/OPTIONS/Office of Income Maintenance Protocols
Supplement #4, Update to the Level I/Level II Integration Bulletin #93-01
Supplement #5, OPTIONS Site Signature on MA51
- 93-02 OPTIONS-Level II Program Requirements, Planning Allocations and Contract Format for the Thirty-Six (36) Month Period July 1, 1993 through June 30, 1996 (rescinds OPTIONS-Level II Bulletin #90-06)
Supplement #1, OPTIONS-Level II Program Requirements, Planning Allocations and Contract Format for the Thirty-Six (36) Month Period July 1, 1993 through June 30, 1996
- 94-01 The Revised Pennsylvania P readmission Screening and Annual Resident Review Identification (PA-PASARR-ID) Form (supplements OPTIONS-Level II Bulletin #93-01)
- 94-02 Instructions for the Completion of Forms for OPTIONS Level II Assessment Activity: OPT01 Client Reports, OPT01X Correction to Client History Forms, Administrative Review Reports, Transmittal Form for Tape Invoicing, Definitions for Assessment Categories (replaces OPTIONS-Level II Bulletin #92-03)
- 94-03 OBRA Procedures to be Followed for the Preadmission Screening of Individuals with Mental Illness (Supplements OPTIONS-level II Bulletin #93-01)
- 94-04 OBRA Procedures for Individuals with Mental Retardation (Supplements OPTIONS-level II Bulletin #93-01)
- 94-05 Procedure for Applying for the Personal Care/Domiciliary care Supplement (Supplements OPTIONS-Level II Bulletin #93-01)
- 94-06 OPTIONS-Level II Program Requirements, Planning Allocations and Budget Format for the Twelve (12) Month Period July 1, 1994 through June 30, 1995.
- 95-01 Medical Assistance (MA) Estate Recovery Program (supplements OPTIONS-Level II Bulletin #93-01)
- 95-02 OPTIONS-Level II Program Requirements, Planning Allocations and Budget format for the Twelve (12) Month Period July 1, 1995 through June 30, 1996
- 95-03 Nursing Facilities (NF) Requesting OPTION Sites to Assess NF Residents for Discharge

AGRICULTURE

POLICY STATEMENTS:**Bureau of Plant Industry**

- Fertilizer, Soil Condition and Plant Growth Substance Enforcement Action Penalty Matrix

Contact: John Breitsman (717-787-4843)

- Pesticide Enforcement Action Penalty Matrix

Contact: Joseph Uram (717-787-4843)

- Plant Pest Act Enforcement Action Penalty Matrix

Contact: Dale Stehr (717-787-4843)

GUIDANCE MANUALS:**Bureau of Food Safety and Laboratory Services**

- rBST Labeling Information
- Application to Install or Remodel a Milking System
- Supplement to a Farm Refrigerated Bulk Milk Storage Tank and/or a Precooler Installation Application

Contact: James C. Dell (717-787-4316)

- Model Food service Self-Inspection Checklist
- Ice Manufacturing Plants Consumer Confidence Program Guidelines
- Listeria Handbook for Retail Food Establishments
- Procedures for Vacuum Packaging Foods in Reduced Oxygen Packages
- Retail Food Establishment Consumer Confidence Program Self-Inspection Checklist

Contact: Charles E. Radle (717-787-4315)

Bureau of Government Donated Food

- Farmers Market Nutrition Program - Farmer/Vendor Procedure Manual
- Women, Infants and Children ("WIC") Clinic Procedure Manual

Contact: Edward Wadlinger (717-787-2940)

Pennsylvania Harness Racing Commission

- Licensing Procedures and Standards for Applicants

Contact: Richard E. Sharbaugh (717-787-5196)

Bureau of Plant Industry

- Instructions for Licensing under the Pennsylvania Commercial Feed Law
- Instructions for Licensing under the Pennsylvania Fertilizer, Soil Conditioner and Plant Growth Substance Law
- Directions for Reviewing Specialty Fertilizer Registration in Pennsylvania
- Instructions for Licensing under the Pennsylvania Agricultural Liming Materials Act

Contact: John Breitsman (717-787-4843)

- Directions for Registering Pesticides in Pennsylvania
- Experimental Pesticide Use Permits
- Grower Record keeping Guidelines for Pesticide Applications made under an Emergency Exemption
- Directions for Soil Conditioner and Plant Growth Substance Registration in Pennsylvania

Contact: John Lake (717-787-4843)

Bureau of Ride and Measurement Standards

- Amusement Ride Operators' and Attendants' Manual

Contact: Charles Bruckner (717-787-6772)

INTERNAL GUIDELINES:**Bureau of Farmland Protection**

- Checklist for Review of an Agricultural Conservation Easement Purchase Recommendation
- Checklist for Evaluation of a County Agricultural Conservation Easement Purchase Program

Contact: Raymond Pickering (717-783-3167)

Bureau of Food Safety and Laboratory Services

- Summary of Enforcement Requirements for Violations of Bacterial Count, Somatic Cell Count and Antibiotic Residue Tests for Individual Milk Producer Samples
- Clarification of Enforcement Policy for a Producer Utilizing Two Bulk Milk Tanks

Contact: James C. Dell (717-787-4316)

- Tolerances for Egg Quality, below which a Warning Letter shall be Issued to a Store
- Tolerances for Egg Quality, below which Seizure of Eggs will be made at a Store
- Tolerances for Egg Quality, below which Prosecution will be initiated against a store
- Tolerances for egg quality, below which seizure of eggs will be made at a plant

Contact: Kim F. Miller (717-787-3294)

- Guidelines for Inspection of Food Concessions at Fairs
- Inspection Guidelines for Farmers Markets and Stands

Contact: Charles E. Radle (717-787-4315)

Pennsylvania Harness Racing Commission

- Procedures with respect to Unlicensed Owners

Contact: Richard E. Sharbaugh (717-787-5196)

Bureau of Plant Industry

- Turfgrass Seed Certification Interagency and Inter-state Certification

Contact: Joe Garvey (717-787-5609)

OTHER:**Bureau of Food Safety and Laboratory Services**

- Industry Responsibilities with respect to Broken Seals

Contact: James C. Dell (717-787-4316)

- Temperature Requirements for Safe Handling of Hot and Cold Foods
- Guidelines for Self-Service Bulk Food Displays
- Guidelines for Maple Syrup Operations

Contact: Charles E. Radle (717-787-4315)

Bureau of Plant Industry

- Pennsylvania Pesticide Hypersensitivity Registry Fact Sheet

Contact: John C.R. Tacelosky (717-787-4843)

BANKING

Nonregulatory public documents of the Department of Banking are divided into three indexed categories listed below: Letters from Several Secretaries of Banking to Regulated Entities; Guidance Available Regarding Compliance with Depository Institution Statutes and Regulations; and, Guidance Available Regarding Compliance with Licensee Statutes and Regulations. The contact person for all Department of Banking documents is Reginald Evans (717-787-1471).

SECRETARIES' LETTER

The following is a historical list of letters to regulated entities from respective Secretaries of Banking providing guidance regarding compliance with statutes and regulations applicable to Pennsylvania state-chartered banking institutions, savings associations, credit unions, and nondepository institutions licensed to make mortgage and other types of loans in Pennsylvania.

• **1996**

- 1-26-96 Letter regarding heavy snowfall and floods having had a profound impact upon many communities in Pennsylvania and the financial hardships imposed upon customers of banks, savings associations and credit unions by this devastation.
- 4-16-96 Letter regarding authority of Pennsylvania state-chartered banking institutions to sell annuities issued by insurance companies.

• **1995**

- 3-24-95 Letter containing Department's statement of policy regarding the Simplification and Availability of Bank Credit Act (Act 167 of 1994).
- 7-11-95 Letter regarding Act 39 of 1995, amends the provisions of Pennsylvania's Banking Code of 1965, as amended ("Banking Code") to authorize full interstate banking and branching under Pennsylvania law and to facilitate the operations of interstate banks in Pennsylvania.

- 10-10-95 Letter to Presidents of Pennsylvania State-chartered Credit Unions forwarding Investment Powers, Standards and Accounting Guidelines for Pennsylvania state-chartered credit unions as required by Section 501(b)(7) of the Credit Union Code which was amended by House Bill 2563, codified as Act 146 of 1994, effective February 12, 1995.
- **1994**
- 3-29-94 Letter to the Chief Executive Officers of Pennsylvania State-Chartered Non-Depository Trust Companies regarding the Department revising its examination/assessment billing method for Non-Depository Trust Companies.
- 8-9-94 Letter to the Chief Executive Officers of Pennsylvania State-Chartered Banking Institutions, Savings Associations and Entities Licensed by the Department of Banking regarding enforcing the regulations of the Department of Banking Code, which provides for assessments of penalties and interest against financial institutions for failing to pay assessment and examination fees in a timely manner.
- 8-22-94 Letter to Chief Executive Officers of Pennsylvania Banking Institutions regarding bank holidays.
- 10-5-94 Letter to all Chief Executive Officers of Banks, Bank and Trust Companies, Trust Companies, Savings Banks, Savings Associations regarding federal law requirement that outside auditors be provided copies of respective reports of examination.
- 10-13-94 Letter to the Presidents of Pennsylvania State-Chartered Credit Unions requiring written notification to the Department regarding the establishment of automated teller machines at locations other than credit union's principal place of business.
- 11-8-94 Letter to all Chief Executive Officers of Banks, Bank and Trust Companies, Savings Banks regarding Assets pledged for uninsured trust deposits, and the Department's position that derivative products are too volatile to be so pledged pursuant to section 403 of the Banking Code.
- 11-17-94 Letter to the Presidents and Chief Compliance Officers of Pennsylvania First Mortgage Companies regarding mortgage companies disbursing loan proceeds in a form prescribed by applicable law.
- **1993**
- 12-9-93 Letter to the Presidents and Chief Executive Officers of Pennsylvania State-Chartered Banking Institutions regarding a new schedule for costs associated with the examination and supervision of state-chartered banks.
- **1992**
- 9-24-92 Letter to the Presidents and Chief Executive Officers of Pennsylvania State-Chartered Banking Institutions regarding evaluating the adequacy of capital and loan loss reserves separately.
- **1991**
- 5-2-91 Letter to all Pennsylvania State-Chartered Banks, Savings Associations, and Credit Unions, Office of Comptroller of the Currency, Office of Thrift Supervision, National Credit Union Administration, Federal Deposit Insurance Corporation, Federal Reserve Board and all State Financial Regulatory Agencies informing them that Settlers Trust Savings Bank has not been and is not currently chartered as a Pennsylvania state-chartered or federally chartered bank, bank and trust company, savings bank, or savings association.
- 7-29-91 Letter to all CEOs of Pennsylvania Chartered Savings Associations and all Pennsylvania Department of Banking Examiners interpreting section 510 of the Savings Association Code of 1967, as amended.
- 8-23-91 Letter to all CEOs of Pennsylvania Chartered Savings Associations and all Pennsylvania Department of Banking Examiners clarifying its 7-29-91 interpretation of section 510 of the Savings Association Code of 1967, as amended, which states that the Department will not object to and will not cite in an examination report a savings association employer for offering and providing favorable terms and rates on loans to such association's employees.
- 9-3-91 Letter to all Motor Vehicle Sales Finance Companies discussing the problems with late delivery of certificates of title by motor vehicle lenders upon satisfaction of the existing loan. Letter states that title must be released immediately upon satisfaction of a loan.
- **1990**
- 1-18-90 Letter discusses additional language added to Section 222 of the Financial Institutions Reform, Recovery and Enforcement Act which adds a new Section 28 to the Federal Deposit Insurance Act, which states that Savings Associations which are not insured by the FDIC shall provide certain disclosures.
- 3-5-90 Letter to CEOs of all federally-insured state-chartered banks and Savings Associations discussing the Resolution Trust Corporation, which is soliciting potential bidders for failing savings and loan associations. Letter requests institutions which are considering bidding to notify this Department before the bidding process begins.
- 4-30-90 Letter to all state-chartered credit unions issuing a new fee schedule for overhead assessments.
- 5-17-90 Letter to CEOs of all Pennsylvania banking institutions informing them that the Department has recently issued an opinion regarding the impermissible collateralization of interest rate swap agreements.

- 6-6-90 Letter to CEOs of state-chartered commercial banks and state-chartered credit unions informing them of the Department's opinion on the permissibility of the Federal Home Loan Bank of Pittsburgh ("FHLB/P") offering membership to other depository institutions in PA. Specifically, the FHLB/P would like to extend offers of membership to state-chartered commercial banks and state-chartered credit unions in PA.
- 6-11-90 Letter to CEOs and Boards of Directors of State-Chartered Credit Unions informing them that strict compliance with section 27 of the Credit Union Act, then codified as 15 Packs § 12327, is required whenever a state-chartered credit union plans to merge or consolidate with any other credit union. In the future, failure to submit a merger application to the Department prior to the consummation of a merger will be viewed as a violation of law.
- 7-10-90 Letter to CEOs of all Pennsylvania financial institutions informing them of the Department's opinion on the applicability of the "Anti-takeover Law," Act 36 of 1990.
- 7-10-90 Letter to CEOs of all Pennsylvania Credit Unions informing them that credit unions must take immediate action in order to retain the power to indemnify their directors and volunteer officers. Also informing them that a special meeting of the board of directors should be called immediately to discuss adoption of a bylaw opting out of new provisions of the recently enacted "Anti-takeover Law," Act 36 of 1990.
- 7-10-90 Letter to CEOs of Pennsylvania Financial Institutions informing them of an enforcement order by the Pennsylvania Department of Insurance regarding Collateral Protection Insurance. Letter requests a summary of any existing collateral protection insurance programs to assist the Department in drafting regulations to determine reasonable fees for licensees under the Motor Vehicle Sales Finance Act.
- 12-3-90 Letter to the Executive Officers of banking institutions regarding the new minimum requirements for Annual Audits performed by Certified Public Accountants.
- **1989**
- 4-13-89 Letter discusses House Bill 979, Act 173 of 1988 which makes several significant changes to the Banking Code including provisions which provide real estate investment and development authority to commercial savings banks; permit commercial and mortgage-backed securities powers; and, permit commercial and savings banks to make investments not presently permitted under statute in amounts up to 3% of assets with no more than 1% in any one investment.
- 8-11-89 Letter to PA savings associations which are insured by the Pennsylvania Savings Association Insurance Corporation regarding Section 222 of the Financial Institutions Reform, Recovery and Enforcement Act, entitled "Activities of Savings Associations" which requires certain disclosures be made by non-federally insured savings associations.
- 9-29-89 Letter lists legal bank holidays for 1990.
- 11-1-89 Letter to CEOs of PA Banking Institutions discusses legal holidays for 1990.
- **1988**
- 4-6-88 Letter discusses the liquidation of TMIC Insurance Company and the need for some financial institutions to obtain alternate private mortgage insurance coverage.
- 5-31-88 Letter to realtors discusses Senate Bill 7 of 1988, the proposed Mortgage Bankers and Brokers Act.
- 6-3-88 Letter announces legislative amendments to sections 112 and 117 of the Banking Code.
- 6-27-88 Letter to CEOs of bank and trust companies discusses the review of assessment fees for trust companies and trust departments. Letter asks institutions to complete a Report of Trust Assets.
- 6-30-88 Letter announces increase in annual assessments of institutions.
- 7-15-88 Letter to lenders asking them to act with forbearance toward farmers who may have been experiencing financial difficulties due to poor weather conditions.
- 9-30-88 Letter mailed to state-chartered banking institutions asking for a Report of Condition and Report of Income as of the close of business on 9-30-88.
- 10-17-88 Letter lists legal bank holidays for 1989.
- 11-2-88 Letter announces survey to be conducted by the Department regarding low-cost deposit accounts availability at banks and savings associations.
- 11-3-88 Letter regarding survey of institutions offering low-cost checking and savings accounts.
- **1987**
- 1-6-87 Letter discusses permissibility of investment on mutual funds under the provision of section 307 the Banking Code.
- 1-16-87 Letter discusses Act 205 of 1986, amending various provisions of the Banking Code particularly section 1610 relating to fair pricing provisions.
- 2-5-87 Letter discusses permissibility of purchase or establishment of discount brokerage office subsidiaries under sections 311(b), 502(d) and 203(d) of the Banking Code.

- 3-23-87 Letter addressed to CEOs of all PA state-chartered banking institutions discusses sections 1407(a) and 1407(c) of the Banking Code, which revises the minimum requirements for Directors' audits performed by CPAs.
- 6-12-87 Letter to CEOs of savings associations, discusses mortgage interest rate commitments.
- 6-24-87 Letter discusses requirements under Section 403 of the Banking Code relating to report of condition and report of income.
- 8-28-87 Letter permits closing of institutions for Constitution Day celebration in Philadelphia, September 17, 1987.
- 11-4-87 Letter lists fixed and optional bank holidays for 1988.
- 12-11-87 Letter to bank and savings association CEOs regarding full-day hours during the holidays.
- **1986**
- 3-17-86 Letter announces CSBS Computer Audit & Control Conference for bankers.
- 6-26-86 Letter requests Report of Condition and Income as of the close of business on June 30, 1986.
- 8-21-86 Letter discusses ownership of stock by state chartered institutions of out-of-state bank holding companies, and sections 116 and 311 of the Banking Code.
- 9-30-86 Letter requests Report of Condition and Income as of September 30, 1986.
- 11-6-86 Letter contains a list of fixed and optional bank holidays for 1987.
- **1985**
- 1-30-85 Letter announces substantive amendments to section 408 of the Banking Code in Act 217 of 1984.
- 4-2-85 Letter announces CSBS Computer Audit & Control Conference for bankers.
- 4-29-85 Letter discusses requirements for directors' audits pursuant to section 1407(a) of the Banking Code and the relevant regulations.
- 5-16-85 Letter announces "Day with the Secretary" program.
- 5-31-85 Letter discusses brokered loan fraud.
- 6-14-85 Letter announces upcoming examination of all corporations licensed under Pennsylvania's Secondary Mortgage Loan Act.
- 9-25-85 Letter requests from banks report of condition and income as of the close of business on September 30, 1985.
- 11-4-85 Letter lists all fixed and optional bank holidays for 1986.
- 12-16-85 Letter announces Martin Luther King, Jr.'s Birthday as a fixed holiday for state-chartered banking institutions.
- 12-20-85 Letter requests report of condition and income for 4th Quarter of 1985.
- **1984**
- 1-24-84 Letter discusses Section 307 of the Banking Code and investments in shares of money market mutual funds.
- 2-17-84 Letter discusses the technological revolution which is affecting the banking industry. The letter also announces a presentation of CSBS Computer Audit and Control Conference for Bankers to be held in Philadelphia, PA on April 23-26, 1984.
- 2-23-84 Letter discusses Section 319 of the Banking Code and variable rate consumer installment loans.
- 3-5-84 Letter is a reminder of the importance of making and maintaining arrangements to backup data processing equipment and provide for reconstruction of records.
- 6-14-84 Letter discusses section 307 of the Banking Code regarding Investment Securities (other than stock) and Office of Comptroller of the Currency revising its interpretation of ruling 7.1100, redefining capital and surplus for the purposes of investment limitations.
- 6-18-84 Letter announces Department's revisions to branch application forms.
- 7-13-84 Letter discusses amendment to Section 1910(d) of the Banking Code, which requires directors and officers to have an audit performed of the books and affairs of the institution at least once per year.
- 7-26-84 Letter discusses Senate Bill 1304, Act 128 of 1984, Senate Bill 1305, Act 129 of 1984 and amendments to sections 302, 303, and 401 of the Banking Code.
- 7-26-84 Letter discusses Senate Bill No. 1304, Act 128 of 1984 which amended sections 203, 306, 308, 310, 311, 404, 405, 505, 805, 908, 1415, 1609, 1910, 2002 of the Banking Code.
- 7-26-84 Letter discusses Senate Bill No. 1080, Act 125 of 1984 which amended sections 311, 404, 514, 610, 802, 1217, 1405, 1609, 1801 and 1809 of the Banking Code.
- 10-9-84 Letter discusses Section 105(b.1) of the Banking Code, establishment of additional offices in Pennsylvania by foreign banking organizations.

- 10-19-84 Letter announces banking legal holidays for 1985.
- 11-28-84 Letter discusses increasing fees and charges for traditional financial services.
- 12-12-84 Letter discusses requirement of section 1407 of the Banking Code regarding audit requirements.
- 12-20-84 Letter announces staff changes in the banking bureau of the Department.
- **1983**
- 1-3-83 Letter concerns substantial increase in the number of institutions advertising repurchase agreements.
- 1-17-83 Letter discusses recent amendments to Chapter 7 of the Banking Code.
- 1-24-83 Letter discusses exercising of compassion and forbearance in dealing with unemployed customers.
- 2-2-83 Letter discusses Garn-St. Germain Depository Institutions Act of 1982 overriding substantially equal payments requirements of Section 310 of the Banking Code.
- 2-15-83 Letter discusses mortgage loans requiring special consideration such as those affected by temporary unemployment of borrower.
- 2-28-83 Letter discusses annual audits requirement contained in Title 10 of the Pennsylvania Code, Section 17.1(a).
- 4-8-83 Letter indicates that Garn-St. Germain Depository Institutions Act of 1982 overrides state law to the extent that it permits adjustable-rate mortgages to be made or purchased by state-chartered banks, bank and trust companies, trust companies, and private banks.
- 4-12-83 Letter regarding electronic automation.
- 4-14-83 Letter discusses Garn-St. Germain Depository Institutions Act of 1982 and preemption of state law re: alternative mortgage loans and override of section 505 of the Banking Code.
- 10-7-83 Letter announces 1984 legal bank holidays.
- 10-13-83 Letter announces deletion of sections 14.1 and 14.2 from Title 10 of the Pa. Code.
- 12-1-83 Letter discusses impact of deregulation on industry.
- 12-5-83 Letter discusses annual audits of one-bank holding companies and multi-bank holding companies in compliance with Sections 1407 of the Banking Code.
- **1982**
- 3-26-82 Letter discusses the technological revolution which is affecting the banking industry. The letter also announces a presentation of CSBS Bank Executives EDP/EFT Conference to be held in Philadelphia, April 27-28, 1982.
- 4-2-82 Letter discusses the technological revolution which is affecting the banking industry. The letter also announces a presentation of CSBS Bank Executives EDP/EFT Conference to be held in Philadelphia, April 27-28, 1982.
- 4-5-82 Letter announces change of policy from using capital-to-deposit ratio as a measurement of capital adequacy to using capital-to-assets ratio.
- 6-4-82 Letter discusses House Bill No. 1889, Act 44 of 1982, which amended sections 113, 114, 115, 903, 904 and 905 of the Banking Code.
- 6-4-82 Letter discusses House Bill No. 1739, Act 79 of 1982, which amended sections 202, 308, 311, 319, 320, 407, 504, 506, 610, 702, 703, 1414, 2004 and 1609 of the Banking Code.
- 7-2-82 Letter to Motor Vehicle Sales Finance Act licensees discusses Act 160 of 1982 and maximum permissible finance charges.
- 7-30-82 Letter addressed to thrift CEOs and discusses asset restatement accounting.
- 11-1-82 Letter lists legal bank holidays for 1983.
- 12-8-82 Letter discusses examination of PA Bank Holding Companies by Department.
- **1981**
- 1-21-81 Notice of authorization to close banks in Philadelphia for official celebrations.
- 10-9-81 Letter announces CSBS Computer Audit and Control Conference for Bankers.
- 10-13-81 Letter discusses sections 702(c) and 610(c) of the Banking Code.
- 11-20-81 Letter lists legal bank holidays for 1982.
- **1980**
- 1-2-80 Letter discusses federal law preemption of first lien residential mortgage rate portion of Pennsylvania usury law.
- 2-4-80 Letter discusses conversions of PA National Banks to State Charters.
- 2-14-80 Letter discusses Act 286 of 1980 and new requirements that only certified public accountants registered with Department of State may provide the attest function on financial statements.

- 3-13-80 Letter discusses proposed legislation requiring mandatory reserves to be maintained at the Federal Reserve.
- 5-29-80 Letter discusses Act 51 of 1980, amending various provisions of the Banking Code.
- 6-10-80 Letter discusses Section 318 of the Banking Code and permissible interest computations.
- 6-17-80 Letter discusses Chapter 7 and Section 103 of the Banking Code, and Section 202 of the Banking Code of 1933, as amended, regarding legal reserves of PA nonmember banks.
- 7-7-80 Letter announces "Day with the Secretary" program.
- 10-28-80 Letter discusses proposed amendments to Department regulations pertaining to Legal Reserve Funds, 10 Pa. Code, Chapter 11.
- 11-7-80 Letter lists legal bank holidays for 1981.
- **1979**
- 7-26-79 Letter discusses outstanding mortgage loans.
- 10-3-79 Letter discusses to what extent PA banks may invest in mortgage-backed pass-through certificates sold by banks through an underwriting syndicate.
- 10-8-79 Letter discusses Outstanding Mortgage Loans
- 10-9-79 Letter discusses Outstanding Mortgage Loans
- 10-26-79 Letter regarding a Conference on technological revolution involving electronics.
- 11-1-79 Letter discusses attempts to curb inflation and to maintain stability and balance in Pennsylvania.
- 11-16-79 Letter discusses legal bank holidays.
- 11-29-79 Letter discusses whether a bank or a bank and trust company may charge the Federal Reserve discount rate plus 1% on a residential mortgage loan.
- **1975**
- 3-7-75 Letter discusses instructions for filing documents with the Corporation Bureau of the Department of State.
- **1966**
- 3-14-66 Letter discusses Saturday Banking Hours.

**INDEX OF GUIDANCE AVAILABLE
REGARDING COMPLIANCE WITH DEPOSITORY
INSTITUTION STATUTES AND REGULATIONS**

The following is a list of applications and instructions to assist depository institutions in complying with various provisions of the statutes and regulations respectively applicable to Pennsylvania state-chartered banking institutions, thrift institutions, and credit unions.

• Branch Applications:

De Novo Branch - Bank, Savings Association, Credit Union, Non-Depository Trust Company
 Purchase of Assets/Assumption of Liabilities - Bank, Savings Association
 Remote Service Facility - Savings Association
 Branch Relocation - Bank, Savings Association
 Relocation of Remote Service Facility - Savings Association
 Relocation of Main Office - Savings Association
 Branch Discontinuance - Bank, Savings Association
 Foreign Bank Office

• Conversions

National Bank to State Bank
 Savings Association to Savings Bank
 Mutual Savings Bank to Stock Savings Bank
 Mutual Savings Association to Stock Savings Association
 Federal Credit Union to State Credit Union

• Mergers

Banks
 Savings Associations
 Credit Unions

• Charters

Bank
 Interim Bank
 Savings Association
 Interim Savings Association
 Credit Union
 Non-Depository Trust Company

- Dissolutions
Savings Association
Bank
- Intrastate Acquisitions
Bank Holding Company
Thrift Holding Company
- Interstate Acquisitions
Thrift Holding Company
- Other
Change in Bank Control - Individuals
Mutual Holding Company Reorganizations
Trust Department - Bank, Savings Association
Bank Subsidiaries

**INDEX OF GUIDANCE AVAILABLE REGARDING COMPLIANCE
WITH LICENSEE STATUTES AND REGULATIONS**

Instructions for license applications, and Guidelines for compliance are available regarding each of the following statutes and, to the extent that regulations have been promulgated, their respective underlying regulations:

- . Mortgage Bankers and Brokers Act,
- . Secondary Mortgage Loan Act,
- . Consumer Discount Company Act,
- . Money Transmitter Act,
- . Motor Vehicle Sales Finance Act, and
- . Pawnbrokers License Act.

In addition to the above indices, the Department of Banking maintains interpretive letters addressing the applicability of statutes and regulations administered by the Department of Banking to specific fact patterns. The Department may provide a summary of the Department's position on a particular issue or a redacted interpretive letter when appropriate in response to particular questions previously addressed by the Department, in order to assist the public and members of the lending industry in complying with laws administered by the Department. The Department of Banking will continue to issue interpretive letters on a case basis when appropriate regarding new issues raised by persons requesting such interpretive information.

COMMUNITY & ECONOMIC DEVELOPMENT

POLICY STATEMENTS:

Bonds Office

- Private Activity Bonds

Contact: Kim Kaufman (717-783-6112)

Bureau of Community and Economic Development

- Enterprise Zone Program

Contact: Dave Messner (717-787-7402)

Loans Office

- Machinery and Equipment Loan Fund
- Pennsylvania Industrial Development Authority

Contact: Gerald Kapp (717-787-6245)

Minority Lending Office

- Pennsylvania Minority Business Development Authority

Contact: Isabelle Smith (717-783-1127)

GUIDANCE MANUALS:

Bureau of Housing and Infrastructure

- Administrative Manual

Contact: Riley Stoy (717-783-3910)

- Building Energy Conservation

Contact: John Boyer (717-783-7847)

- Civil Rights Manual

Contact: Riley Stoy (717-783-3910)

- CDBG Grantee Monitoring Systems

- CDBG Grantee Performance Evaluation Report Handbook

- Economic Development Handbook

- Environmental Review Guide
- Housing Rehabilitation Guide
- Labor Standards Handbook
- Procedures for Closeout of Contracts
- Procurement/Contract Guide
- Sample Construction Contract Documents
- Special Assessments Guide

Contact: Riley Stoy (717-783-3910)

Entrepreneurial Assistance Office

- Pennsylvania Small Business Operations and Resources Guide

Contact: Linda Goldstein (717-783-8950)

Travel and Tourism Office

- Tourist Promotion Agency Matching Fund Program Manual

Contact: Keith Gingrich (717-787-5453)

INTERNAL GUIDELINES:

Bonds Office

- Conventional Bond Financing (Taxable) Guidelines
- Exempt Facility & Small Issue Bonds Guidelines
- Industrial Development Authority Financing Guidelines
- Pennsylvania Capital Access Program Guidelines
- Tax-Exempt Bond Financing Guidelines

Contact: Kim Kaufman (717-783-6112)

Bureau of Community and Economic Development

- Small Business First Program Guidelines

Contact: Linda Goldstein (717-783-8950)

Community Empowerment Bureau

- Community Development and Finance Corporation Grant and Loan Program Guidelines Community Services Block Grant Program Guidelines
- Comprehensive Services Program Guidelines
- Employment and Community Conservation Program Guidelines
- Neighborhood Assistance Program Guidelines
- Neighborhood Assistance Enterprise Zone Tax Credit Program Guidelines
- Weatherization Program Guidelines

Contact: Dennis Darling (717-787-1984)

Grants Office

- Industrial Development Assistance Fund Program Guidelines
- Industrial Sites Reuse Program Guidelines
- Infrastructure Development Program Guidelines

Contact: Scott Dunkelberger (717-787-7120)

- Job Creation Tax Credit Fund Guidelines
- Opportunity Fund Guidelines

Contact: Scott Dunkelberger (717-787-7120)

Housing and Infrastructure Bureau

- Community Development Block Grant Guidelines

Contact: Riley Stoy (717-783-3910)

- Downtown Pennsylvania Program Guidelines

Contact: Dave Chitister (717-787-7156)

- Emergency Shelter Grant Program Guidelines
- Home Investment Partnerships Program Guidelines

- Housing and Community Development Program Guidelines

Contact: Dave Chitister (717-787-7156)

- Section 108 (of the Housing and Community Development Act) Loan Guarantee Program Guidelines

Contact: Riley Stoy (717-783-3910)

International Trade Office

- Trade Event Grant Program Guidelines
- Regional Export Matching Grant Program Guidelines

Contact: Susan Sloane (717-787-7190)

Loans Office

- Machinery and Equipment Loan Fund Program Guidelines

Contact: Gerald Kapp (717-787-6245)

Local Government Services Center

- Local Government Capitol Projects Loan Program Guidelines
- Municipalities Financial Recovery Act Program Guidelines
- Regional Police Assistance Program Guidelines
- Shared Services Program Guidelines

Contact: Fred Reddig (717-783-4657)

Strategic Planning and Program Operations

- Enterprise Zone Program Guidelines
- Small Communities Planning Assistance Program Guidelines
- State Planning Assistance Grant Program Guidelines

Contact: Dallas Dollase (717-787-7400)

Workforce Development and Technology Office

- Ben Franklin Technology Center Program for Technological Innovation Guidelines
- Customized Job Training Program Guidelines
- Job Link Program Guidelines
- Pennsylvania Industrial Resource Center Program Guidelines

Contact: Terri Kaufman (717-787-4148)

CONSERVATION AND NATURAL RESOURCES

POLICY STATEMENTS:

Bureau of Forestry

- State Forest Natural Areas

Contact: Dan Devlin (717-787-3444)

- Transfer or Exchange of State Forest Land
- Campsites

Contact: Warren Ely (717-787-2014)

Bureau of State Parks

- State Park User Fees

Contact: Gary Smith (717-783-3307)

- Transfer or Exchange of State Park Land
- State Park Natural Areas

Contact: Greg Schrum (717-787-6674)

GUIDANCE MANUALS:

Bureau of Forestry

- Cooperative Gypsy Moth Suppression Program Procedure for Cooperator Participation Manual
- Cooperative Gypsy Moth Suppression Program Operating Procedure and Deadlines Manual

Contact: Larry Rhoads (717-948-3941)

- Forest Fire Warden Manual

Contact: Fred Wilcox (717-787-2925)

- Forest Camp Lease Manual

- Right-of-Way Manual

Contact: H. E. Kelly (717-787-2015)

- Snowmobile Instructor's Manual

- ATV Instructor's Manual

Contact: W. Paul Szabara (717-783-7941)

- Forest Products Permit

Contact: Michael Kusko, Jr. (717-787-4009)

- Camping Permit

Contact: William Slippey (717-787-2014)

- District Forester Permit

Contact: Michael Kusko, Jr. (717-787-4009)

- Road Use Agreement

Contact: H. E. Kelly (717-787-2015)

- Special Activities Agreement

Contact: William Slippey (717-787-2014)

- License for Right of Way

Contact: H. E. Kelly (717-787-2015)

- Prospecting Permit

Contact: Roger Dorsey (717-787-2015)

- Seismic Survey Permit

Contact: John Walker (717-787-2015)

- Hard Mineral Permit

Contact: Roger Dorsey (717-787-2015)

Bureau of Recreation and Conservation

- Pennsylvania Rivers Conservation Program, Policy, Procedures and Implementation Manual, January 1996

- Pennsylvania Scenic Rivers Program Guidelines

- Pennsylvania Scenic Rivers Program Management Guidelines

- Procedures Manual for Pennsylvania Recreation Trails Program

Contact: Marian Hrubovcak (717-787-2316)

- Keystone Acquisition and Development Manual and Forms

Contact: Darrel Siesholtz (717-783-2656)

- Keystone Planning, Implementation and Technical Assistance Manual and Forms

Contact: Greg Gove (717-787-7276)

- Keystone Land Trust Grant Manual and Forms

Contact: Darrel Siesholtz (717-783-2656)

- Swimming Pool Management Manual

Contact: Greg Gove (717-787-7672)

- Heritage Parks Program Manual and Forms

Contact: Tim Keptner (717-772-3839)

Bureau of State Parks

- Boat Docks

- Rights-of-Way and Antenna Sites

- Marina Manuals

Contact: Gary Smith (717-783-3307)

EDUCATION

POLICY STATEMENTS:**Bureau of Community and Student Services**

- Secretary of Education's Plan to Require and Assist Each School District to Establish and Maintain a Program of Appropriate Counseling and Support Services to Students Experiencing Problems Related to the Use of Drugs, Alcohol and Dangerous Controlled Substances. The Plan was submitted to the General Assembly on April 22, 1991, as Required by Pennsylvania Act 211 of 1990.

Contact: Biagio Musto (717-772-2429)

Bureau of Teacher Certification and Preparation

- Pennsylvania Department of Education Standards, Policies and Procedures for State Approval of Certification Programs and for the Certification of Professional Educators for the Public Schools of Pennsylvania

Contact: S. Terry Lehr (717-787-3470)

- Certification and Staffing Policies and Guidelines Policies Regarding Education
- Certification and Staffing Requirements for Public Schools
- Policy Regarding Teacher Certification Audits Related to Lapsed Certification

Contact: Rick Eiserman (717-783-6726)

- Letter Announcing New Standard Assessment Scores and New Policy Regarding Testing of all Candidates Adding New Endorsement Areas
- Announcement Raising Certification Application Fees

Contact: Rickey Haas (717-772-4737)

- Policy on Evaluation Procedure for Certificate Preliminary Education Evaluation on Credentials

Contact: Vance Edinger (717- 772-4737)

- Policy for Processing Applications for Certification: Master's Equivalency
- Policy Regarding Rubber Stamped Signatures on Applications
- Processing Procedure for Submission of Teacher Certification Application by Colleges and Universities
- Student Teaching Requirements for Teacher Certification in Pennsylvania

Contact: Rickey Haas (717-772-4737)

Commissioner's Office of Postsecondary and Higher Education

- In-School Youth Programs at Community Colleges
- Community Colleges Reimbursement for Equivalent Full-Time Students Enrolled in Stipend Programs
- Student Tuition at Pennsylvania's Community Colleges
- Debt Service at Community Colleges
- Continuing Education Guidelines for Community Colleges

Contact: Barbara Senier (717-787-4313)

Bureau of Postsecondary Services

- Private Licensed School Memoranda - Student Complaint Questionnaire
- Private Licensed School Memoranda - Board Policy on the Use of the Term Tuition "Savings"

Contact: James G. Hobbs (717-783-8228)

Scranton State School for the Deaf

- Various internal and external policy statements relating to the operation of Scranton State School for the Deaf, such as: Student Immunization, Child Abuse, AIDS, Human Growth and Development, Admission Policy, the Recognition of Scranton State School for the Deaf as a Magnet School and Student Drug and Alcohol Policy, etc.

Contact: Dorothy S. Bambach (717-963-4040)

Bureau of Vocational-Technical Education

- The Occupational Competency Assessment Program

Contact: K.C. Simchock (717-783-6592)

Equal Educational Opportunity Office

- Goals for Equal Opportunity at Pennsylvania's Publicly-Supported Institutions of Higher Education.

Contact: Carrie M. Patterson (717-787-4637)

Bureau of Curriculum and Academic Services

- Commonwealth of Pennsylvania, Department of Education, HIV/AIDS Policy, September 20, 1994

Contacts: Marian D. Sutter (717-787-9862) & John L. Emminger (717-772-2167)

- Pennsylvania State Board of Education AIDS Policy - Admissions/Readmissions of Students or Staff Persons with AIDS, March 1987

Contacts: Marian D. Sutter (717-787-9862) & John L. Emminger (717-772-2167)

- Driver and Traffic Safety Education Program Guide

Contact: H. David Secrist (717-783-4382) **Procedures for Establishing a Private Driver Training School**

Contact: Robert Roush (717-783-6595)

Thaddeus Stevens State School of Technology

- Faculty Manual

Contact: Linda Quinn (717-299-7747)

School Services Office

- Basic Education Circulars - (Updated and indexed collection of Pennsylvania Department of Education statements consisting of advice, guidance and interpretation of laws and regulations. Basic Education Circulars are organized to correspond to the related state and federal laws and regulations affecting schools. They cover several areas of the School Code, including Title 24 of Purdon's Statutes - Articles 1-25, State Board of Education Regulations - Title 22 of the Pennsylvania Code, Chapters 1-23, 237 and 342, and related federal laws, regulations and court cases. These topics include: - Teacher Certification Audits - Teacher Certification Evaluation - Determination of Students' Residence - Reimbursement for School Construction - Student Records - Special Education - Student Transportation - Early Intervention - Home Education Programs - Protection of Pupil Rights - Payments for Education - Graduation of Seniors.)

Contact: Sarah Pearce (717-783-3750)

Bureau of Special Education

- State Plan under the Individuals with Disabilities Education Act - Part B

Contact: William W. Penn (717-783-6913)

Bureau of Budget and Fiscal Management

- School Construction Policies and Procedures.

Contact: Bradford J. Furey (717-787-5480)

GUIDANCE MANUALS:**Bureau of Special Education**

- Early Intervention Guidelines
- Comprehensive System of Personnel Development
- Special Education Information System
- Instructional Support
- Effective Behavior Support
- Transition Beyond School
- Facilities Related to Children with Disabilities
- Special Education Mediation Services
- Education of Students with Hearing Loss
- School District Special Education Plan Guidelines
- Intermediate Unit Special Education Plan Guidelines
- Procedures for Requesting Technical Assistance
- Education of Mentally Gifted Students
- Comprehensive System for Personnel Development Submission Packet
- Comprehensive System for Personnel Development Technical Assistance Opportunities

Contact: William W. Penn (717-783-6913)

Bureau of Information Systems

- Secondary Vocational-Technical Education Individual Student Data System Instruction Manual, 1995-96

Contact: Barbara T. Kern (717-783-2897)

- Adult Vocational-Technical Education Data Collection Instruction Manual, 1995-96

Contact: Judith E. Polliard (717-783-2897)

- Elementary/Secondary Professional Personnel Instruction Manual, 1995-96

Contact: Jeanne S. Hobaugh (717-787-2644)

Bureau of State Library

- Revised Classification Scheme for Pennsylvania State Publications, 1996 - Provides Call Numbers to be Used in Classifying Pennsylvania State Publications

Contact: Mary Lou Sowden (717-783-5983)

Library Development Office

- Guidelines for Negotiating Agreements, 1996 - Guidance for District Library Centers in Negotiating Service Agreements With Local Libraries
- Guidelines for Statewide Library Card System, 1992 - Rules for Public Libraries Participating in the Statewide Library Card System
- A Handbook for District Library Consultants, Second Edition, 1986 - Guidance for Librarians who take positions as district library Center Consultant Librarians
- A Handbook for Public Library Trustees, Fourth Edition, 1993 - Guidance for People Serving as Trustees for Pennsylvania Public Libraries

Contact: Barbara W. Cole (717-783-5722)

Educational Resources and Learning Technologies Office

- ACCESS PENNSYLVANIA Curriculum Guide, 1991 - Library Lesson Plans with Lesson Objectives
- Pennsylvania Guidelines for School Library Media Programs, 1989 - Suggestions for Implementing Quality Library Programs in Pennsylvania
- Pennsylvania Online: A Curriculum Guide for School Library Media Centers, 1990 - Guidance for Librarians in the Instruction and Management of Online Services

Contact: John Emerick (717-787-6704)

Bureau of Community and Student Services

- Even Start Program Reporting Requirements
- Pregnant and Parenting Teen Evaluation Packet
- Education Leading to Employment and Career Training Monthly Attendance Instructions

Contact: Jim Buckheit (717-783-9290)

- Pennsylvania's Education for Homeless Children and Youth State Plan Amended 1995

Contact: Leslie Peters (717-772-2813)

- Even Start Family Literacy Program Request for Grants, Report, Administrative Requirements, Monitoring Program Information and Family Literacy Program Self-Evaluation Questionnaire

Contact: Don Paquette (717-772-2813)

- Safe & Drug-Free Schools & Communities 1996-97 Application for Local Educational Agencies, Intermediate Educational Agencies or Consortia

Contact: Marlene Kanuck (717-783-9294)

- Governor's Program: Safe & Drug-Free Schools & Communities Law Enforcement Partnerships Application & Guidelines (1995-96)
- Student Assistance Program in Pennsylvania
- Guidelines for Student Assistance Program Implementation

Contact: Biagio Musto (717-772-2429)

Bureau of Teacher Certification and Preparation

- Pennsylvania Teacher Intern Certification Program Handbook

Contact: Theona Waxbom (717-787-3470)

- Guidelines for the Preparation of Self- Study Materials for Certification Programs in Education in Pennsylvania

Contact: Samuel Marcus (717-787-3470)

Bureau of Adult Basic and Literacy Education

- Application Guidelines - Pennsylvania Act 143 of 1986 and Federal Adult Education Act

Contact: Cheryl Keenan (717-772-3737)

- Pennsylvania Literacy Corps - Program Year 1996-97 - Application Guidelines

- Federal Adult Education Act, Section 353, 1996-97 Guidelines for Special Experimental and Staff Development Projects

Contact: Cheryl Keenan (717-772-3737)

Bureau of Postsecondary Services

- Guidelines for the Approval of Degree Programs

Contact: Dee Ann Koller (717-772-3623)

- Materials Related to the Approval of Postsecondary Institutions Requesting a Certificate of Approval to Award the Associate in Specialized Business and/or the Associate in Specialized Technology Degree

Contact: Sydney M. Grobman (717-772-2623)

- Eisenhower Postsecondary Grant Application Guidelines

Contact: Linda J. Benedetto (717-772-3623)

Commissioner's Office of Postsecondary and Higher Education

- Instruction Manual - Code of Professional Practice and Conduct for Educators

- Chart of Activities for a Group Wishing to Establish a Domestic Nonprofit Degree - Granting Institution in Pennsylvania or a Foreign Nonprofit Degree-Granting Corporation Wishing to Operate in Pennsylvania

Contact: Dr. Warren D. Evans (717-787-6576)

Bureau of Vocational-Technical Education

- Annual State Sex Equity Plan

Contact: Tom Winters (717-787-8022)

- Guidelines for Community College Variable Stipend Program

Contact: John Bonchalk (717-783-8506)

- Cooperative Education Guidelines for Administration

Contact: Jane Acri (717-783-6867)

- Guidelines for Submission of Applications for Approval of Nurse Aide Training Program

Contact: Carolyn Forlizzi (717-783-6965)

- How to Apply Chapter 5 to Home Economics

Contact: Roberta Brown (717-772-4968)

- Implementing a Statewide System of Core Performance Measures and Standards for Vocational-Technical Education in Pennsylvania

Contact: James H. Bishop (717-783-8506)

- Tech Prep Instructions for Fifth and Sixth Year Continuation Funding

- Tech Prep Instructions for Second Year Funding

Contact: Lee Burket (717-787-5293)

- Job Training Partnership Act State Education Grant Agreement Guidelines, July 1, 1996-June 30, 1997

Contact: Glendean Davis (717-783-6629)

- Managing Local Plans: A Guide to Accountability for the Carl D. Perkins Vocational and Applied Technology Act of 1990, P.L. 101-392

- Managing Local Plans Part II: Connecting Outcome-Based Education to the Carl D. Perkins Vocational and Applied Technology Act of 1990, P.L. 101-392

Contact: Carroll A. Curtis (717-772-4851)

- New Choices/Single Parents, Displaced Homemakers and Single Pregnant Women Services Guidelines, 1994-1996

- New Options/Sex Equity Guidelines, 1994-1996

Contact: Tom Winters (717-787-8022)

- Secondary and Postsecondary Perkins Local Plans, Improvement Plans and Joint State/Local Improvement Plan Guidelines, 1994-1996

Contact: Carroll A. Curtis (717-772-4851)

- Secondary Vocational-Technical Education Program Approval Application Procedure

Contact: Edward Holtzinger (717-787-8804)

- Tech Prep Education Program Guidelines, 1995-1996

- Tech Prep Program Approval in Pennsylvania Interpretative Questions and Answers

Contact: Lee Burket (717-787-5293)

Bureau of Curriculum and Academic Services

- Pennsylvania Strategic Planning Program: Guidelines for Local School, 1993-94

- Strategic Planning Guidelines for Phase II Schools, 1994-95

- Strategic Planning Guidelines for Phase III Schools, 1995-96
- Pennsylvania Strategic Planning Program Approval Procedures
- Pennsylvania Strategic Planning: Equitable Representation

Contact: Richard Schirato (717-783-1028)

- Instructions for Completing PDE 3044-45, Programs and Services for Students of Limited English Proficiency

Contact: Myrna M. Delgado (717-783-6649)

- Writing Assessment Handbook

Contact: John Weiss (717-787-4234)

- Reading Assessment Handbook

Contact: Mary Keepers (717-787-4234)

- Mathematics Assessment Handbook

Contact: James Masters (717-787-4234)

- Handbook for Assessment Coordinators

Contact: James Hertzog (717-787-4234)

- Writing Sample Administration Manual

Contact: John Weiss (717-787-4234)

- Reading & Math Administration Manual - Elementary

- Reading & Math Administration Manual - Middle

- Reading & Math Administration Manual - High School

- Assessment Updates (Series)

Contact: James Hertzog (717-787-4234)

- A Guide to Portfolios

Contact: Robert Gundling (717-787-4234)

- Guidelines for Sex Education in Public Schools of Pennsylvania Contacts: Marian Sutter (717-787-9862) & John L. Emminger (717-772-2167)

- Pennsylvania Department of Education Guidelines for Approved In-Service Credit

- Pennsylvania Department of Education In-Service Course Writers and Reviewers Manual

Contact: Pat Stewart (717-783-1028)

- Induction and Professional Development Guidelines, May 1993

Contact: Mary Kandray (717-783-2862)

Thaddeus Stevens State School of Technology

- Student Handbook, 1996-97

- School Catalog, Fall 1996 - Spring 1998

Contact: Paul Cameron (717-299-7751)

Bureau of Budget and Fiscal Management

- Planning Construction Workbook, Forms Used to Apply for Commonwealth Reimbursement for a School Construction Project

Contact: Bradford J. Furey (717-787-5480)

- Financial Instructions for the 1996-97 Job Training Partnership Act State Education Programs, Regular State Education Programs

Contact: Linda Brubaker (717-783-6870)

- Guidelines for Approval of Capital Expenses for Community Colleges

- Application for State Assistance for Construction of Community College Facilities

- Space Approval Formula for Community Colleges

- Procedures for Funding Institutional Equipment Grant Program

Contact: Larry Snell (717-787-5993)

DECISIONS:

Office of Chief Counsel Teacher Tenure Appeal Opinions

- Patricia Peiffer v. Lake-Lehman School District, Teacher Tenure Appeal No. 9-93

- William Dopko, et al. v. Riverside Board of School Directors, Teacher Tenure Appeal No. 2-94

• Callie Anderson, et al. v. Board of Education of the School District of Philadelphia, Teacher Tenure Appeal No. 16-94
Contact: Carolyn Angelo (717-787-5500)

Certification Appeal Committee Decisions

- Leonid Khazin, Certification Appeal #95-06
- Dr. Fred G. Loveland, Certification Appeal #95-07
- Karen Linker, Certification Appeal #96-01
- David G. Stephany, Certification Appeal #96-02

Contact: Donald E. Lunday (717-787-6344)

Teacher Decertification Decisions

- Commonwealth of Pennsylvania v. Benjamin Lucciola, DI-87-07
- Commonwealth of Pennsylvania v. Malachi Robinson, 1996-3

Contact: M. Patricia Fullerton (717-787-5500)

Food and Nutrition Decision

- Lower Kensington Environmental Center Youth Services, Child Care Food Program 1995-1

Contact: Roger R. Seip (717-787-5500)

Professional Standards and Practices Commission Adjudications, Memoranda and/or Orders

- Joseph A. Vance, DI-95-21
- Michael Dohanic, RE-92-04
- William A. Pagats, DI-95-15
- John D. Cooper, DI-95-18
- Richard Colelli, DI-94-05
- Andrew J. Byrne, DI-92-27
- Denise Farr (Kaufman), DI-95-27
- Clement Mihaly, DI-95-03
- Martin Baracca, DI-92-08
- Gary E. Heitzman, DI-95-32
- Michael Rose, DI-91-13
- Henry P. Monyer, DI-95-25
- Stephen A. Knox, DI-95-26
- Paul A. LeClair, DI-95-31
- Sally Ann Ponder, DI-95-28

Contact: Dr. Warren D. Evans (717-787-6576)

Special Education Appeal Panel Decisions

• In Re: The Educational Assignment of :

- Lynn K., #701
- Laura B., #702
- Shannon T., #703
- Jonathan G., #704
- Gregory P., #705
- Robert R., #706
- Willie F., #707
- Kristopher C., #708
- Karrie M., #709
- Laurie P., #710
- Black B., #711
- Michael G., #712
- Joel P., #713
- Ralph L., #714

- Michael F., #715

- Joshua T., #716

Contact: William Penn (717-783-3750)

Bureau of Teacher Certification and Preparation

- Revocation/Suspension of Teacher Certification

Contact: Rick Eiserman (717-783-6726)

Bureau of Postsecondary Services

- License Revocation Against the Northeast Institute of Education in Scranton, PA effective May 17, 1996

Contact: James G. Hobbs (717-783-8228)

Commissioner's Office of Postsecondary and Higher Education

- Adjudications - Memoranda and Orders of the Professional Standards and Practices Commission That May Suspend or Revoke Certificates of Educators. They May Also Stipulate a Private or Public Reprimand with Regard to an Educator.

Contact: Dr. Warren D. Evans (717-787-6576)

Bureau of Vocational-Technical Education

- Community College Variable Stipend Program

Contact: John Bonchalk (717-783-8506)

INTERNAL GUIDELINES:

Bureau of Special Education

- Compliance Monitoring System
- Procedures for Complaint Management
- Higher Education Initiative Grant Application Form

Contact: William W. Penn (717-783-6913)

Library Development Office

- Commonwealth Libraries' Relationship With District Library Centers, 1994 - Guidance for Library Development Office Staff and District Library Center Personnel in How Commonwealth Libraries and District Library Centers Work Together

Contact: Barbara W. Cole (717-783-5722)

Bureau of Management Services

- Right-to-Know Act Management Guide - Provides the Department's Policy on Providing Public Access to Agency Records
- Americans with Disabilities Act (ADA) Procedures/Management Guides - Provides the Department's Procedures for Providing Alternate Formats, Accommodations and Accessibility to Persons with Disabilities

Contact: Mitch Akers (717-783-9791)

Bureau of Community and Student Services

- Successful Students' Partnership Dropout Prevention Program Funding Application Guidelines
- Pregnant and Parenting Teen Funding Application Guidelines
- Education Leading to Employment and Career Training Funding Application Guidelines
- Single Parent/Teen Parent Program Competitive Funding Guidelines
- Learn and Serve America Request for Applications Guidelines
- Safe Schools Grants Application Guidelines

Contact: Jim Buckheit (717-783-3755)

- Certificate of Eligibility of Migrant Education Children to Enroll in Program
- State Parent Involvement Committee Members for Migrant Education Program
- Travel Expense Policy for Reimbursement to Parents of Migrant Education Children Participating in State Parent Involvement Committee Meeting
- Equal Educational Opportunities to Pennsylvania Children Regardless of their Legal Status

Contact: Manuel Recio (717-783-6466)

Bureau of Teacher Certification and Preparation

- Interstate Agreement on Qualification of Educational Personnel - Policy for Certification of Educational Professionals Across State Jurisdictions

Contact: Vance Edinger (717-772-4508)

- Policy Regarding Acceptance on Educational Testing Service Facsimile Score Reports

Contact: Ron Simanovich (717-787-3470)

- Administrative Policy Confidentiality of Professional Discipline Cases

Contact: Rickey Haas (717-772-4737)

- Moratorium of the Issuance of Program Specialist Certificate
- Policy Establishing Procedure for Expediting Application for Teacher Certification

Contact: Rickey Haas (717-772-4737)

- Program Approval for Teacher Certification Programs: Chairperson's Handbook
- Program Approval for Teacher Certification Programs: Team Member's Handbook
- General Standards Interpretation and Guidelines: Review Team Worksheets

Contact: Samuel Marcus (717-787-3470)

Bureau of Adult Basic and Literacy Education

- Program Monitoring Review Field Guide, August 1995

Contact: Cheryl Keenan (717-772-3737)

Bureau of Postsecondary Services

- Procedures Guidelines - Pennsylvania State Approving Agency, Division of Veterans/Military Education
- Operation Plan - Pennsylvania State Approving Agency, Division of Veterans/Military Education

Contact: Dr. Jane A. Stockdal (717-787-2414)

Bureau of Vocational-Technical Education

- On-Site Reapproval of Approved Nurse Aide Training Programs

Contact: Carlyn Forlizzi (717-783-6965)

- Federal Carl Perkins Vocational and Technical Education Local Performance Review/Report

Contact: Carroll A. Curtis (717-772-4851)

- Program Administration Manual: Policy and Procedures for Perkins Subgrants and Related State Grants (effective 8/1/96)

Contact: Jeff Bostic (717-787-8022)

- Establishing & Operating Effective Local Advisory Committees

Contact: Peggy Dell (717-787-8804)

- Pennsylvania Department of Education Methods of Administration for Complying with Civil Rights Guidelines in Vocational Education

Contact: Jimmy Futrell (717-787-8022)

- State Plan for Vocational and Applied Technology Education, 1966-1998

Contact: Jeff Bostic (717-787-8022)

- Technical Preparation Articulation Agreements - PENN*LINK Announcement Describing Articulation Agreements

Contact: Lee Burket (717-787-5293)

Equal Educational Opportunity Office

- Manual for Deriving Indicators of Equal Opportunity for Higher Education in The Commonwealth of Pennsylvania.

Contact: Carrie M. Patterson (717-787-4637)

- Act 101 Manual - This item describes the use and non-use of Act 101 funds for participating institutions. (Please note that this document is currently under review by the Commissioner's Office. The last publication is for the 1994-95 funding year. A date for distribution has not been established.)
- Act 101 Guidelines - This item makes clear the requirements for institutions that want to participate in Act 101 programs. (Please note that this document is currently under review by the Commissioner's Office. The last publication is for the 1994-95 funding year. A date for distribution has not been established.)

Contact: Kathleen Kennedy (717-783-9188)

Bureau of Correction Education

- Guidelines for Education Programs in Adult State Correctional Institutions
- Guidelines for Education Programs in Youth Development Centers, Youth Forestry Camps and Youth Secure Units

Contact: William D. Mader (717-783-9224)

Thaddeus Stevens State School of Technology

- Faculty Manual

Contact: Linda Quinn (717-299-7747)

OTHER:**Bureau of State Library**

- Disaster Response and Recovery Manual
- State Library of Pennsylvania Collection Development Policy

Contact: Mary Lou Sowden (717-783-5983)

- State Library of Pennsylvania Information Services Guidelines

Contact: Susan Payne (717-783-5986)

Bureau of Community and Student Services

- After School Tutorial Partnerships

Contact: Pam Kolega (717-783-6469)

- Project Summer Migrants Access Resources Through Technology Operational Guide

Contact: Paula Stoup (717-783-6465)

Bureau of Teacher Certification and Preparation

- Certification Testing Booklets

Contact: Ron Simanovich (717-787-3470)

- Application Booklets - Titles include: (1) Applicants Prepared Outside of Pennsylvania (2) Applicants Prepared in Pennsylvania (3) Level II Certification (4) Emergency Certification (5) Master's Equivalency

Contact: Rick Eiserman (717-783-6726)

- Teacher Certification Information Handouts

Contact: Vance Edinger (717-772-4508)

Commissioner's Office of Postsecondary and Higher Education

- Higher Education Gift Disclosure

Contact: Evelyn A. Mayer (717-787-7572)

- Professional Standards and Practices Commission - Pa. Code Title 22 - Chapter 233 Bylaws - Statement of Policy, Annual Report, Statute (22 P.S. §§ 2070.1-2070.18)

Contact: Dr. Warren D. Evans (717-787-6576)

- Postsecondary and Higher Education Operating Institutions of Higher Education in Pennsylvania Legally Authorized to Grant Degrees

Contact: Dr. Warren D. Evans (717-787-6576)

Bureau of Vocational-Technical Education

- The Area Vocational-Technical School Organization - A Technical Assistance Manual

Contact: Peggy Dell (717-787-8802)

Bureau of Curriculum and Academic Services

- Pennsylvania Comprehensive Reading Plan II, Reading, Writing and Talking Across the Curriculum.

Contact: Diane Dickson (717-787-5482)

- "Blue Ribbon Schools, Elementary & Secondary School Recognition Programs" U.S. Department of Education Publication.

- "Blue Ribbon Schools Nomination Packet" U.S. Department of Education Publication.

Contact: Robert Burrows (717-783-1028)

Bureau of Budget and Fiscal Management

- Standard Contract for Food Service Management Services

Contact: Amy Wert (717-787-3186) or (800-331-0129)

- School Construction Fact Sheet - A Brief Description of School Construction Procedures

Contact: Bradford J. Furey (717-787-5480)

EMERGENCY MANAGEMENT AGENCY

GUIDANCE & INFORMATION CIRCULARS (1996)**Bureau of Plans & Preparedness**

- C96-1 Nuclear Power Plant Safety Grant Application Funding Guidance
- C96-2 Requirements for Preparation of Annual Update of County Hazardous Material Emergency Response Preparedness Assessment
- C96-3 Hazardous Material Response Fund (HMRF) Grant Program for Funding Year 1996-1997

Bureau of Administration

- C96-4 State and Local Assistance Program Annual Submission

GUIDANCE & INFORMATION CIRCULARS (1995)**Bureau of Training & Education**

- C95-1 Exercise Programs
- C95-7 Audio-Visual Loan Program
- C95-8 Radiological Preparedness Program
- C95-9 Weather Emergency Preparedness Week

Bureau of Plans & Preparedness

- C95-4 Planning Guidance for Mass Fatalities Incidents
- C95-6 Guidance for Enforcement of the Hazardous Material Emergency Planning and Response Act (1990-165)
- C95-8 Spent Nuclear Fuel Shipment, Radiation Transportation Emergency Response Fund (RTERF) Application Funding Guidance
- C95-10 Nuclear Power Plant Accident Emergency Worker Dosimetry and Potassium Iodide (KI)

GUIDANCE & INFORMATION CIRCULARS (1994)**Bureau of Plans & Preparedness**

- C94-2 Guidance for Reimbursement Under Hazardous Materials Transportation Act (HMTA) Grant Program

Bureau of Training & Education

- C94-3 Guidance for Special Financial Assistance in PEMA's Hazardous Materials Exercise Program
- C94-5 PEMA's FFY 1995 Training Schedule

GUIDANCE & INFORMATION CIRCULARS (1993)**State Fire Commissioners Office**

- C93-1 Guidance for Appropriate Emergency Response to Spills or Leaks from Vehicle Fuel Tanks or Heating System Fuel Supply Tanks or Lines

GUIDANCE & INFORMATION CIRCULARS (1992)**Bureau of Plans & Preparedness**

- C92-5 "Superfund Amendments and Reauthorization Act of 1986" (SARA) Title III/Act 165 Matters

GUIDANCE & INFORMATION CIRCULARS (1991)**Executive Office**

- C91-2 Provisional and Final Certification of Hazardous Material Response Teams in Pennsylvania

GUIDANCE & INFORMATION CIRCULARS (1990)**Bureau of Training & Education**

- C90-1 Audio-Visual Library Catalog
- C90-3 Disaster Case Studies

Bureau of Plans & Preparedness

- C90-4 Bomb Threats, Searches, EOP Support and Explosive Material Disposal
- C90-9 SARA Title III Records Retention & Disposition: Interim Guidance

GUIDANCE & INFORMATION CIRCULARS (1989)**Executive Office**

- C89-2 Evacuation Authority

Bureau of Training & Education

- C89-3 Selected Emergency Management Reference Materials
- C89-7 PEMA's Correspondence Courses

EMERGENCY MANAGEMENT DIRECTIVES (1996)**Bureau of Plans & Preparedness**

- D96-1 Expenditure of Act 165-Generated Revenues at the County Level

EMERGENCY MANAGEMENT DIRECTIVES (1995)**State Fire Commissioners Office**

- D95-2 Instructor Classification System and Code of Professionalism

State Fire Commissioner's Office & Bureau of Plans & Preparedness

- D95-3 Hazardous Material Response Teams in Pennsylvania

Bureau of Administration

- D95-4 Emergency Equipment, Materials and Supplies

Bureau of Plans & Preparedness

- D95-5 Review of SARA Off-Site Response Plans and Maintenance of State Emergency Operations Center Chemical Preparedness Data Base

EMERGENCY MANAGEMENT DIRECTIVES (1994)**Bureau of Plans & Preparedness**

- D94-1 Hazardous Material Response Fund (HMRF) Grant Program for Funding Year 1994-1995

Bureau of Operations

- D94-4 Radiological Preparedness Program Training Requirements
- D94-5 Testing Program and Protocol for State Emergency Voice Alerting Network (SEVAN)

EMERGENCY MANAGEMENT DIRECTIVES (1993)**Bureau of Operations**

- D93-5 Pennsylvania Emergency Incident Reporting System (PEIRS)

Bureau of Administration

- D93-7 Classification and Compensation Plan for County and Local Emergency Management Organizations

EMERGENCY MANAGEMENT DIRECTIVES (1992)**Bureau of Plans & Preparedness**

- D91-1 Change 1, Annex E to the Commonwealth's Emergency Operation Plan

State Fire Commissioner's Office

- D91-3 Firefighter's Memorial Flag
- D91-4 Guidelines for the Operation of a Fire Service Certification Advisory Committee

EMERGENCY MANAGEMENT DIRECTIVES (1990)**Bureau of Plans & Preparedness**

- D90-1 Mass Care Service (Rescinds#69)

Bureau of Training & Education

- D90-3 Emergency Management Training and Education

EMERGENCY MANAGEMENT DIRECTIVES (1991)**Bureau of Plans & Preparedness**

- D89-5 Change to Generic County EOP

Bureau of Administration

- D89-6 Official Publications of PEMA

CURRENT PEMA DIRECTIVES UNDER OLD SYSTEM

- EM Directive #1 4/24/79 Official Publications of Pennsylvania Emergency Management Agency
- EM Directive #14 8/6/79 Files Retention and Disposition
- EM Directive #33 11/17/80 Official Enrollment of Emergency Management Personnel

Bureau of Administration

- EM Directive #67 4/19/84 Affirmative Action

Bureau of Training and Education

- EM Directive #77 6/1/85 Training or Test Authorization Request

CURRENT PEMA DIRECTIVES UNDER OLD SYSTEM**Bureau of Administration**

- 3/10/81 Payment of Compensation Benefits for Accidental Injury Sustained by Duly Enrolled Emergency Management Volunteers

ENVIRONMENTAL PROTECTION**POLICY STATEMENTS:****Bureau of Policy and Communications**

- Environmental Quality Board Policy for Processing Petitions Title 25, Part 1, Subpart A, Chapter 23
- Model Procedure for Meaningful Public Participation Title 25, Part 1, Subpart A, Chapter 24

Contact: Barbara Sexton 717-783-8727

Bureau of Water Quality Management

- Water Quality Toxics Management Strategy Title 25, Part 1, Subpart A, Chapter 16

Contact: Ed Brezina 717-787-9637

Bureau Mining and Reclamation

- Compliance with the Surface Mining Control and Reclamation Act of 1977 Title 25, Part 1, Subpart A, Chapter 13

Contact: Nevin Strock 717-783-8845

- Policy for Emergency Mine Subsidence Relief Title 25, Part 1, Subpart A, Chapter 14

Contact: Ruane Lawrence 717-783-9586

GUIDANCE MANUALS:**Bureau of Land, Recycling and Waste Management**

- Applicable, Relevant or Appropriate Regulations Procedures Manual DEP Code: 253-4500-620
- Off-site Audit Manual for Hazardous Sites Cleanup Program DEP Code: 253-5700-621

Contact: Josephine Valenci 717-787-9870

Bureau of Air Quality Management

- Continuous Source Monitoring Manual DEP Code: 274-0300-001
- Source Testing Manual DEP Code: 274-0300-002

Contact: Ralph Scanlan 717-787-9702

Bureau of Radiation Protection Environmental Radiation

- Surveillance Manual DEP Code: 292-0400-001
- Nuclear Power Generating Station Incident Manual DEP Code: 292-0400-002

Contact: Ed Burtsavage 717-787-3720

Bureau of Dams, Waterways, and Wetlands

- Enforcement Manual DEP Code: 320-4000-001
- Design Criteria—Wetlands Replacement/Monitoring DEP Code: 323-0300-001

Contact: Mike Stover 717-787-6826

Bureau of Water Quality Management

- Ground Source Heat Pump Manual DEP Code: 361-0300-001
- Special Protection Waters Implementation Handbook DEP Code: 361-0300-002
- Industrial Waste Manual DEP Code: 362-0300-001
- National Pollutant Discharge Elimination System Tech Guidance Manual DEP Code: 362-0400-001
- Field Manual for Compliance Orders DEP Code: 362-4000-002
- Domestic Wastewater Facilities Manual DEP Code: 364-0300-001
- Small Flow Sewage Treatment Facility Manual DEP Code: 364-0300-002
- Sewage Facilities Planning: Preparing Act 537 Update Revisions DEP Code: 364-0300-003

Contact: Lou Bercheni 717-787-4317

Bureau of Water Supply and Community Health

- Field/Staff Handbook DEP Code: 383-0400-101
- Total Coliform Rule Staff Handbook DEP Code: 383-0400-102
- Bottled, Vended, Retail and Bulk Water Staff Handbook DEP Code: 383-0400-103

- Health Effects/Risk Management Staff Handbook DEP Code: 383-0400-104
- Inorganic, Volatile Organic and Synthetic Organic Chemicals Staff Handbook DEP Code: 383-0400-105
- Surface Water Treatment Staff Handbook DEP Code: 383-0400-106
- Staff Handbook, Lead and Copper Rule DEP Code: 383-0400-107
- Permitting and Plan Review Staff Handbook DEP Code: 383-0400-108
- Data Management Staff Handbook DEP Code: 383-0400-109
- Compliance Staff Handbook DEP Code: 383-0400-110
- Safe Drinking Water Program General Information Handbook DEP Code: 383-0400-111
- Financial Assistance Manual Staff Handbook DEP Code: 383-0400-113

Contact: Donna Pollinger 717-787-5017

Bureau of Land and Water Conservation

- Erosion and Sedimentation Pollution Control Manual DEP Code: 392-2134-008

Contact: Pat Marrocco 717-787-5267

Bureau of Land and Water Conservation

- Earth Disturbance Permit Policies/Procedures DEP Code: 392-2134-010

Contact: Pat Marrocco 717-787-5267

Bureau of Oil and Gas Management

- Operators' Manual DEP Code: 550-0300-001
- Oil and Gas Wastewater Permitting Manual DEP Code: 550-2100-002
- Guidelines for Submitting Oil/Gas Bonds DEP Code: 550-2501-101

Contact: Frank Bialas 717-772-2199

Bureau of Mining and Reclamation

- Engineering Manual DEP Code: 563-0300-101
- Overburden Analysis Manual DEP Code: 563-0300-102

Contact: Dottie Shellehame 717-787-5103

Bureau of Deep Mine Safety

- General Bureau Information DEP Code: 580-0400-001
- Engineering and Technical Support DEP Code: 580-0400-002
- Miner Training DEP Code: 580-0400-003

Contact: Glenn Ziegler 717-787-1376

Decisions

Bureau of Policy and Communications

- Secretary's Directive on Review of Existing Regs/Technical Guidance Docs DEP Code: 012-0900-002

Contact: Nina Huizinga 717-783-8727

- Money Back Guarantee Program DEP Code: 012-2000-001

Contact: Kim Nelson 717-772-1856

Bureau of Land, Recycling and Waste Management

- Bond Forfeiture DEP Code: 250-2500-310
- Exclusionary Siting Criteria - Hazardous Waste Treatment and Disposal DEP Code: 251-2000-704
- Revisions to Exclusionary Siting Criteria Document DEP Code: 251-2000-705
- Household Hazardous Waste Collection Program DEP Code: 251-2200-502
- Establishment of Household hazardous Waste Program DEP Code: 251-2200-515
- Greenfield Program Implementation DEP Code: 253-0200-616
- MOU Between HSCA, Chief Engineer, and Field Operations DEP Code: 253-0600-607
- Environmental Emergency Response Actions DEP Code: 253-4500-608
- Single Permit for Multiple Agricultural Usage Sites DEP Code: 254-2154-740

Contact: Josephine Valenci 717-787-9870

Bureau of Air Quality Management

- Employer Trip Reduction Policy DEP Code: 271-5000-001
- Compliance Assurance Policy for Cement Kilns with CEMS DEP Code: 273-4000-001
- Compliance Assurance Policy for Hospital Waste Incinerators DEP Code: 273-4000-002
- Enforcement Policy for CEMs on Fluid Catalytic Cracking Units DEP Code: 273-4000-004
- Enforcement Policy—CEMS and Coal Sampling/Analysis Systems DEP Code: 273-4000-005
- Chapter 127 Penalty Policy DEP Code: 273-4130-002
- Waste Derives Liquid Fuel Policies DEP Code: 275-2101-009
- Air Toxics Policies DEP Code: 275-2101-010
- Volatile Organic Compounds DEP Code: 275-2101-015

Contact: Ralph Scanlan 717-787-9702

Bureau of Dams, Waterways and Wetlands

- Delegation of Chapter 105 Functions to Mineral Resources DEP Code: 320-0200-001
- Delegation of Authority DEP Code: 320-0200-002
- Delegation of Chapter 105 functions to County Consv Districts DEP Code: 320-0600-001
- Interagency Agreement with Susquehanna River Basin Commission DEP Code: 320-0600-002
- Agreement with Army Corps of Engineers DEP Code: 320-0600-003
- Delegation of Chapter 105 functions to Mineral Resources DEP Code: 320-2100-001
- Delegation of Chapter 105 functions to Field Ops/Oil and Gas Mgmt DEP Code: 320-2100-002
- Wetlands Protection Action Plan DEP Code: 323-0200-001
- Pennsylvania Wetland Replacement Project DEP Code: 323-0200-002

Contact: Mike Stover (717) 797-6827

Bureau of Water Quality Management

- Cooperation with Other Agencies DEP Code: 360-0700-001
- Correspondence Covering County Health Departments DEP Code: 360-0700-002
- Initiating, Reviewing, Adopting Policies and Procedures DEP Code: 360-0900-001
- Groundwater Protection Strategy DEP Code: 361-0800-001
- National Pollutant Discharge Elimination System Program Implementation DEP Code: 362-0600-001
- Agreement between Oil/Gas Mgmt & Water Quality on Pollution Discharge DEP Code: 362-0600-002
- Policy for Permitting Surface Water Diversions DEP Code: 362-2000-003
- Understanding Between Water Resources and WQM DEP Code: 364-0600-001
- Approving Grant Increases DEP Code: 364-5510-012
- DEP & Pennsylvania Infrastructure Investment Authority Agreement DEP Code: 364-5511-012

Contact: Lou Bercheni 717-787-4317

Bureau of Water Supply and Community Health

- Attorney General Opinion 361 DEP Code: 382-2130-003
- Rescission of Water Rights DEP Code: 382-2130-004
- Policy for Regulation of Interbasin Transfers DEP Code: 382-2130-005
- Metering of Withdrawals under Orders of Confirmation DEP Code: 382-2130-006
- Permit Life DEP Code: 382-2130-008

Contact: Donna Polinger 717-787-5017

Bureau of Land and Water Conservation

- General Policy on Review of Erosion/Sediment Control Plans DEP Code: 392-2200-011

Contact: Pat Marrocco 717-787-5267

Bureau of Field Operations

- Policy for Model Permit Application Process DEP Code: 400-2000-300
- Settlements in Lieu of Civil Penalties or Fines DEP Code: 400-4130-001
- Policy for Authorizing Emergency Response Expenditure DEP Code: 400-5900-102
- Policy for Emergency Response Critiques DEP Code: 400-5900-103

- Policy for Authorities of DEP On-Scene Coordinators DEP Code: 400-5900-104
- Policy for Emergency Response Contracting DEP Code: 400-5900-105
- Policies for Authorities of DEP's Director of Emergency Response DEP Code: 400-5900-107
- Policy for Contracting with Fire Companies or HAZMAT Teams DEP Code: 400-5900-108
- Policy for Authorization of Emergency Transport/Storage of Hazardous Waste DEP Code: 400-5900-109
- Policy for Field Order Authorization of Emergency Response Team DEP Code: 400-5900-110
- Confined Space Safety Policy DEP Code: 400-5900-115
- Electrofishing Safety Policy DEP Code: 400-5900-116

Contact: Kris Lutz 717-787-5028

Bureau of Oil and Gas Management

- Chapter 105 Dam Permit Application Memorandum of Understanding DEP Code: 550-2139-001
- Chapter 105 Joint Permit Application Memorandum of Understanding DEP Code: 550-2137-001
- Chapter 105 General Permits Memorandum of Understanding DEP Code: 550-2141-001

Contact: Frank Bialas 717-772-2199

Bureau of Mining and Reclamation

- Interagency Agreement with Fish and Boat Commission DEP Code: 560-0600-101
- MOU Between PA Game Commission and DER DEP Code: 560-0600-102
- Interagency Agreement, US Dept Agriculture DEP Code: 560-0600-103
- Interagency Agreement, Historical/Museum Commission DEP Code: 560-0600-104

Contact: Dottie Shellehame 717-787-5103

Bureau of Mining and Reclamation

- Interagency Agreement, Waste Management DEP Code: 560-0600-105
- Office of Surface Mining MOU DEP Code: 560-0600-204
- MOU with Laboratories DEP Code: 560-0600-205

Contact: Dottie Shellehame 717-787-5103

INTERNAL GUIDELINES:

Bureau of Policy and Communications

- Data Standards for Name and Addresses DEP Code: 012-0830-001

Contact: Kim Nelson 717-772-1856

Bureau of Land, Recycling and Waste Management

- Chemical Analysis DEP Code: 250-2000-767
- Permit Exemption for Use of Food Processing Sludge DEP Code: 250-2100-746
- Permit Applications with Out-of-State Notarizations DEP Code: 250-2100-751
- Quality Assurance Program DEP Code: 250-3100-401
- Execution of Release Forms by BWM Field Inspectors DEP Code: 250-3120320
- Purge Water from Groundwater Sampling DEP Code: 250-3130-763
- WQM Guidance for Compliance with Act 101 and 108 DEP Code: 250-3140-507
- Open Burning-Consolidation/Clarification of Past Practice DEP Code: 250-4000-760
- Issuance of Notice of Violation DEP Code: 250-4110-306
- DEP Code: 250-4160-307
- Calculation of Civil Penalties DEP Code: 250-4180-302
- Referral of Solid Waste Management Act Violations to Env Crimes DEP Code: 250-4700-317
- Review of CDBG/Small Community Project Grant Applications DEP Code: 250-5500-204
- Risk Assessment Guidelines for Facilities Burning Hazardous Waste DEP Code: 251-0300-402

Contact: Josephine Valenci 717-787-9870

Bureau of Land, Recycling and Waste Management

- Joint Permit Review of Hazardous Waste Incinerators, BWM and AQC DEP Code: 251-0600-710
- Hazardous Waste Permit Review Procedures DEP Code: 251-2000-701
- Time Frames for Application of Hazardous Waste Exclusionary Siting Criteria DEP Code: 251-2000-706

- Closure/Post Closure of Interim Hazardous Waste Facilities DEP Code: 251-2000-707
- Joint Review of Hazardous Waste Facilities Requiring WM/AQC Permits DEP Code: 251-2000-711
- Responding to Applications for RCRA Emergency Permits DEP Code: 251-2000-714
- Hazardous Sites Cleanup Act, Preapplication Meetings DEP Code: 251-2100-203
- Hazardous Waste Permit Denial Guidance DEP Code: 251-2100-752
- Change of Ownership/Transfer of Permit DEP Code: 251-2100-754
- Review Procedure for Hazardous Waste Transfer Facilities for PBR Status DEP Code: 251-2149-713
- Reimbursement to Host County for Hazardous Review DEP Code: 251-5500-758
- Approval of Alternate Recycling Program DEP Code: 252-2200-514
- Annual Facility Reports From Municipal Waste Facilities DEP Code: 252-3100-513
- Review of Residual and Hazardous Waste Source Reduction Strategy DEP Code: 252-6600-516
- Property Access to Hazardous Sites DEP Code: 253-3100-602
- Investigations and Notice per Section 501 of Hazardous Sites Cleanup Act DEP Code: 253-3100-604
- Response Justification Documents DEP Code: 253-3800-603
- Preparation of Hazardous Sites Assessment Reports DEP Code: 253-3800-635
- Guidance for Application of Section 1301 Under HSCA DEP Code: 253-4000-601
- Gathering Information Under Section 503 of HSCA DEP Code: 253-4100-605
- Searches for Responsible Persons under HSCA DEP Code: 253-4100-617
- Acquisition of Property under Section 511 of HSCA DEP Code: 253-4100-628
- Implementation of Section 708 NBAR Provision of HSCA DEP Code: 253-4100-630
- Section 709 Guidance of Hazardous Sites Cleanup Program DEP Code: 253-4130-639
- Mixed Funding Settlements under Section 505(h) of HSCA DEP Code: 253-4130-640
- Filing Liens under Section 509 of HSCA DEP Code: 253-4200-615
- Pennsylvania Applicable/Relevant and Appropriate Requirements DEP Code: 253-4500-606
- Statement of Decision and Response to Public Comment DEP Code: 253-4500-611
- Mitigating Remedies Under the Orphan Sites Program DEP Code: 253-4500-613
- Listing Sites on Pennsylvania Priority List DEP Code: 253-4500-619

Contact: Josephine Valenci 717-787-9870

- Response Category Selection DEP Code: 253-4500-624
- Development of Administrative Records under HSCA DEP Code: 253-4500-637
- Issuance of Grants for Technical Evaluations under HSCA DEP Code: 253-5500-612
- Guidance for Quality Assurance Project Plans DEP Code: 253-5700-609
- Community Relations Activities for State HSCP and Federal Superfund Program DEP Code: 253-5700-632
- Guidance for Hazardous Sites Cleanup Program use of DEP Laboratories DEP Code: 253-5700-633
- Prep of Analysis of Alternatives/HSCA Proposed Response Document DEP Code: 253-5700-634
- End of Project Report DEP Code: 253-5800-610
- Limited Interim Response Actions & Operation/Maintenance Contracts DEP Code: 253-5800-614
- Change Orders for Hazardous Sites Cleanup Program Contract Management DEP Code: 253-5800-618
- Interim Incident Report DEP Code: 253-5800-622
- Daily Activity Report DEP Code: 253-5800-623
- Subcontractor Approval Process in HSCA Contracts DEP Code: 253-5800-625
- Handling Invoices from Interim Responses and Contractors DEP Code: 253-5800-626
- Weekly Activity Report DEP Code: 253-5800-627
- Prevailing Minimum Wage DEP Code: 253-5800-629
- Requesting Hazardous Sites Cleanup Program Contractual Services DEP Code: 253-5800-631
- Workplan/Procedure for IRSC and GTAC Contracts DEP Code: 253-5800-636
- Environmental Emergency Response Program Response Actions DEP Code: 253-5800-638
- Differences Between Construction/Demolition Waste & Clean Fill Definitions DEP Code: 254-2000-715
- Areas Where Municipal Waste Landfills are Prohibited DEP Code: 254-2153-721

- Use of Double Liners on Slopes of Existing Landfills DEP Code: 254-2153-722
- Leak Detection Tests for Installed Liners DEP Code: 254-2153-723
- Permitting of Passive Gas Systems for Municipal Waste Landfills DEP Code: 254-2153-724
- Use of Waste Tires/Tire Derived Materials at Landfills DEP Code: 254-2153-748
- Municipal Sludges Allowed at Agricultural Utilization Sites DEP Code: 254-2154-720
- Disposition of Existing Permitted Construction/Demolition Landfills DEP Code: 254-2157-716
- Pumping Requirements for Construction/Demolition Landfills in Noncoal Mines DEP Code: 254-2157-717
- Liners for Construction/Demolition Waste Landfills DEP Code: 254-2157-718
- Issuance of Emergency Municipal Waste Transfer Approvals DEP Code: 254-2158-745
- Management of Municipal Ash Waste from Resource Recovery Facility DEP Code: 254-2160-762
- Design Requirements/Sewage Sludge Storage Impoundment DEP Code: 254-2161-734
- Approval of Beneficial Use Order of DEP DEP Code: 254-2163-719
- Beneficial Use of Sewage Sludge Products DEP Code: 254-2163-741
- Management of Waste Tires DEP Code: 254-2163-742
- Clarification of the Identification of Infectious Waste Generators DEP Code: 254-2167-702
- Commingling of Infectious & Chemotherapeutic Waste in one Container DEP Code: 254-2167-703
- Procedures for Container/Vehicle Decontamination & Small Spill Cleanup DEP Code: 254-2167-708
- Clarification of Requirements Related to Storage Bags DEP Code: 254-2167-709 of Permit-By-Rule Provision for Mixed Waste w/ Residual Waste DEP Code: 254-2167-712
- Temp Storage & In-Transit Provisions during Transport or Transfer DEP Code: 254-2167-725
- Approval of Act 101 Municipal Waste Management Plan Revisions DEP Code: 254-2212-504
- Procedure for Amending Act 101 Sect 902 Recycling Program Grants DEP Code: 254-2213-517
- Forfeiture of Vehicles as Authorized by Act 101 DEP Code: 254-4000-315
- Proper Identification/Disposal of Mixed Municipal/Residual Waste DEP Code: 254-4000-749
- Mandatory Civil Penalty Provisions of Munic/Residual Waste Regs DEP Code: 254-4184-304
- Lead Policy DEP Code: 255-5100-100
- Approval of Act 101 Municipal Waste Management Plans DEP Code: 257-2212-501
- Checklist for Act 101 Plan Review and Approval DEP Code: 257-2212-503
- Form Letters for Act 101 Approval DEP Code: 257-2212-506
- Guidance for Preparation of Sub-County Plans DEP Code: 257-2212-508
- New Waste Streams Review DEP Code: 258-2000-764
- General Permitting Procedure DEP Code: 258-2000-765
- Municipal Waste-Like Permitting Guidance DEP Code: 258-2000-766
- Implementation Guidance DEP Code: 258-2000-768
- Disposal of Municipal-Like Residual Waste DEP Code: 258-2100-747
- Coproduct Determinations in Residual Waste Program DEP Code: 258-2100-769
- Interim Operating Requirements for Permitted & Unpermitted Facilities DEP Code: 258-2181-771
- Criteria/Use of Various Materials as Clean Fill DEP Code: 258-2182-773
- Cleanup Standards under the Residual Waste Regulations DEP Code: 258-5100-761

Contact: Josephine Valenci 717-787-9870

Bureau of Air Quality Management

- Revisions to AQC Compliance Assurance Policy for Mun Waste Incinerators DEP Code: 273-4000-003
- Incorporation of 1992 Air Pollution Act Penalty Provisions into CEMS DEP Code: 273-4000-006
- Air Pollution Control Act/Permitting & Civil Penalty Procedures DEP Code: 273-4100-005
- Appendix 3 Asbestos Demolition/Renovation Civil Penalty Policy DEP Code: 273-4130-001
- Guidance for Application of Regional Civil Assessment Procedure DEP Code: 273-4130-003
- Compliance Docket Procedure DEP Code: 273-4130-004
- Stage 2 Penalty Assessment Guidance DEP Code: 273-4130-005
- Stage One Penalty Assessment Guidance DEP Code: 273-4130-006
- Air Quality Operating Permit Protocol DEP Code: 275-2101-001

- Air Quality Operating Permit Permitting Procedures DEP Code: 275-2101-002
- Air Quality Operating Permit Exemptions DEP Code: 275-2101-003
- Air Quality Operating Permit Modification/Reactivation DEP Code: 275-2101-004
- Delegation Conditions and Policy Performance Test Waivers DEP Code: 275-2101-005
- Air Quality Operating Permit Requirements DEP Code: 275-2101-006
- Best Available Technology and Other Permitting Criteria DEP Code: 275-2101-007
- Hazardous Waste Incineration DEP Code: 275-2101-008
- Public Notification DEP Code: 275-2101-011
- New Source Review Requirements and Permit Emission Limitations DEP Code: 275-2101-012
- Subchapter C/Lowest Achievable Emissions Rate DEP Code: 275-2101-013
- Prevention of Significant Deterioration DEP Code: 275-2101-014
- Continuous Source Monitors DEP Code: 275-2101-016
- Penalty Policy DEP Code: 275-2101-017

Contact: Ralph Scanlan 717-787-9702

Bureau of Radiation Protection

- X Ray Machine Registration Procedures DEP Code: 291-2308-001
- Radon Certification Inspection DEP Code: 294-3500-001

Contact: Ed Burtsavage 717-787-3720

Bureau of Dams, Waterways and Wetlands

- Guidelines for Determining Bonds DEP Code: 320-2505-001
- Chapter 105 Dam Permit Application DEP Code: 321-2139-001
- Land Acquisition Policies DEP Code: 321-2139-002
- Criteria and Fees for Dam Safety Limited Power Permits DEP Code: 321-2140-001
- Annual Inspection Policy DEP Code: 321-3120-001
- Annual Inspection Report Form DEP Code: 321-3140-001
- Category 3 Dam Inspection Report Form DEP Code: 321-3140-002
- Code: 322-2137 Chapter 105 Joint Permit Application DEP -001
- Criteria and Fees for Waterways Management Limited Power Permits DEP Code: 322-2140-001
- Chapter 105 General Permits DEP Code: 322-2141-001

Contact: Mike Stover 717-787-6826

Bureau of Water Quality Management

- Pollution Reports DEP Code: 361-2000-001
- Evaluation/Process for Thermal Discharge Federal Water Pollution Act DEP Code: 361-2000-002
- Determining Water Quality Based Point Source Effluent Limits DEP Code: 361-2000-003
- Water Quality Analysis Template, Release 4, 2a, Users Guide DEP Code: 361-2000-004
- Water Quality Analysis Template (WQAT 2.04), Release 4, 2, Reference DEP Code: 361-2000-005
- Implementation Guidance Design Conditions DEP Code: 361-2000-006
- Water Quality Analysis Model (6.3) DEP Code: 361-2000-007
- Osmotic Pressure DEP Code: 361-2000-008
- Land Application of Treated Sewage and Industrial Waste DEP Code: 361-2000-009
- Implementation Guidance/Sec. 95.6 Phosphorus Discharges/Lakes/Ponds/Impound DEP Code: 361-2000-010
- PENTOXSD Technical Reference Guide DEP Code: 361-2000-011
- PENTOXSD Users Guide DEP Code: 361-2000-012
- Stream Surveys DEP Code: 361-3200-001
- Ambient Fixed Station Water Quality Network Monitoring DEP Code: 361-3200-002
- Cause/Effect Surveys DEP Code: 361-3200-003
- Aquatic Life Use Attainability Studies; Flow Water & Impoundment DEP Code: 361-3200-004
- Aquatic Life Special Water Quality Protection Survey DEP Code: 361-3200-005
- Toxics Surveys DEP Code: 361-3200-006

- Stream Enrichment Risk Analysis DEP Code: 361-3200-007
- Advanced Treatment Model Calibration Verification Surveys DEP Code: 361-3200-008
- Guidance for Ambient Ground Water Quality Surveys DEP Code: 361-3200-009
- Standardized Biological Field Collection DEP Code: 361-3200-010
- Total Maximum Daily Load/Waste Load Allocation Toxics Survey DEP Code: 361-3200-012
- Evaluation of Phosphorus to Lakes, Ponds, Impoundments DEP Code: 361-3200-013
- Guidance for Establishing Fixed Station Ground Water DEP Code: 361-3200-014
- Quality Assurance Work Plan for Groundwater Quality Monitoring Stations DEP Code: 361-3200-016
- Permitting DEP Code: 362-2000-001
- Permitting Guidance Conditioned Water Discharges DEP Code: 362-2000-004
- Subsurface Disposal of Carwash Waste DEP Code: 362-2000-005
- Permit Requirements for Carwashes and Laundries DEP Code: 362-2000-006
- Conducting Technical Reviews of Water Quality Management (Part II) Permit DEP Code: 362-2000-007
- Technical Guidance for Permitting Landfill Leachate Discharges DEP Code: 362-2183-001
- Pollution Discharge Elimination/Petroleum Marketing Terminals DEP Code: 362-2183-002
- Technology-Based Control Requirements for Water Treatment Plant Wastes DEP Code: 362-2183-003
- Development of Permit Requirements for Steam Electric Industry DEP Code: 362-2183-004
- Calculating Effluent Limitations for Sequencing Batch Reactors DEP Code: 362-2187-001
- Review/Coordination of Chapter 94 Reports and Act 537 Planning DEP Code: 362-2206-001
- Calculation of Contingent Penalties for Effluent Violations DEP Code: 362-4000-001
- Guidance for Civil Penalty Calculation for Effluent Violations DEP Code: 362-4180-001
- Civil Penalty Assessment Procedures for Pollution Incidents DEP Code: 362-4180-002
- Calculation of Civil Penalties for Willfulness DEP Code: 362-4180-003
- Storage Tanks Program Guidance DEP Code: 363-0900-001
- ASNT Level II Certification DEP Code: 363-0900-002
- Posting Registration Fee Payments to the old Fee System DEP Code: 363-0900-003
- Modification Activities for Categories AMMX and AMNX DEP Code: 363-0900-004
- Tanks Data System Revision Procedures/Documentation Requirements DEP Code: 363-0900-005
- Stationary/Nonstationary Tanks DEP Code: 363-0900-006
- Registration Roles of Regional Offices DEP Code: 363-0900-007
- Change of Tank Ownership Registration Procedures DEP Code: 363-0900-008
- Exemption From Reg Fees for Volunteer Fire Cos/Volunteer EMS Orgs DEP Code: 363-0900-009
- Sump Tanks DEP Code: 363-0900-010
- Modification and Maintenance Issues DEP Code: 363-0900-011
- Storage Tank Cleaning Activities DEP Code: 363-0900-012
- Underground Tank Tightness Testing DEP Code: 363-0900-013
- Applicability of 40 CFR Subpart 280, Sub G to Previously Closed Tanks DEP Code: 363-0900-014
- Implementation of Act 16 DEP Code: 363-0900-015
- ASNT Level II Certification DEP Code: 363-2318-001
- PE Certification for Aboveground Storage Tanks (ASTs) DEP Code: 363-2318-002
- Upgrade Requirements/Substantial Modification of Underground Storage Tanks DEP Code: 363-2318-003
- Commercial Heating Oil Tanks (CHOTs) DEP Code: 363-2318-004
- Permeability of Secondary Containment & Emergency Containment DEP Code: 363-3300-002
- Penalty Assessment Matrix DEP Code: 363-4180-001
- Regulatory Review Process and Sewage Advisory Committee DEP Code: 364-0700-001
- Experimental Sewage Treatment Works DEP Code: 364-2000-002
- Publicly Owned Treatment Works/Small Flows Discharge DEP Code: 364-2188-001
- Alternative Sewer Systems DEP Code: 364-2188-007
- Determination and Documentation/Sewage Facilities/Act 537 Planning DEP Code: 364-2206-001

- Act 537 Planning: Enforcement Actions/Plan Updates/Implementation Notices DEP Code: 364-2206-002
- Act 537 Planning Coordination with Wastewater Enforcement Strategy DEP Code: 364-2206-003
- Act 537 Official Sewage Plans Revision - Private Request DEP Code: 364-2206-004
- Act 537 Plan Content Control, Municipally Initiated Official Sewage Plan DEP Code: 364-2206-005
- Act 537 Plan Review - Acceptance of Complete Plan DEP Code: 364-2206-006
- Consistency Determinations in New Land Development Planning DEP Code: 364-2207-001
- Residual Tract Waiver from Act 537 Planning DEP Code: 364-2207-002
- Request for Non-Building Waiver DEP Code: 364-2207-003
- Impact/Subsurface Disposal on Ground Water Nitrate-Nitrogen Levels DEP Code: 364-2207-004
- Act 537 Minor Module Review DEP Code: 364-2207-005
- Act 537 PRC Recommendations DEP Code: 364-2207-006
- Minor Module Review Clarification DEP Code: 364-2207-007
- Verification of Prior Testing DEP Code: 364-2208-001
- Municipal Guidance Reconstructive Planning DEP Code: 364-2208-002
- Notice of Marginal Conditions DEP Code: 364-2208-003
- General Methods for Testing Permeability DEP Code: 364-2208-004
- Sewage Treatment Plant Operation During Modification DEP Code: 364-3110-001
- Mercury Seals for Trickling Filters and Comminutors DEP Code: 364-3110-002
- Capital Grants for Sewerage Construction DEP Code: 364-5500-001
- Processing Change Orders DEP Code: 364-5510-001
- Infiltration/Inflow Analysis & Sewer System Evaluation Survey DEP Code: 364-5510-002
- Changes in Project Scope for EPA Sewerage Constr Grants Projects DEP Code: 364-5510-003
- Preparation of Federal Grant Agreement/Amendment Documents DEP Code: 364-5510-004
- Architectural/Engineering Contracts/Subagreements Review DEP Code: 364-5510-005
- Operations/Maintenance/Management in Construction Grants Program DEP Code: 364-5510-006
- Construction Grant Payment Review and Outlay Management Procedures DEP Code: 364-5510-007
- Force Account Review DEP Code: 364-5510-008
- Federal Grants Project Closeout DEP Code: 364-5510-009
- Management of Construction Grant Funds DEP Code: 364-5510-010
- Wage Rates DEP Code: 364-5510-011
- PENNVEST Wastewater Projects Inspection/Change Order Review DEP Code: 364-5511-001
- Performance Certification for PENNVEST Funded Projects DEP Code: 364-5511-002
- Wage Rate Determinations/Water Pollution Control Revolving Fund Projects DEP Code: 364-5511-003
- Value Engineering Analysis, Water Pollution Control Revolving Fund DEP Code: 364-5511-005
- Capital Financing Plan - PENNVEST Funded Projects DEP Code: 364-5511-006
- Cost Effectiveness Review - PENNVEST Funded Projects DEP Code: 364-5511-007
- Innovative/Alternative Technology Review - PENNVEST Funded Projects DEP Code: 364-5511-008
- Recreation and Open Space Opportunities - PENNVEST Funded Projects DEP Code: 364-5511-009
- User Charge System and Sewer Use Ordinance Review DEP Code: 364-5511-010
- Infiltration and Inflow Analysis - PENNVEST Funded Projects DEP Code: 364-5511-011
- State Environmental Review Process for Pennsylvania DEP Code: 364-5511-013
- Reviewing, Approving, Certifying MBE/WBE Proposals for WPCRF Projects DEP Code: 364-5511-014
- PA Sewage Facilities Act 537, Enforcement Reimbursement DEP Code: 364-5512-001
- Act 537 Sewage Facilities Planning Grants DEP Code: 364-5512-002
- Act 339 State Grants for Operating Sewage Treatment Plants DEP Code: 364-5513-001

Contact: Lou Bercheni 717-787-4317

Bureau of Water Supply and Community Health

- Review of Water Allocation Permit Applications DEP Code: 382-2130-001
- Surveillance Strategy and Implementation Guidelines DEP Code: 383-3120-101

- Subsidiary Water Allocation Permit Requirement DEP Code: 382-2130-002
- Constant Gallons per Capita per Day (GPCD) DEP Code: 382-2130-007
- Emergency Permits DEP Code: 382-2130-010
- Recognizing Succession to Water Rights as a Result of Changes of Ownership DEP Code: 382-2130-012
- Surface Water Identification Protocol DEP Code: 383-0810-206
- Guidance for Construction and Operation Permits DEP Code: 383-2000-108
- Pilot Plant Filtration Studies for Filtration of Surface Sources DEP Code: 383-2000-208
- Permitting of Vended Water Systems DEP Code: 383-2126-103
- Permitting of Retail Water Facilities DEP Code: 383-2126-203
- Permitting of Bulk Water Hauling Systems DEP Code: 383-2127-103
- Review/Approval of Existing Well Water Source Public System Use DEP Code: 383-2200-108
- Field Related Compliance DEP Code: 383-3000-101
- Program Guidance on the Total Coliform Rule DEP Code: 383-3000-102
- Lead and Copper Rule Compliance Issues DEP Code: 383-3000-107
- Understanding Compliance Reports DEP Code: 383-3000-109
- Understanding TCR Compliance Reports DEP Code: 383-3000-202
- Lead and Copper Rule Questions and Answers DEP Code: 383-3000-207
- Filter Plant Performance Evaluations and Response DEP Code: 383-3120-106
- Giardia Sampling and Response DEP Code: 383-3130-106
- New Source Sampling Requirements for Surface Water Sources DEP Code: 383-3130-108
- Comm/Nontransient Noncomm Water Systems/New Source Sampling Requirements DEP Code: 383-3130-208
- Transient Noncommunity Water Systems: New Source Sampling Reqs DEP Code: 383-3130-308
- Total and Fecal Coliform in Public Water Distribution Systems DEP Code: 383-3301-102
- Laboratory Reporting Instructions for Bottled and Vended Water DEP Code: 383-3301-103
- Laboratory Reporting Instructions for Chemical Contaminants DEP Code: 383-3301-105
- Lab Reporting Instructions for Public Systems Using Filtered Surface Water DEP Code: 383-3301-106
- Laboratory Reporting Instructions, Lead and Copper Rule DEP Code: 383-3301-107
- Inorganic/Organic Chemical and Radiological Analysis DEP Code: 383-3301-205
- Lab Reporting Instructions/Public Systems Using Unfiltered Surface Water DEP Code: 383-3301-206
- Laboratory Reporting Procedures for Total Trihalomethanes DEP Code: 383-3301-305
- Laboratory Reporting Instructions, Unregulated Chemical Contaminants DEP Code: 383-3301-405
- Model State Information System Public Water File Users Manual DEP Code: 383-3310-109
- MSIS Public Water File Inventory Report Print Modules DEP Code: 383-3310-209
- MSIS Users Manual Connecting Wang to a PC DEP Code: 383-3310-309
- MSIS Violation Creation and Maintenance Assistance Instructions DEP Code: 383-3310-409
- Customized Reports from MSIS DEP Code: 383-3310-509
- Pennsylvania Vulnerability Assessment Summary DEP Code: 383-3500-105
- Guidance for Surface Water Identification DEP Code: 383-3500-106
- PENNVEST Guidance DEP Code: 383-5500-113
- Small Water Systems Regionalization Grant Program DEP Code: 383-5500-213
- County Water Supply Planning/Wellhead Protection Grant Program DEP Code: 383-5500-313
- Formation of Water Authorities Grant Program DEP Code: 383-5500-413

Contact: Donna Pollinger (717) 787-5017

Bureau of Land and Water Conservation

- Conservation District Fund Allocation Program DEP Code: 391-5500-001
- NPDES Permit: Discharge of Storm Water from Construction Activities DEP Code: 392-2191-014
- Complaint Handling/Problem Assessment for Consv Districts DEP Code: 392-3000-012
- Inspection of Earth Disturbance Sites DEP Code: 392-3000-013
- Chesapeake Bay Nonpt Source Pollution Abatement Program DEP Code: 393-5500-002

- Chesapeake Bay Financial Assistance Funding Program Guidance DEP Code: 393-5500-004
- Coastal Program Federal Consistency Review Procedures DEP Code: 394-2000-017

Contact: Pat Marrocco 717-787-5267

Bureau of Field Operations

- Emergency Operations Plan DEP Code: 400-5900-101
- Procedures for Emergency Contracting to Extinguish Mine Fire DEP Code: 400-5900-111
- Gasoline Fume Emergency Criteria DEP Code: 400-5900-112
- Chlorine Safety Procedures DEP Code: 400-5900-113
- Hazardous Material and Hazardous Atmosphere Safety Policy DEP Code: 400-5900-114

Contact: Kris Lutz 717-787-5028

Bureau of Oil and Gas Management

- Administrative Policies and Procedures Manual DEP Code: 550-2000-001

Contact: Frank Bialas 717-772-2199

Bureau of Mining and Reclamation

- Scheduling Inspections DEP Code: 560-0600-201
- Appropriate Enforcement Action, Joint OSM Inspections DEP Code: 560-0600-203
- General Information, Municipal Mining DEP Code: 561-2000-711
- Name Changes DEP Code: 561-2000-713
- Numbering System DEP Code: 561-2100-250
- Permit Inventory DEP Code: 561-2100-701
- Address Records, Coal DEP Code: 561-2100-702
- Status Codes, LUMIS DEP Code: 561-2100-703
- Mapping DEP Code: 561-2100-750
- Discretionary Criteria, Unsuitable for Mining DEP Code: 561-2114-101
- Eligibility for Small Operator Assistance Program DEP Code: 561-2305-101
- SOAP Review Procedures DEP Code: 561-2305-102
- SOAP Application Processing, Preassignment DEP Code: 561-2305-201
- SOAP Application Processing, Work Orders DEP Code: 561-2305-202
- SOAP Application Processing, Report Review DEP Code: 561-2305-203
- SOAP Application Processing, Applicant Notification DEP Code: 561-2305-204
- SOAP Grant Requests DEP Code: 561-2305-301
- SOAP Grant Closeouts DEP Code: 561-2305-302
- Tracking, SOAP Accounting DEP Code: 561-2305-505
- Tracking, Complaints DEP Code: 561-3900-704
- Grant and Loan Applications DEP Code: 561-5500-101
- Licensing, Name Changes DEP Code: 562-2000-703
- Licensing, Municipal Mining DEP Code: 562-2100-704
- Sealing Mine Openings, Bituminous DEP Code: 562-2112-316
- Sealing Mine Openings, Anthracite DEP Code: 562-2112-317
- Blasting, Preblast Surveys DEP Code: 562-2112-502
- Blasting, Vibration Limits DEP Code: 562-2112-503
- Blasting, Licensing DEP Code: 562-2402-501
- Licensing, Water Supply Replacement DEP Code: 562-2500-702
- Verification, Licenses DEP Code: 562-2500-801
- Inspections DEP Code: 562-3000-102
- Inspections, Bond Forfeiture DEP Code: 562-3000-104
- Field Evaluations DEP Code: 562-3000-105
- Inspections: Applicant Violator System DEP Code: 562-3000-110
- Compliance, Applicant Violator System DEP Code: 562-3000-802

- Sample Identification Number DEP Code: 562-3200-201
- Sample Identification DEP Code: 562-3200-202
- Samples Criteria DEP Code: 562-3200-203
- Handling Samples DEP Code: 562-3200-204
- Planting Season DEP Code: 562-3200-205
- Effluent Standards DEP Code: 562-3200-206
- Administration, Annual Reports DEP Code: 562-3300-804
- Equipment DEP Code: 562-3400-106
- Aerial Surveillance DEP Code: 562-3600-103
- Citizen's Requests DEP Code: 562-3900-401
- Citizen's Request, Investigation DEP Code: 562-3900-402
- Citizen's Request, Appeals DEP Code: 562-3900-403
- Violations Patterns DEP Code: 562-4000-302
- Time Extension DEP Code: 562-4000-304
- Administration, LUMIS Enforcement DEP Code: 562-4000-803
- Compliance/Enforcement Procedures DEP Code: 562-4100-301
- Compliance Orders DEP Code: 562-4100-303
- Enforcement, Alternative DEP Code: 562-4100-307
- Bond Forfeiture DEP Code: 562-4170-308
- Debt Collection DEP Code: 562-4170-318
- Civil Penalty Assessments DEP Code: 562-4180-306
- Civil Penalty, Reclamation in Lieu of Cash DEP Code: 562-4180-309
- Bond Replacement DEP Code: 562-4180-310
- Penalties, Civil Collection DEP Code: 562-4180-311
- Exploration, Coal DEP Code: 563-2000-102
- General Noncoal, Petition Process DEP Code: 563-2000-103
- Exploration, Anthracite Mines DEP Code: 563-2000-105
- Permit Review, PHMC DEP Code: 563-2000-201
- Permit Review, Admin/Technical DEP Code: 563-2000-203

Contact: Dottie Shellehame 717-787-5103

- Homeowner Notification of Right to Pre-Blast Survey (Industrial Minerals) DEP Code: 563-2000-204

Contact: Mike Getto 787-7846

- Application Review, Exceptions to Sect 86.102 DEP Code: 563-2000-207
- Application Review, Right of Entry DEP Code: 563-2000-208
- Review Process, Bituminous Coal Blast Plan DEP Code: 563-2000-223
- Technical Review, High Quality Watersheds DEP Code: 563-2000-601
- Technical Review, Sewage Sludge Utilization DEP Code: 563-2000-602
- Technical Review, Coal Mining DEP Code: 563-2000-609
- Technical Review, Perennial Streams DEP Code: 563-2000-655
- Renewal, Permits DEP Code: 563-2100-216
- Noncoal SMCRA DEP Code: 563-2111-101
- Noncoal SMCRA, Construction Projects DEP Code: 563-2111-102
- Noncoal Operations DEP Code: 563-2111-111
- Application Review, Boundary Corrections DEP Code: 563-2112-203
- Application Review, Mining Permit DEP Code: 563-2112-205
- Coal Ash Placement at Coal Mining Activities DEP Code: 563-2112-206
- Application Review, Coal Mining Activity Completeness DEP Code: 563-2112-211
- Application Review, Land Use Changes DEP Code: 563-2112-212
- Application Review, Coal Mining Activity Preapplication DEP Code: 563-2112-214

- Application Review, Accepted Coal Mining Activity DEP Code: 563-2112-215
- Application Review, Alkaline Addition to Surface Mines DEP Code: 563-2112-217
- Application Review, Cumulative Hydrologic Impact Assessment DEP Code: 563-2112-219
- Application Review, Coal Extraction DEP Code: 563-2112-222
- Technical Review, Innovative Mining Techniques DEP Code: 563-2112-603
- Technical Review, Auger Mining DEP Code: 563-2112-604
- Technical Review, Water Supply Replacement DEP Code: 563-2112-605
- Technical Review, Vibration Limitations DEP Code: 563-2112-606
- Technical Review, Anthracite Coal Rejects DEP Code: 563-2112-607
- Technical Review, Constructed Wetlands DEP Code: 563-2112-608
- Determining Eligibility of Pre-Existing Pollutational Discharges DEP Code: 563-2112-610
- Determination of Effluent Standards for Pre-existing Pollutational Discharges DEP Code: 563-2112-611
- Monitoring and Compliance for Subchapter F/G permits DEP Code: 563-2112-612
- Technical Review, Underground Coal Mining DEP Code: 563-2112-652
- Technical Review, Ventilation Boreholes DEP Code: 563-2112-653
- Technical Review, Mine Stability DEP Code: 563-2112-654
- Technical Review, Liners DEP Code: 563-2112-656
- Technical Review, Public Water Protection Zones DEP Code: 563-2112-657
- Bonding, Noncoal In-Lieuity DEP Code: 563-2500-401
- Bonding, Special Conditions DEP Code: 563-2504-401
- Bonding, Processing DEP Code: 563-2504-402
- Bonding, Anthracite Deep Mine Emergency Program DEP Code: 563-2504-405
- Bonding, Direct Submittal DEP Code: 563-2504-407
- Bonding, Methods DEP Code: 563-2504-408
- Bonding, Phased Deposit DEP Code: 563-2504-409
- Bonding, Releases DEP Code: 563-2504-411
- Bonding, Surface Mine with Post Mining Discharges DEP Code: 563-2504-412
- Bonding, Adjustments for Post Mining Discharges DEP Code: 563-2504-450
- Bonding, Interim Bond Rates DEP Code: 563-2504-451
- Inspection at Citizen's Request DEP Code: 563-3900-404
- Application Review, Primacy Repermitting DEP Code: 563-4000-201
- Civil Penalty, Noncoal DEP Code: 563-4180-306

Contact: Dottie Shellehame 717-787-5103

Bureau of Deep Mine Safety

- Equipment/Mine Plan Approval DEP Code: 580-2200-001
- Procedures for Processing Requests to Adopt New Items or Methods DEP Code: 580-2200-004
- Miner Certification DEP Code: 580-2300-001
- Mine Safety Inspections DEP Code: 580-3000-001
- Mine Safety Electrical Inspections DEP Code: 580-3000-002
- Accident Investigations DEP Code: 580-3000-003
- Mine Subsidence Safety Inspections DEP Code: 580-3000-004
- Clarification of Pertinence of DEP Statutes re Coal Processing Facilities DEP Code: 580-3000-005
- Emergency Response DEP Code: 580-5900-001

Contact: Glenn Ziegler 717-787-1376

OTHER:

Bureau of Policy and Communications

Policies/Procedures for Implementing History Code DEP Code: 012-0700-001

Contact: Nina Huizinga 717-783-8727

Policy for Development, Approval and Distribution of Regulations DEP Code: 012-0820-001

Contact: Barbara Sexton 717-783-8727

- Policy for Development, Approval and Distribution of Technical Guidance DEP Code: 012-0900-001

Contact: Nina Huizinga 717-783-8727

Bureau of Land, Recycling and Waste Management

- Policy/Procedure for Institutional Ctrlrs Pursuant to Subsec 512(a) of HSCA DEP Code: 253-4100-646
- Policy/Procedure for Periodic Post-Remediation Review under HSCA DEP Code: 253-4500-645
- Policy/Procedures for Municipal Waste Facilities - Equivalency Approvals DEP Code: 254-2100-727
- Policy/Procedures for Infectious Waste Definition DEP Code: 254-2167-726

Contact: Josephine Valenci 717-787-9870

Bureau of Radiation Protection

- Policy and Procedures Summary, Radiation Control Division DEP Code: 291-0400-001
- Policy and Procedures, Nuclear Safety Division, Nuclear Safety Section DEP Code: 293-0400-001
- Low Level Radioactive Waste Section Policies and Procedures DEP Code: 293-0400-002
- Radon Division's Policies and Procedures DEP Code: 294-0400-001
- Radon Certification Policy DEP Code: 294-2309-001

Contact: Ed Burtsavage 717-787-3720

Bureau of Field Ops

- Deputy Chief Counsel/Field Operations Compliance Policy/Procedures DEP Code: 400-4000-001

Contact: Kris Lutz 717-787-5028

Bureau of Oil and Gas Management

- Compliance Monitoring and Enforcement Policy DEP Code: 550-4000-001
- Technical Services Manual DEP Code: 550-2100-003

Contact: Frank Bialas 717-772-2199

Bureau of Mining and Reclamation

- Coordination with the PHMC DEP Code: 560-0700-301
- Fish and Boat Commission Coordination DEP Code: 560-0700-302
- Game Commission Coordination DEP Code: 560-0700-303
- Surface Mine Review, Water Quality DEP Code: 560-0700-304
- PHMC Noncoal Coordination DEP Code: 560-0700-305

Contact: Dottie Shellehame 717-787-5103

OTHER - EXTERNAL GUIDELINES (FOR MEMBERS OF THE PUBLIC)

Bureau of Water Supply and Community Health

- Summary of Key Requirements, Comm Water Systems DEP Code: 383-0810-101
- Summary of Key Requirements for Total Coliform Rule DEP Code: 383-0810-102
- Summary of Key Requirements for Phase 2 & Phase 5 Wellhead Protection Rule DEP Code: 383-0810-105
- Surface Water Filtration Rule DEP Code: 383-0810-106
- Summary of Key Requirements for Lead and Copper Rule DEP Code: 383-0810-107
- Summary of Key Requirements for Transient Noncommunity Water Systems DEP Code: 383-0810-201
- Summary of Key Requirements for Bottled Water Systems DEP Code: 383-0810-203
- Summary of Key Requirements for Transient Noncommunity Water Systems DEP Code: 383-0810-210
- Working Guide to the Lead and Copper Rule DEP Code: 383-0300-107
- Summary of Key Requirements, Nontrans/NonComm Water Systems DEP Code: 383-0810-301
- Summary of Key Requirements for Vended/Bulk Water Hauling DEP Code: 383-0810-303
- Public Water Supply Manual, Pt 1 DEP Code: 383-0810-111
- Public Water Supply Manual, Part 2 DEP Code: 383-2125-108
- Public Water Supply Manual Part 3 DEP Code: 383-2126-303
- Public Water Supply Manual Part 4 DEP Code: 383-2128-108
- Public Water Supply Manual, Pt 7 DEP Code: 383-3100-111

- Public Water Supply Manual Part 5 Sect. 1 & 2 DEP Code: 383-3110-111
- Public Water Supply Manual, Pt 5 DEP Code: 383-3110-211
- Public Water Supply Manual, Pt 6 DEP Code: 383-5900-111

Contact: Donna Pollinger 717-787-5017

Bureau of Land and Water Conservation

- Coastal Programs Project Application Guidelines DEP Code: 394-5500-015
- Coastal Program Information Booklet DEP Code: 394-5500-016

Contact: Pat Marrocco 717-787-5267

OTHER - LISTINGS

Bureau of Policy and Communications

- Guidance Document Inventory DEP Code: 012-0900-004

Contact: Nina Huizinga 717-783-8727

Bureau of Dams/Waterways/Wetlands

- Certification for Corps Nationwide Permits DEP Code: 320-2316-001

Contact: Mike Stover 717-787-6826

GENERAL SERVICES

POLICY STATEMENTS:

Bureau of Contract Administration and Business Development

- Contract Compliance--Prequalification of Vendors and Nonconstruction Contractors, 4 Pa. Code § 68.1
- Contract Compliance--Construction Contracts, 4 Pa. Code § 68.101
- Internal Guidelines for MBE/WBE Certification, 4 Pa. Code § 68.201

Contact: Donetta M. D'Innocenzo (783-3119)

GUIDANCE MANUALS:

Bureau of Construction

- Administrative Procedures

Contact: David McCarty (787-6330)

Bureau of Contract Administration and Business Development

- Commonwealth Contract Compliance Program Guidelines
- Contract Compliance Review for Contractors (Construction and Non-Construction)
- Contract Compliance Orientation and Training Manual

Contact: Donetta M. D'Innocenzo (783-3119)

Bureau of Engineering and Architecture

- Bureau of Engineering and Architecture Procedure Manual

Contact: Bob Glenn (787-3709)

Bureau of Police and Safety

- Capitol Police Duty Manual

Contact: Eugene Marzullo (787-9013)

Bureau of Publications and Paperwork Management

- Forms Management
- Standard (STD) Forms Management

Contact: Donald E. Gibas (787-3707)

Bureau of Purchases

- Field Purchasing Manual

Contact: Kelly B. Hazzard (787-4718)

Bureau of Supplies and Surplus Operations

- Commodity Distribution Center Catalog

Contact: Ronald Wolf (787-5940)

Bureau of Vehicle Management

- Automotive Service Facilities
- Commonwealth Automotive Credit Card Code List

Contact: James Martin (787-3162)

Professional Selections and Project Control Office

- Instructions to Bidders

Contact: Ann Fischer (787-4479)

INTERNAL GUIDELINES:**Departmental Procedures** (By Category)

Brenda Bowman (783-1163)

Administrative Management

- Office Copying Machines
- Requesting Publication of Advertisement
- Reproduction/Duplicating
- Signature Authorization
- Providing Public Notices of Agency Meetings
- Requesting Computer Services
- Request/Authorization of User Access
- Requesting Personal Computers
- Dept. of General Services Management Bulletin
- Service of Legal Documents upon Department Employees

Publications Management

- Processing Subscriptions and Sales of Pennsylvania Code
- Book Store Operations
- Processing Department Publications

Records Management

- Establishing a Records Management Program
- Transfer of Records to the State Records Center
- Destruction of Records

Forms Management

- Establishing a Forms Control File
- Creating, Revising or Deleting a Form

Organization and Functions

- Organization and Functions
- Executive Offices
- Bureau of Risk and Insurance Management
- Deputy Secretary for Procurement
- Bureau of Vehicle Management
- Bureau of Telecommunications and Information Technology Services
- Bureau of Purchases
- Bureau of Supplies and Surplus Operations
- Deputy Secretary for Central Services
- Bureau of Police and Safety
- Bureau of Buildings and Grounds
- Bureau of Space and Facilities Management
- Bureau of Real Estate
- Deputy Secretary for Administration
- Contract Administration and Business Development
- Fiscal Management Unit

- Bureau of Management Services
- Bureau of Publications and Paperwork Management
- Bureau of Personnel
- Commonwealth Media Services
- Deputy Secretary for Public Works
- Bureau of Engineering and Architecture
- Bureau of Technical Support
- Bureau of Construction
- State Art Commission

PERSONNEL

- Time and Attendance Reporting
- Partial and Full Day Closings of District Offices and Field Offices
- Disciplinary Actions
- Employe Leave
- Childbirth Leave
- Position Vacancies (Processing, Announcing, and Filling Vacancies)
- Employe Conduct and Behavior (Powers and Duties of the Capitol Police)
- Standards of Conduct and Behavior
- Performance Standards
- State Employe Assistance Program
- Employe Performance Evaluations
- Position Classification
- Approval for Overtime Compensation
- Employe Arrests
- Restricted Activities; Supplementary Employment and Honoraria
- Exit Interview Program
- Rapid Promotion Examinations
- Classified Service Promotion Without Examination
- Working Out of Classification
- Statement of Financial Interests - State Ethics Act
- Statement of Financial Interests - Governors Code of Conduct
- Work Schedule Changes due to Use of Public Transportation or Car Pooling
- Worker's Compensation Insurance and Work-Related Disability Leave Programs
- Identification, Employment and Character Verification Checks
- Maintenance, Access and Release of Employe Information
- Career Counseling Program
- Unemployment Compensation Insurance
- Community Work Experience Program
- Student Internship
- Group Life Insurance Program

Training

- Training
- Employe Recognition Programs

Labor Relations

- Employe Grievances
- Health and Welfare Trust Funds
- Driver's License Suspension/Revocation Policy

Insurance

- Processing Premium Invoices - Net of Commissions
- Processing Premium Invoices - Net of Commissions (Bonds)

Maintenance

- Office Equipment Repair Services

Surplus Property

- Numbering Sales of Surplus Property
- Competitive Bid Sales of Surplus State Property
- Notification of Availability of Surplus/Unserviceable Property
- Receipting Processing Debit Memorandums
- Adjustment of Inventory Balances

Procurement

- Service Purchase Contracts
- Emergency Purchases - Commodities Not Exceeding \$50.00
- Preparation and Processing of form STD-173, Purchase Requisition
- Preparation and Processing form STD-182, Field Limited Purchase Order
- Confirmation Purchases, Using form STD-182, Field Limited Purchase Order
- Processing form STD-174, Supplies and Forms Encumbrance
- Processing form STD-182, Field Limited Purchase Order (Fund 38-Capitol Facilities Fund)
- Processing form STD-173, Purchase Requisition (Fund 38-Capitol Facilities Fund)
- Acquisition of Equipment (Rented/Leased with Purchase Option or Purchased)

Contract Compliance

- Pre-Qualification of Vendors
- Pre-Qualification of Contractors

Travel

- Approvals for Acquisition and Use of Hotel and Transportation Orders or
- Reimbursement for Lodging and/or Travel by Common Carrier
- Per Diem/Mileage Allowance - Field Personnel

Personal Property

- Manual for Personal Property Control
- Commonwealth Owned Personal Property Subject to Inspection

Real Property

- Leasing Real Estate for Commonwealth Use
- Sale of Commonwealth Owned Property

Space and Facilities Management

- Rules and Regulations - Commonwealth Parking

Communications

- Cellular telephone service

Emergency and Disaster

- Committee for Emergency Management (DGS)
- Emergency/Disaster Procedures (General)
- Emergency/Disaster Procedures - Bureau of Management Services
- Emergency/Disaster Procedures - Bureau of Personnel

Police

- Rules and Regulations
- Ticket Processing Procedure
- Jurisdictional Boundaries

Fire and Safety

- Departmental Accident Prevention Program
- Department Safety Award

Financial Management

- Budget Preparation and Control

Auditing

- Internal Audits

Mail and Messenger

- Processing Mail to Fourth, Fifth and Sixth Floors, North Office Building
- Processing Bureau of Purchases Mail
- Receipt and Delivery of Bids
- Delivery of Mail to 22nd and Forster Streets
- Processing (Daily) Mail for Pittsburgh
- Processing Mail for Offices Located at 18th and Herr Streets
- Processing (Daily) Mail for Philadelphia
- Processing Mail to Comptroller's Office - Post Office - Harristown - 17th Street
- Mailing of Bid Requests

Security - Internal

- DGS Employee Identification Program

OTHER:**A. Administrative Circulars****Bureau of Buildings and Grounds**

- Christmas Trees and Decorations

Contact: Charles W. Bowser (787-3893)

Bureau of Capitol Police

- Traffic Restrictions - July 9th and 10th

Contact: Eugene Marzullo (787-9013)

Bureau of Contract Administration and Business Development

- Name-Change - Minority and Women Business Enterprise Office

Contact: Donetta M. D'Innocenzo (783-3119)

Bureau of Financial Management Services

- Local Bid/Local Award for Commodity Purchases

Contact: Barbara E. Sexton (787-5051)

Bureau of Purchases

- Fuel Receipts, Calendar Year 1995

Contact: Kelly B. Hazzard (787-4718)

Bureau of Real Estate

- Availability of State Surplus Real Property For Transfer to Commonwealth Agencies - Allegheny County
- Availability of State Surplus Real Property for Transfer to Commonwealth Agencies - Bucks County
- Availability of State Surplus Real Property for Transfer to Commonwealth Agencies - Mifflin County

Contact: George P. Manakos (787-2834)

Bureau of Supplies and Surplus Operations

- Availability - Commonwealth Telephone Directory
- Calendar Bases, Calendar Refills, Diaries and Date Books for 1997
- Inventory of General Services' Commodity Distribution Centers

Contact: Ronald Wolf (787-9038)

Bureau of Vehicle Management

- Placing of Decals and Logos on Commonwealth Vehicles Winterization of State Vehicles and Commonwealth Garage Parking and Hours of Operation
- State Employees Purchasing Vehicles at the Commonwealth Auction

- Use of Seat Belts in Commonwealth Fleet Vehicles
- Automotive Fleet Preventive Maintenance Schedule

Contact: James Martin (787-3162)

Commonwealth Travel/Information Center

- Relocation of the Commonwealth Travel/Information Center Department of General Services

Contact: Barbara E. Sexton (787-5051)

Professional Selections and Project Control Office

- Submission of Construction Requisitions Financed by Lapsing Funds

Contact: Ann Fischer (772-3399)

B. Management Directives

Automated Technology Acquisition Office

- Commonwealth of Pennsylvania Telephone Network
- Telephone Line Inventory
- Radio Frequency Spectrum Management
- Telecommunications Embedded Base Equipment Inventory
- Processing of Telephone and Telegraph Charges
- PANET and TELPAK Cost Reimbursement
- Procurement of Pagers
- Telecommunications Contingency Planning
- Radio Frequency Spectrum Management

Contact: Barbara L. Shelton (787-5295)

Bureau of Buildings and Grounds

- Contracting for Bargaining Unit Work

Contact: Charles W. Bowser (787-3893)

Bureau of Contract Administration and Business Development

- Affirmative Action/Contract Compliance Program
- Affirmative Action Program
- Guidelines for Investigating and Resolving Discrimination Complaints

Contact: Donetta M. D'Innocenzo (783-3119)

Bureau of Financial and Management Services

- Contractor Responsibility Program
- Mail Delivery Between Harrisburg and the Pittsburgh and Philadelphia State Office Building
- Processing Automated Mail
- Master Lease Program

Contact: Barbara E. Sexton (787-5051)

Bureau of Police and Safety

- Enforcement of Fire and Panic Regulations
- Guidelines for Reporting Bombs and Bomb Threats

Contact: Eugene Marzullo (787-9013)

Bureau of Publications and Paperwork Management

- Graphic Design, Typesetting, Reproduction, and Printing Services
- Acquisition and Disposition of Graphic Services Equipment

Contact: Donald E. Gibas (787-3707)

Bureau of Purchases

- State Contracts Information Document
- Contractor Responsibility Program

Contact: Kelly B. Hazzard (787-4718)

Bureau of Real Estate

- Reporting Surplus Real Property
- Lease Amendment Exceptions for Leasehold Improvements Costing Less Than \$5,000
- Use of Form STD-291, Request for Lease Action and Budget Approval
- Repairs, Alterations, and Improvements to Commonwealth Buildings
- Under the Direct Supervision of the Department of General Services
- Inventory of Commonwealth Real Property

Contact: George P. Manakos (787-2834)

Bureau of Risk and Insurance Management

- Motor Vehicle Liability Insurance and Accident Reporting
- Agency Insurance Coordinators
- Reporting of Employee Liability Claims
- Safety and Loss Prevention Program

Contact: Joseph R. Delia (787-2492)

Bureau of Supplies and Surplus Property

- Release and Receipt of Surplus State Property
- Transfer or Sale of Surplus State Property
- Recovery of Precious Metals

Contact: Ronald Wolf (787-5940)

Bureau of Vehicle Management

- Temporary Assignment of Commonwealth Automotive Fleet Vehicles
- Rates and Billing for Motor Vehicles of the Commonwealth Automotive Fleet
- License Plates for Commonwealth-Owned Vehicles
- Commonwealth Vehicle Invoices
- Permanent Assignment of Commonwealth Automotive Fleet Vehicles
- Use and Condition Inspections of Commonwealth-Owned Motor Vehicles
- Motor Vehicle Authorization List
- Emission Control Test Program - Commonwealth Automotive Fleet
- Repairs and Maintenance, Commonwealth Automotive Fleet
- Coal Sampling and Reporting

Contact: James Martin (787-3162)

Commonwealth Agency Recycling Office

- Implementation of Act 1988-101, Municipal Waste Planning, Recycling and Waste Reduction Act

Contact: John Rarig (772-2300)

Commonwealth Media Services

- Commonwealth Media Services

Contact: Carlton Sherwood (787-9777)

Commonwealth Travel/Information Center

- Changes to Commonwealth Telephone Directory and Employee Locator File

Contact: Barbara Sexton (787-5051)

Executive Office

- Disposition of Personal Property and Equipment Purchased with GSA Bond Moneys

Contact: Barbara Sexton (787-5051)

C. External Guidelines**Bureau of Engineering and Architecture**

- Professional Agreement and General Conditions to that Agreement

Contact: Bob Glenn (787-3709)

Bureau of Contract Administration

- The Pennsylvania Minority and Women Business Enterprise Office

Contact: Donetta M. D'Innocenzo (783-3119)

Bureau of Supplies and Surplus Operations

- Drug Reduction Property Program
- State Surplus Property Program
- Federal Surplus Property Program

Contact: Ronald Wolf (787-5940)

Executive Office

- "Doing Business With The Department of General Services"

Contact: Julie Ohlsen (787-3197)

HEALTH**POLICY STATEMENTS:****Office of Drug and Alcohol Programs (ODAP)**

- Certificate of Need Review for Drug and Alcohol Treatment Facilities, April 1993.
- Confidentiality and Student Assistance Programs, January 1992.
- Disclosure of Confidential Information to the Criminal Justice System, October 1992.
- Oral Polio Vaccine, December 1991.
- Provision of Outpatient Treatment Services Within the School Setting, November 1994.
- Reporting of Communicable Diseases, December 1992.
- Tuberculosis Testing, September 1992.

Contact: Hector Gonzales 783-8200

Bureau of Health Planning

- Certificate of Need List of Clinically Related Health Services, January 16, 1993.
- Examination of Certificate of Need Files, December 22, 1990.
- Hospital Based Skilled Nursing Facilities, November 5, 1994.
- Prohibited Communications With the Department, December 3, 1994.
- Public Meeting Procedures, circa 1987.

Contact: Jack Means 787-5601

- State Health Services Plan

Contact: Louis Wolkoff 783-3865

GUIDANCE MANUALS:**Bureau of Community Program Standards**

- Free Standing Treatment Facility Guidelines
- Health Care Treatment Facility Guidelines
- Inpatient Hospital Activities Detoxification, Treatment and Rehabilitation Activity Guidelines
- Prevention and Intervention Facility Guidelines

Contact: Cheryl Williams 783-8765

Bureau of Health Planning

- Ambulance Services Licensure Manual
- Emergency Medical Services Complaint Investigation Manual
- EMS Training Manual
- Medical Command Facility Accreditation and Physicians Recognition Manual
- Prehospital Care Personnel Manual
- Trauma Patient Triage Protocols

Contact: Kum S. Ham Ph.D. 787-8740

- Application Filing Procedures and Fees, February 20, 1993.

Contact: Jack Means 787-5601

- Quality Assurance Guidelines

Contact: Andrew Major 787-8015

State Center for Health Statistics and Research:

- Application for Access to Protected Data, revised November 1995
- User's Guide for Access to Protected Data, revised November 1995

Contact: Craig Edelman 783-2548

Bureau of Maternal and Child Health

- Case Management and Tracking Protocol for Community Health Nurses, August 1995 revision.
- Newborn Screening Procedural Manual for Health Care Practitioners, guidelines under development.

Contact: Debbie Stubljar 787-7192

INTERNAL GUIDELINES:

Bureau of Health Statistics & Research

- Policy and Procedures for Assisted Conception Birth Registrations, September 1995.

Contact: Donna Ritchey

OTHER:

Bureau of Community Program Standards

- Complaint Investigations, Licensing Alert 2-96, April 19, 1996.
- Group Counseling, Licensing Alert 2-94, November 29, 1994.
- Licensed Capacity, Licensing Alert 1-94, November 29, 1994.
- Physical Examinations, Licensing Alert 1-96, April 19, 1996.
- Psychosocial Histories, Licensing Alert 4-96, April 19, 1996.
- Relocation, Licensing Alert 3-94, November 29, 1994.
- Scheduling of Licensing Inspections, Licensing Alert 3-96, April 19, 1996.
- Unannounced Visits, Licensing Alert 5-96, April 19, 1996.

Contact: Cheryl Williams 783-8765

- "Background Letter Regarding Provisions of the Abortion Control Act"
- Transfer Agreement vs. Policy and Procedure for Routine Emergency Services as a Requirement for Abortion

Contact: Robert Bastian 783-1379

Bureau of Health Planning

- Prehospital Care Response Report
- State Emergency Medical Services System Development Plan

Contact: Kum S. Ham Ph.D. 787-8740

Bureau of Health Statistics & Research

- Application for Certified Copy of Birth or Death Record, Form H105.102.
- Applying for a Birth Certificate, Form H302.145P revised April 1995.
- Searching Your Family Tree, Form H105.182P revised April 1995.
- Publication Request Form

Contact: Donna Ritchey 783-2548

Bureau of Maternal and Child Health

- Preventing Lead Poisoning in Children, statement by the Centers for Disease Control, October 1991 edition (federal guidelines adopted by PA).
- Protocol for Early Intervention Services Program Referrals.

Contact: Debbie Stubljar 787-7192

Bureau of Quality Assurance

- Long Term Care Provider Bulletin No. 22, July 1, 1991, revised June 1995.
- Medicare Certification Letter (May 1988)
- Licensure Guidelines (September 1988)
- Criteria for Exceptions to State Regulation 211.12(7)(I) Staffing (December 1988)
- Influenza in Nursing Homes (February 1989)
- Licensure Guidelines - Pennsylvania Long Term Care Regulation 201.18(j)(2) Patient Funds (April 1989)

- Heavy Care/ICF Services (April 1989)
- Influenza and TB Control (November 1989)
- L-tryptophan (LT) Update (January 1990)
- Deficiencies at Exit Conference (February 1990)
- Draft of Proposed Resident Rights Provision Long Term Care Regulation 201.29 (June 1990)
- HSQR Letter-Sarrassat and Sullivan Long Term Care Survey Modifications (June 1990)
- Physician's Participation in Resident Care Planning (July 1990)
- Nurse Aide Registry (July 1990)
- Salmonella Enteritidis-Guidelines for Eggs (July 1990)
- Exception Regulation 211.9. 211.1 Pharmacy and Infection Control Committee Composition and Functions (July 1990)
- MRSA Guidelines (August 1990)
- HSQ Letter Regarding Admission/Discharge/Transfer (September 1990)
- Transmission of Physicians Orders by Fax (November 1990)
- Resident Assessment State Designated Instrument (effective January 31, 1991) (December 1990)
- Sarrassat/Sullivan-Medicare Billing Notice and Billing Requirements (March 1991)
- Admission/Treatment of AIDS, AIDS Related Conditions (May 1991)
- Nurse Aide Abuse (July 1991) (Revised June 1995)
- Resident Assessment/Plan of Care Requirements for State Licensure (June 1991)
- Nurse Aide-Enrollment Information (July 1991)
- Use of Geri Chair-Conflict in State and Federal Regulations (October 1991)
- Visiting Hours-State Regulations in Conflict-OBRA (October 1991)
- Resident Assessment-HSQR Letter Regarding Documentation Requirements HCFA (November 1991)
- Potential Hazards of Restraint Devices-FDA Alert (January 1992)
- Nurse Aide Registry Update (March 1992)
- Resident Assessment-HSQR Letter Clarification of Assessment Requirements and Use of Section II Background Information (April 1992)
- Training of Companions/Sitters in T18 or 19 Facilities (April 1992)
- Advisory Bulletin Regarding Accidental Ingestion of Ceramic Glazes (July 1992)
- Sclavo TB Testing Products (October 1992)
- Adjustment of Licensure Fees (January 1993)
- Disposition of Patient Medications (April 1993)
- Advance Directives for Health Care/Durable Power of Attorney/Do Not Resuscitate Orders (May 1993)
- Exception/Waiver Requests (June 1993)
- Federal Clarification of RAI Issues-Amended (August 1993)
- MDS PA Supplement Data Transmission Confidentiality (August 1993)
- Potential Hazard of Unrefrigerated Garlic, Spice-in-oil Mixes (September 1993)
- Incident/Accident Reporting Procedures (December 1993)
- Taping of Exit Conference (January 1994)
- Precautions for Excessive Temperatures (June 1994)
- Informal Dispute Resolution (September 1995)
- Minimum Data Set (MDS)-How to Count Assessment Days
- Ban on Use of Egg Breaking Centrifuges

Contact: Marian Hart 787-1816

- Inpatient Care in Outpatient Settings
- Guidelines to Determine the Issuance of Separate or Multiple Hospital License(s) Immediate Presence

Contact: William White 783-8980

INSURANCE

NOTICES:**Executive Office**

- 1996-01 Deregulation of Accident and Health Forms
- 1996-02 Lloyd's of London Notice
- 1996-03 Calculation of Maximum Interest Rate Chargeable by Insurance Premium Finance Companies
- 1996-04 Risk-Bearing Capital Reporting Requirements
- 1996-05 Prepaid Pennsylvania Premium Taxes
- 1996-06 Amendments to the Unfair Insurance Practices Act; Prohibiting Insurance Companies from Denying Coverage to Victims of Domestic Violence
- 1996-07 Limited Liability Companies
- 1996-08 Department Mailing of Surplus Lines Notices
- 1996-09 Notice of Requirement to File Loss Cost Statistical Data for Workers' Compensation
- 1996-10 Repeal of Outdated Bulletins, Notices and Statements of Policy

Contact: Patricia R. Seif, 717-787-4298

OTHER:**Bureau of Administrative Hearings**

- Act 78 Automobile Digest
Insurance Commissioner Decisions on Automobile Insurance Administrative Hearings
- Act 205 Homeowners Digest
Insurance Commissioner Decisions on Homeowners Insurance Administrative Hearings
- Act 143 Agency Digest
Administrative Hearing Officer Decisions on Insurance Agency Administrative Hearings

Contact: Galen Waltz 717-783-2126

LABOR AND INDUSTRY

POLICY STATEMENTS:**Bureau of Apprenticeship and Training**

- Apprenticeship and Training Council Policy Manual

Contact: Robert E. Moore (717-787-3681)

Bureau of Occupational and Industrial Safety

- Universal Accessibility Interpretation
 - 1) April 3, 1995
 - 2) April 24, 1995
 - 3) February 29, 1996
- Contact: James S. Varhola (717-787-3329)
- Partitions Enclosing Exit Access (November 26, 1984)
 - Approved Hot Air Furnaces (November 28, 1994)
 - Outside Exit Stairs (February 6, 1985)
 - Story Height Classification for C-2 or C-4 Occupancy with Multi-Level Living Units (February 19, 1985)
 - Automatic Fire Alarm Systems C-4 Occupancy (February 26, 1985)
 - Automatic Fire Alarm Systems C-2 Occupancy (February 26, 1985)
 - Adult Day Care Centers (April 16, 1985)
 - Minimum Width of Doors (May 8, 1985)
 - Minimum Exits - C-2 Occupancy (June 21, 1985)
 - Minimum Exits - D-O Occupancy (June 17, 1985)
 - Solid Core Wood Doors (March 24, 1986)

Contact: Edward Leister (717-787-3323)

Bureau of Workers' Compensation

- Health and Safety—Statement of Policy (Pa. Bulletin Vol. 25, No. 37; September 16, 1995)

Contact: Len Negley (717-772-1917)

GUIDANCE MANUALS:**Bureau of Unemployment Compensation Benefits and Allowances**

- UCP-1 - This is Your Pennsylvania Unemployment Compensation Handbook (November, 1995)

Contact: Pete Cope (717-787-3547)

Bureau of Worker and Community Right to Know

- Tier II Chemical Inventory Reporting Requirement and Fee Instructions; Facility Reporting Requirements.
- Title III List of Lists (Consolidated List of Chemicals Subject to the Emergency Planning and Community Right-to-Know-Act [EPCPA] and Section 112[r] of the Clean Air Act, as amended)
- Hazardous Substance Survey Form - Compliance Materials for Public Sector Employees
- Hazardous Substance Survey Form - Employer Information Packet (Private Sector)
- Leader's Guide for Right to Know Training Program
- Right to Know Training Guidelines for Public Sector Employees
- Workbook for Public Sector Employees in Providing Right to Know Training

Contact: Tom Ward, Jr. (717-783-1826)

Bureau of Workers' Compensation

- Guidelines for Workplace Safety Committees and Accident and Illness Prevention Programs in Pennsylvania
- Safety Pays: Workplace Safety Committee Incentive Program (Pamphlet)
- Application and Instructions for Certification of Workplace Safety Committee
- "Workers' Compensation and the Injured Worker" Brochure

Contact: Len Negley (717-772-1917)

- Application and Summary of Requirements for Self-insurance
- Instructions Accompanying Application to Have a Letter or Surety Bond Executed
- Guidelines for Filing Actuarial Reports

Contact for George Knehr (717-783-4476)

- Application and Instructions for Executive Officer and Religious Exceptions to the Workers' Compensation Act

Contact: Carol Ori (717-783-5421)

Office of Vocational Rehabilitation - Bureau of Program Operations

- Pennsylvania OVR Counselor Policy Manual

Contact: Roger Barton (717-772-3511)

Prevailing Wage Division

- Pennsylvania Construction Wage Survey (Instruction booklet)

Contact: Robert E. Moore (717-787-4763)

INTERNAL GUIDELINES:**Bureau of Labor Standards**

- Hazardous Occupation Exempt for Diversified Occupation Students
- Operating Procedures for Special Education Students in Work Situation During School Hours
- Interpretation of Section 4 of the Child Labor Law

Contact: Helen R. Friedman (717-787-4670)

OTHER:**Bureau of Labor Standards****Abstracts:**

- Summary of Wage Payment and Collection Law
- Equal Pay Law
- Minimum Wage Act Poster and Fact Summary
- Abstract of Child Labor Law
- Employment of Minors as Ambulance Attendants/Junior Firefighters

Contact: Helen Friedman (717-787-4186)

Bureau of Occupational and Industrial Safety Application and Checklist

- [Plan Review Checklist](#)
- [Procedure for Submission of Plans with Certification Form, Certificate of Design and Energy Conservation Act Exception Form](#)

Contact: Edward Leister (717-787-3323)

Bureau of Worker and Community Right to Know

- [Compliance Checklist for Public Sector Employees](#)
- [Occupational Exposure to Lead - Employer Fact Sheet](#)
- [Employee Workplace Notice - Pennsylvania Worker and Community Right to Know Program](#)
- [Community and Emergency Response Booklet \(IUP\)](#)
- ["Is Your Patient a Lead Exposed Worker?" \(Brochure for Health Care Providers\)](#)
- ["After the Inspection: What Happens Next?" \(Pamphlet\)](#)

Contact: Tom Ward, Jr. (717-783-1826)

Industrial Board

- [Internet Information \(Frequently-asked Questions\)](#)

Contact: Linda Troutman (717-787-6114)

Prevailing Wage Division

- [Prevailing Wage Poster](#)

Contact: Robert E. Moore (717-787-4763)

MILITARY & VETERANS AFFAIRS**POLICY STATEMENTS:**

- [ADA policy statement](#)
- [HIV/AIDS policy statement](#)
- [Sexual harassment policy](#)
- [Substance abuse in the workplace policy](#)
- [Discrimination complaint policy and procedures](#)

Contact: Linda Leese (717) 861-8853

- [Affirmative action policy statement](#)

Contact: John Cutler (717) 861-8796

- [Emergency fire evacuation plan](#)
- [Operation of clubs within National Guard facilities](#)
- [Privately owned weapons on National Guard facilities](#)
- [Smoking policy](#)

Contact: Joseph Holt (717) 861-8849

- [Emergency fire evacuation plan, veterans' homes](#)

Contact: George Almasi (717) 861-8903

- [Public affairs airlift policy](#)

Contact: Colonel Ewing (717) 861-8825

- [Resident abuse policy and procedures](#)
- [Staff/resident fraternization policy, Veterans' homes](#)

Contact: John Patten (717) 861-8853

- [Use of state armories and fundraising on state/federal properties](#)

Contact: LTC Rusnic (717) 861-8580

INTERNAL GUIDELINES:

- [Adherence to work hours/wear of military uniform](#)
- [Bomb threat plan - DMVA contains classified information.](#)
- [Curtailment of activities at FTIG due to inclement weather.](#)
- [Photo ID cards for state civilian employees at FTIG](#)
- [Retired guardsmen involvement](#)

- Notification of VIP visits to FIG and DMVA organizations
- Work schedule

Contact: Joseph Holt (717) 861-8849

- Discrimination complain process

Contact: John Cutler (717) 861-8796

- Employee orientation checklist
- Review of procedures for responding to PHRC/EEOC complaints
- Sexual harassment: Your rights and responsibilities
- Work rules/standards of conduct

Contact: Linda Leese (717) 861-8853

OTHER/GUIDANCE/INSTRUCTIONAL MANUALS:

- Personnel manual
- DMVA guide to classification
- Employee handbook
- Guide to managing the official personnel folder
- Leave manual for the DMVA
- Employee safety handbook
- DMVA guide for controlling sick leave abuse and time and attendance problems
- PA worker and community right to know training booklet
- Training guidelines manual
- Work-related disability leave and modified light duty manual

Contact: Linda Leese (717) 861-8853

- Affirmative action plan
- Contract compliance plan for DMVA
- DMVA workforce profile 1996

Contact: John Cutler (717) 861-8796

- Organizational and functional statement for the DMVA
- Index of administrative publications (contains classified information) Pamphlet 310-1
- Military publications index of blank forms (contains classified information) Pamphlet 25-32

Contact: Joseph Holt (717) 861-8849

- Patient care policy manual, Veterans' Homes
- State home construction grant program
- Veterans Administration guidelines for state Veterans' Homes

Contact: George Almasi (717) 861-8903

- Adjutant General's biennial report

Contact: Fred Walters (717) 861-8720

- Directory of agencies providing information to veterans
- PA Veterans' Memorial
- Telephone director for Veterans organizations

Contact: John Patten (717) 861-8901

- Hollidaysburg Veterans Home
- Southwestern PA Veterans Center

Contact: George Almasi (717) 861-8903

- Rules and regulations for control and use of armories of the Commonwealth of PA

Contact: LTC Rusnic (717) 861-8580

- PA National Guard Americans at their best
- PA Air National Guard fact sheet
- PA Army National Guard fact sheet

- PA Soldier's and Sailors' Home
 - Stationing the Guard - a PA National Guard economic impact report
- Contact: Major Cleaver (717) 861-8468

PENNSYLVANIA BOARD OF PROBATION AND PAROLE

OTHER:

- Annual Report.
- Contact: Doris Shappell, 787-6208

**PUBLIC SCHOOL EMPLOYES' RETIREMENT SYSTEM
PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM**

Public School Employes' Retirement System

POLICY STATEMENTS:

- Paying of Benefits when PSERS has been Notified of Pending or Completed Divorce Action
- Purchase of Service Waiving of Payroll Deductions
- Paying Death Benefits when Ex-Spouse is Last Named Beneficiary
- Contested Death Benefits
- Maternity Leave of Absence
- Elimination of Frozen Present Value
- Crediting Service For Lockouts
- Method of Payment For Purchase of Service
- Return to School Service for an Emergency Annuitant
- Direct Rollover Limitations
- Overpayments and Direct Rollovers
- Alternate Retirement Dates and Termination Date
- Special Retirement Incentive 30-Year Window
- Inactive Interest
- Employment and Income Restrictions for Disability Annuitants
- Interpretation of Declaration of Intent to Retire Under Mellow
- Multiple Service Election
- Leaving Service Before Age 62 With Less Than Ten Years of Service
- Converting Hours to Days
- Crediting Purchases of Service during a Non-Qualifying Year
- Definition of "School Year"
- Rate of Contribution
- Paying Death Benefits and Collecting Overpayments from Deceased Members' Accounts
- Activated Military Leave (Approved Military Leave of Absence)
- Paying Death Benefits and Collecting Overpayments from Deceased Members' Accounts
- Cadet Nurse Service
- Birthday Rule for Determining Eligibility for Retirement Benefits

Contact: Frank Ryder (717) 720-4733

GUIDANCE MANUALS:

- PSERS Member Handbook (Current Ed. 1995)
- PSERS Retired Member Handbook (Current Ed. 1993)
- PSERS Update
- PSERS Videos:
 - Working For Your Future
 - A Foundation For Your Retirement
 - Here When You Need Us
 - Enjoying Your Retirement
 - Making the Most of Your Retirement Dollars

- PSERS Pamphlets:
 - Let's Talk: About Leaving Employment
 - Let's Talk: About Taxes on Your Retirement Account
 - Let's Talk: About Disability Benefits
 - Let's Talk: About Being Retired
 - Let's Talk: About Your Retirement and Divorce
 - Let's Talk: About Death Benefits
 - Let's Talk: About Purchasing Credit for Service
 - PSERS Retirement Chalkboard (Active Members Newsletter)
 - PSERS Benefits Hotline (Retired Members Newsletter)
 - PSERS Reporting Unit Bulletin
- Contact: Frank Ryder (717) 720-4733

DECISIONS:

- PSERS Board of Trustees Adjudications
 - Topics:
 - Act 1991-23 ("Mellow Bill")
 - Change of Option
 - Cost of Living Increase
 - Credited Years of Service
 - Death Benefit
 - Disability
 - Effective Date of Retirement
 - Final Average Salary
 - Frozen Present Value
 - Forced Maternity Leave
 - Health Care Premium Assistance
 - Membership Eligibility
 - Merchant Marine
 - Multiple Service Credit
 - Overpayment
 - Payment of Interest
 - Pension Forfeiture
 - Purchase of Service
 - Reinstatement
 - Retirement-Covered Compensation
 - Miscellaneous

Contact: Frank Ryder (717) 720-4733

INTERNAL GUIDELINES:

- PSERS Investment Policy
- PSERS Board Minutes and Resolutions
- Sample Domestic Relations Order and Instruction Memo
- PSERS Employer Reference Manual
- Board Bylaws
- Board Election Guidelines
- Asset Allocation Plan
- Board Corporate Governance Voting Policy
- PSERS Policy on Public Information
- PSERS Business System Final Requirements Document

Contact: Frank Ryder (717) 720-4733

OTHER:

- PSERS Annual Financial Report (Includes Mission Statement)
- Actuarial Report (annual and 5 year)
- Actuarial Tables
- Health Options Program Enrollment Package

Contact: Frank Ryder (717) 720-4733

Pennsylvania Municipal Retirement System**POLICY STATEMENTS:**

- Paying and Tracking Outside Bills and Assets Portability

GUIDANCE MANUALS:

- PMRS Notes & News
- PMRS Pamphlets:
 - Plan Benefit Summary (individualized for each municipality)
 - Evaluating Your Pension Plan
 - Pennsylvania Municipal Retirement System
- Individual Municipality Plan Benefit Agreements
- PMRS Procedures Manual (1984)

DECISIONS:

- PMRS Board of Trustees Adjudications

Topics:

Death Benefit
Pension Forfeitures
Purchase of Service
Vesting
Miscellaneous

INTERNAL GUIDELINES:

- PMRS Investment Guidelines and Proxy Voting
- Investment Consultant Quarterly Reports
- Comprehensive Annual Financial Report
- Annual Report Summary
- Actuarial Reports (Annual Evaluation and 5 year Experience Study Report)
- Actuarial Tables
- Sample Domestic Relations Order and Instruction Memo
- PMRS Board Minutes and Resolutions
- PMRS Policy on Public Information

PUBLIC WELFARE

(Editor's Note: Statements of Policy are in upper and lower case. Notices of Rule Change are in all capitals. Notices of Rule Change adopted more than 180 days before deposit are starred ().*

Office of Income Maintenance - Contact: Patricia O'Neal (717-787-4081)

POLICY STATEMENTS:

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
• 1983	<u>Ch. 166</u>	<u>Computation of CWEP Hrs.</u>	<u>10/25/83</u>	<u>166-83-57</u>
	<u>Ch. 275</u>	<u>Postmark Date as the Recpt. Indicator for Appeals and for Request for Reconsideration</u>	<u>03/15/84</u>	<u>275-84-10</u>
• 1984	<u>Ch. 297</u>	<u>Change in Reimbursement Policy for AFDC/SSI</u>	<u>03/15/84</u>	<u>297-84-1</u>
• 1985	<u>Ch. 187</u>	<u>Definition of Child Born Out-of-Wedlock</u>	<u>11/08/85</u>	<u>00-85-23(T)</u>
• 1988	<u>Ch. 100</u>	<u>Health Insurance Provisions for Single Point of Contact (SPOC)</u>	<u>05/25/88</u>	<u>100-88-2</u>
• 1989	<u>Ch. 275</u>	<u>Instructions for Applying the Court Ruling in Juras vs. DPW</u>	<u>06/30/89</u>	<u>275-89-1</u>
• 1990	<u>Ch. 183</u>	<u>Additions to/Deletions from a Budget Group</u>	<u>01/08/90</u>	<u>183-90-01</u>
	<u>Ch. 183</u>	<u>Cash Assistance Clarifications: Residence and Income</u>	<u>12/28/90</u>	<u>183-90-05</u>
• 1991	*CH. 289	EMERGENCY ASSISTANCE	07/05/91	0289-91-01
	*CH. 140	MANDATORY CONTINUATION OF MA THROUGHOUT PREGNANCY AND POSTPARTUM PERIOD	08/20/91	0140-91-01

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
• 1993	*CH. 178	MA-EXCLUSION OF RESOURCES FOR SSI-RELATED, AFDC-RELATED AND GA-RELATED CHILDREN UNDER 21 AND FOR SSI-RELATED, AFDC-RELATED AND GA RELATED FAMILIES WITH CHILDREN UNDER 21	06/18/93	178-93-01
	*CH. 141	CHRONICALLY NEEDY NON-FINANCIAL ELIGIBILITY DETERMINATION	07/19/93	141-93-01
	*CH. 166	PROVIDING SUPPORTIVE SERVICES TO PARTICIPANTS IN THE COMMUNITY WORK EXPERIENCE PROGRAM	08/21/93	166-93-01
• 1994	*CH. 257	REVISIONS TO 55 PA. CODE CHAPTER 177 (RESOURCES) AND 257 (REIMBURSEMENT)	06/24/94	257-94-01
	*CH. 141	REVISIONS TO 55 PA. CODE CHAPTERS 171, 147, 166, 177, 178 AND 181: CHANGES TO THE GA NON-FINANCIAL REQUIREMENTS, RELATED MA BENEFITS AND CWEP	09/01/94	141-94-01
	*CH. 227	REVISIONS TO 55 PA. CODE CHAPTER 277 CORRECTION OF UNDERPAYMENTS TO FORMER RECIPIENTS	11/22/94	227-94-01
• 1995	*CH. 257	MA ESTATE RECOVERY - CHAPTER 178 - MEDICAL ASSISTANCE RESOURCES; CHAPTER 257 - REIMBURSEMENT	06/01/95	257-95-01
	*CH. 141	REVISIONS TO 55 PA. CODE CHAPTER 141, 178, AND 181: ELIMINATION OF THE TRANSITIONALLY NEEDY (TN) COMPONENT OF THE GENERAL ASSISTANCE (GA) PROGRAM	07/12/95	141-95-01
• 1996	CH. 125	ACT 1995-20 PROVISIONS RELATING TO PERSONS SENTENCED OR CHARGED FOR A FELONY OR MISDEMEANOR	04/05/96	125-96-01
	CH. 141	CHANGES TO AFDC, GA AND MA REQUIREMENTS AS MANDATED BY THE WELFARE REFORM ACT OF 1996, ACCT NO. 1996-35	07/05/96	141-96-01

GUIDANCE MANUALS:

- Cash Assistance Handbook
- Food Stamp Handbook
- Medical Assistance Eligibility Handbook
- Nursing Care Handbook
- Supplemental Handbook
- Medicaid in Pennsylvania
- Low-Income Home Energy Assistance Program Final State Plan Actions for Support

Office of Medical Assistance - Contact: Suzanne Love (717-787-1870)

POLICY STATEMENTS:

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
• 1981 Ch.	1251	Clarification of M.A. Bulletin #22-80-01	08/19/81	22-81-01
	Ch. 1121	Info. Concerning Claims Submitted as Compounded Prescriptions	06/30/82	19-82-02
• 1983	Ch. 1181	Req. to Hold & Report Unclaimed Patient Funds	12/01/83	24-83-04
• 1984	Ch. 1101	Third Party Resource and Copay	11/01/84	99-84-15
	Ch. 1163	Physician Attestation Statement	12/31/84	01-84-15 11-84-25
• 1985	Ch. 1141	Decision Concerning Prof. Component Billing	01/25/85	01-85-01

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
	<u>Ch. 1181</u>	<u>Life Care Contracts</u>	<u>02/07/85</u>	<u>24-85-01</u>
	<u>Ch. 1123</u>	<u>Policy Clarification</u>	<u>03/21/85</u>	<u>05-85-02</u>
	<u>Ch. 1141</u>	<u>Physician Assistant Use</u>	<u>04/22/85</u>	<u>01-85-05</u>
	<u>Ch. 1245, 1163</u>	<u>Ambulance Transportation</u>	<u>04/22/85</u>	<u>11-85-08</u>
	<u>Ch. 1181</u>	<u>Allowable Depreciation</u>	<u>05/20/85</u>	<u>34-85-03</u>
	<u>Ch. 1163</u>	<u>Psych. Inpatient Adm of Patients with D/A and Psychiatric Diagnoses</u>	<u>05/31/85</u>	<u>13-85-04</u>
	<u>Ch. 1101</u>	<u>Copayments/Guidelines/Exemption for Pregnancy & Ability to Pay</u>	<u>10/17/85</u>	<u>99-85-12</u>
	<u>Ch. 1153</u>	<u>Require. for Treatment Plans & Doc. of Treatment</u>	<u>10/31/85</u>	<u>29-85-01</u> <u>33-85-02</u>
	<u>Ch. 1181</u>	<u>Effect. Date of Change Recipient Level of Care Changes</u>	<u>12/17/85</u>	<u>34-85-11</u>
	<u>Ch. 1149</u>	<u>Clarification of Treatment Plan Requirements for Orthodontists</u>	<u>02/11/86</u>	<u>03-86-1</u>
	<u>Ch. 1163</u>	<u>Offset of Investment Income</u>	<u>02/21/86</u>	<u>11-86-04</u>
	<u>Ch. 1151</u>			<u>12-86-02</u> <u>13-86-01</u>
<u>• 1986</u>	<u>Ch. 1181</u>	<u>Bona Fide Use of a Recipients' \$25 Personal Care Allowance</u>	<u>03/14/86</u>	<u>34-86-04</u>
	<u>Ch. 1181</u>	<u>Policy Clarification Available Income That Exceeds the Patient Pay Amount</u>	<u>05/06/86</u>	<u>34-86-05</u>
	<u>Ch. 1101.75(a)(5)</u>	<u>Policy Clarification</u>	<u>07/23/86</u>	<u>19-86-06</u>
	<u>Ch. 1101</u>	<u>Policy Clarification Re: Provider's Signature</u>	<u>09/19/86</u>	<u>99-86-06</u>
	<u>Ch. 1101</u>	<u>Professional License No.</u>	<u>10/13/86</u>	<u>11-86-12</u> <u>12-86-05</u>
	<u>Ch. 1101</u>	<u>Preclusion of Convicted Persons, Not Providers, from Participation or Involvement in the MA Prg.</u>	<u>10/24/86</u>	<u>99-86-09</u>
	<u>Ch. 1123</u>	<u>Durable Medical Equipment Warranties</u>	<u>10/28/86</u>	<u>05-86-02</u> <u>19-86-07</u>
	<u>Ch. 1101</u>	<u>Records Maintenance and Avail. Requirements</u>	<u>11/05/86</u>	<u>23-86-02</u>
	<u>Ch. 1181</u>	<u>PACE Program</u>	<u>12/09/86</u>	<u>34-86-10</u>
<u>• 1987</u>	<u>Ch. 1101</u>	<u>Physicians' Response. Home Health Services</u>	<u>01/12/87</u>	<u>01-87-01</u>
	<u>Ch. 1223</u>	<u>Letter of Agreement-D&A Single County Authorities</u>	<u>01/23/87</u>	<u>11-87-01</u> <u>12-87-01</u> <u>13-87-01</u>
	<u>Ch. 1223</u>	<u>Contractual Agreement Single County Authority</u>	<u>02/12/87</u>	<u>28-87-01</u>
	<u>Ch. 1149</u>	<u>Palliative Emerg. Treat.</u>	<u>04/24/87</u>	<u>03-87-02</u> <u>27-87-01</u>
<u>• 1987</u>	<u>Ch. 1101</u>	<u>Records Maint. and Avail. Require. for Chiropractors</u>	<u>04/27/87</u>	<u>07-87-01</u>
	<u>Ch. 1249</u>	<u>Reimbursement-Home Health Services in PCH</u>	<u>05/22/87</u>	<u>23-87-01</u>
	<u>Ch. 1101</u>	<u>Professional Lic. No.</u>	<u>06/10/87</u>	<u>10-87-01</u>
	<u>Ch. 1101</u>	<u>Defin. Exm. of Emerg.</u>	<u>07/06/87</u>	<u>99-87-07</u>
<u>• 1987</u>	<u>Ch. 1223</u>	<u>Nonrecompensable Services Drug Screens</u>	<u>07/29/87</u>	<u>11-87-05</u> <u>12-87-04</u> <u>16-87-01</u> <u>28-87-02</u>
	<u>Ch. 1101/Ch. 1123</u>	<u>Coverage for Motorized Wheelchairs</u>	<u>07/30/87</u>	<u>05-87-02</u> <u>01-87-08</u> <u>19-87-06</u>
	<u>Ch. 1181</u>	<u>Medicare Rate Applied as Upper Limit of Payment</u>	<u>08/10/87</u>	<u>34-87-04</u>

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
	<u>Ch. 1101</u>	<u>Policy Relating to Apnea Monitors</u>	<u>09/02/87</u>	<u>01-87-15</u> <u>05-87-04</u> <u>19-87-09</u>
	<u>Ch. 1150</u>	<u>Spec. Enroll. Req. to Bill Tech. Comp. of Ped. Pneumograms</u>	<u>10/07/87</u>	<u>05-87-05</u> <u>19-87-10</u>
<u>• 1988</u>	<u>Ch. 1181</u>	<u>Limitations on Payment for Reserved Beds</u>	<u>02/12/88</u>	<u>1181-88-01</u>
	<u>Ch. 1181</u>	<u>Medicare Part B Adjustments</u>	<u>06/22/88</u>	<u>1181-88-04</u>
	<u>Ch. 1101</u>	<u>Policy Clarification Regarding Physician License</u>	<u>07/01/88</u>	<u>1101-88-01</u>
	<u>Ch. 1249</u>	<u>Clarification of Condition Under Which MA Recipients Are considered Homebound</u>	<u>09/26/88</u>	<u>1249-88-01</u>
	<u>Ch. 1181</u>	<u>Clarification of Proc. When Bed Changes Occur</u>	<u>12/31/88</u>	<u>1181-88-03</u>
	<u>Ch. 1181</u>	<u>OBRA—Nursing Home Reform</u>	<u>12/31/88</u>	<u>1181-88-08</u>
<u>• 1989</u>	<u>Ch. 1181</u>	<u>Elimination of Funded Depreciation Requirements</u>	<u>07/15/89</u>	<u>1181-89-01</u>
	<u>Ch. 1181</u>	<u>Updated List of OBRA Evaluation Agencies and Terminology to Describe Type</u>	<u>08/05/89</u>	<u>1181-89-02</u>
	<u>Ch. 1101</u>	<u>Policy Reminder Regarding Practitioner License Requirements</u>	<u>09/09/89</u>	<u>1101-89-02</u>
<u>• 1989</u>	<u>Ch. 1181</u>	<u>OBRA—Sanctions</u>	<u>10/07/89</u>	<u>1181-89-04</u>
	<u>Ch. 1181</u>	<u>OBRA—Transfers and Discharges</u>	<u>10/07/89</u>	<u>1181-89-03</u>
	<u>Ch. 1181</u>	<u>Establishment of a Uniform Period for the Recoupment of Overpayments—COBRA</u>	<u>10/21/89</u>	<u>1181-89-05</u>
	<u>Ch. 1163</u>	<u>Assignment of DRG (Neonate)</u>	<u>11/18/89</u>	<u>1163-89-01</u>
	<u>Ch. 1181</u>	<u>Initial Resident Reviews Required by OBRA-87 Legislation</u>	<u>12/23/89</u>	<u>1181-89-06</u>
<u>• 1990</u>	<u>Ch. 1150</u>	<u>Payment Policy for Consultations</u>	<u>04/27/90</u>	<u>1150-90-01</u>
	<u>Ch. 1249</u>	<u>Use of Medicare Form HCFA-485</u>	<u>06/08/90</u>	<u>1249-90-01</u>
	<u>Ch. 1181</u>	<u>Dual Participation Requirements for Medicare and Medical Assistance (Revised)</u>	<u>09/28/90</u>	<u>1181-90-02</u>
<u>• 1991</u>	<u>Ch. 1150</u>	<u>Second Opinion Procedure List</u>	<u>03/22/91</u>	<u>1150-91-01</u>
	<u>*CH. 1101</u>	<u>EPSDT - OBRA '89</u>	<u>08/02/91</u>	<u>1101-91-01</u>
	<u>CH. 1121</u>			<u>1121-91-02</u>
	<u>CH. 1123</u>			<u>1123-91-01</u>
	<u>CH. 1241</u>			<u>1241-91-01</u>
<u>• 1992</u>	<u>*CH. 1141</u>	<u>CLOZAPINE SUPPORT SERVICES</u>	<u>01/31/92</u>	<u>1141-92-01</u>
	<u>*CH. 1153</u>			<u>1153-92-01</u>
	<u>Ch. 1181</u>	<u>Charging Nursing Facility Residents for Bed Hold Days When a Hospital Stay Exceeds Fifteen Days</u>	<u>05/01/92</u>	<u>1181-92-03</u>
	<u>Ch. 1181</u>	<u>Reimbursement for Hospital Reserved Bed Days</u>	<u>05/01/92</u>	<u>1181-92-04</u>
	<u>Ch. 1181</u>	<u>Nursing Facility: OBRA '87 Forms (PASARR-ID)</u>	<u>06/17/92</u>	<u>1181-92-02</u>
	<u>Ch. 1241</u>	<u>Revised EPSDT Immunization Guidelines</u>	<u>12/11/92</u>	<u>1241-92-01</u>
<u>• 1993</u>	<u>*CH. 1153</u>	<u>ACCESSING MENTAL HEALTH SERVICES NOT CURRENTLY INCLUDED IN THE MEDICAL ASSISTANCE FEE SCHEDULE FOR ELIGIBLE CHILDREN AND ADOLESCENTS UNDER 21 YEARS OF AGE</u>	<u>01/01/93</u>	<u>1153-93-01</u>
<u>• 1993</u>	<u>*CH. 1165</u>	<u>PAYMENT FOR MENTAL HEALTH SERVICES PROVIDED IN A RESIDENTIAL TREATMENT FACILITY FOR ELIGIBLE INDIVIDUALS UNDER 21 YEARS OF AGE</u>	<u>01/01/93</u>	<u>1165-93-01</u>
	<u>*CH. 1121</u>	<u>CHANGES IN THE MEDICAL ASSISTANCE PHARMACEUTICAL BENEFITS</u>	<u>07/09/93</u>	<u>1121-93-01</u>
	<u>*CH. 1149</u>	<u>DENTAL SERVICES FOR ADULTS</u>	<u>07/09/93</u>	<u>1149-93-01</u>
	<u>*CH. 1101</u> <u>1101-93-03</u>	<u>BASIC HEALTH CARE FOR ADULT</u>		<u>07/21/93</u>

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
		<u>GENERAL ASSISTANCE RECIPIENTS (FELIX ET. AL. V. CASEY ET. AL.) STIPULATION OF SETTLEMENT</u>		
• 1993	<u>*CH. 1101</u> <u>1101-93-04</u>	<u>UPDATE TO EXCEPTIONS PROCESS AND CRITERIA UNDER THE GENERAL ASSISTANCE BASIC HEALTH CARE PACKAGE</u>		<u>07/21/93</u>
	<u>Ch. 1241</u>	<u>Centers for Disease Control Blood Lead Testing</u>	<u>09/03/93</u>	<u>1241-93-01</u>
	<u>Ch. 1101</u>	<u>Business Arrangements Between Nursing Facilities and Pharmacy Providers</u>	<u>10/08/93</u>	<u>1101-93-05</u>
1994	<u>Ch. 1241</u>	<u>Update to Blood Lead Testing Guidelines</u>	<u>04/08/94</u>	<u>1241-94-01</u>
	<u>*CH. 1239</u>	<u>M.A. CASE MANAGEMENT SERVICES FOR RECIPIENTS UNDER THE AGE OF 21</u>	<u>05/17/94</u>	<u>1239-91-01</u>
	<u>*CH. 1121</u>	<u>PHARMACEUTICAL SERVICES DRUG COVERAGE FOR MEDICALLY NEEDY IN NURSING FACILITIES</u>	<u>06/24/94</u>	<u>1121-94-01</u>
	<u>*CH. 1249</u> <u>1249-94-02</u>	<u>PRIOR AUTHORIZATION OF HOME HEALTH SERVICES (REVISED)</u>		<u>07/01/94</u>
	<u>*CH. 1121</u>	<u>PHARMACEUTICAL SERVICES PRIOR AUTHORIZATION REQUIREMENT MULTISOURCE BRAND NAME DRUGS</u>	<u>08/26/94</u>	<u>1121-94-02</u>
• 1994	<u>*CH. 1121</u> <u>CH. 1126</u> <u>CH. 1129</u> <u>CH. 1141</u> <u>CH. 1163</u> <u>CH. 1221</u> <u>CH. 1225</u> <u>CH. 1242</u>	<u>TREATMENT OF INFERTILITY - DISCONTINUED COVERAGE FOR DRUGS AND RELATED SERVICES</u>	<u>08/30/94</u>	<u>1121-94-03</u> <u>1126-94-01</u> <u>1129-94-01</u> <u>1141-94-01</u> <u>1163-94-01</u> <u>1221-94-01</u> <u>1125-94-01</u> <u>1242-94-01</u>
	<u>*CH. 1101</u> <u>1101-94-01</u>	<u>GENERAL ASSISTANCE RESTRUCTURE AS A RESULT OF ACT 49</u>	<u>09/02/94</u>	
• 1995	<u>Ch. 1181</u>	<u>Reimbursement of Nurse Aide Training and Testing Fees</u>	<u>04/06/95</u>	<u>1181-95-01</u>
	<u>CH. 1153</u>	<u>ACCESSING OUTPATIENT WRAPAROUND MENTAL HEALTH SERVICES</u>	<u>09/08/95</u>	<u>1153-95-01</u>
	<u>CH. 1157</u>	<u>MENTAL HEALTH SERVICES PROVIDED IN NON-JCAHO</u>	<u>09/08/95</u>	<u>1157-95-01</u>
	<u>CH. 1165</u>	<u>UPDATE-JCAHO-ACCREDITED RTF SERVICES</u>	<u>09/08/95</u>	<u>1165-95-01</u>
	<u>Ch. 1163</u>	<u>Revision of Utilization Guidelines for Inpatient Hospital Drug & Alcohol Services</u>	<u>11/06/95</u>	<u>1163-95-01</u>
• 1995	<u>*CH. 1153</u>	<u>PRIOR AUTHORIZATION OF PARTIAL HOSPITALIZATION</u>	<u>12/30/94</u>	<u>1153-95-01</u>
	<u>CH. 1163</u>	<u>PAYMENT POLICY FOR ABORTION SERVICES</u>	<u>12/15/95</u>	<u>1163-95-02</u>
• 1996	<u>CH. 1101</u> <u>1101-96-01</u>	<u>LIMITS ON OFFICE VISITS UNDER THE GENERAL ASSISTANCE (GA) BASIC HEALTH CARE PACKAGE</u>		<u>03/18/96</u>

GUIDANCE MANUALS:

- Provider Handbook 01 - Physician
- Provider Handbook 03 - Dentist
- Provider Handbook 04 - Podiatrist
- Provider Handbook 05 - Medical Supplier
- Provider Handbook 06/08 - Short Procedure Unit/Ambulatory Surgical Center
- Provider Handbook 07 - Chiropractor

- Provider Handbook 09 - Birth Centers
- Provider Handbook 10-I - Independent Medical/Surgical Clinic
- Provider Handbook 11-I - Inpatient Hospital (Encompasses provider types General Hospital, Rehabilitation Hospital, Private Mental Hospital, State Mental Hospital and Extended Acute Psychiatric Care)
- Provider Handbook 11-O - Outpatient Hospital (Encompasses provider types General Hospital, and Rehabilitation Hospital)
- Provider Handbook 15 - Optometrist
- Provider Handbook 16 - Independent Laboratory
- Provider Handbook 17 - Health Maintenance Organization
- Provider Handbook 18 - Ambulance Company
- Provider Handbook 19 - Pharmacy
- Provider Handbook 20 - Portable X-Ray Provider
- Provider Handbook 21 - Renal Dialysis Center
- Provider Handbook 22 - Funeral Director
- Provider Handbook 23 - Home Health Agency
- Provider Handbook 26 - Rural Health Clinic
- Provider Handbook 28 - Drug and Alcohol Clinic
- Provider Handbook 29 - Outpatient Psychiatric Clinic
- Provider Handbook 30 - Family Planning Clinic
- Provider Handbook 31 - Midwives
- Provider Handbook 33 - Psychiatric Partial Hospitalization Facility
- Provider Handbook 36-L - Nursing Facility Services (Encompasses provider types State Mental Retardation Center, Private ICF/MR, State Restoration Center, County Nursing Facility and Private Nursing Facility)
- Provider Handbook 37 - Hospice
- Provider Handbook 41 - Psychologist
- Provider Handbook 42 - Comprehensive Outpatient Rehabilitation Facility
- Provider Handbook 43 - Physical Therapist
- Provider Handbook 44 - Certified RN Anesthetist
- Provider Handbook 48 - Family Based Rehabilitation Service
- Provider Handbook 49 - Certified RN Practitioner
- Provider Handbook 50 - Early Periodic Screening, Diagnosis and Treatment (EPSDT) Provider
- Provider Handbook 53 - Extended Acute Psychiatric Care
- Provider Handbook 54 - Nutritionist
- Provider Handbook 55 - PA Department of Aging (PDA) Waiver
- Provider Handbook 56 - Attendant Care

Office of Social Programs - Contact: Edward Spreha (717) 783-8741

POLICY STATEMENTS:

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
• 1993	Ch. 2620	Increase in Personal Needs Allowance for Residents of Personal Care Homes	08/16/93	2620-93-02

GUIDANCE MANUALS:

Bureau of Social Services

- Attendant Care Program Fiscal Manual
- 1996-1997 Attendant Care Program Requirements (Note: Revised/Reissued Annually.)
- 1991-1992 Community Services Program for Persons with Physical Disabilities (CSPPPD)
- Home and Community-Based Services Waiver (Note: A CSPPPD Document on the Omnibus Budget Reconciliation Act Waiver, #0235.)
- Homeless Assistance Program—Instructions and Requirements for 1996-1997 - (Note: Revised/Reissued Annually.)
- Human Services Development Fund—1996-1997 Instructions and Requirements - (Note: Revised/Reissued Annually.)

- Human Services Development Fund (HSDF)—Instructions and Requirements Supplements: Supplement A—Eligibility for Adult Services Funded Through the HSDF
- Supplement B—Services Definitions - Adult Services
- Supplement C—Services Definitions - Generic Services
- Human Services Development Fund—1995-1996 Program Overview
(Note: Revised/Reissued Annually. A Resource Characterizing Allowable Expenses and Documenting Counties' Specific Proposed HSDF Expenditures.)
- HSDF-Funded Service Coordination Staffing/Activities/Expenses—Documentation and Networking Resource
- Medical Assistance Transportation Program—Instructions and Requirements
- Medical Assistance Transportation Program—Policy Clarifications Manual Interpretive Guidelines for Personal Care Home Regulations—Chapter 2620
- Operating A Personal Care Home
- Personal Care Home Administrator Training Requirements

Office of Children, Youth & Families - Contact: Brian G. Kahler 717-787-5199

POLICY STATEMENTS:

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
• 1980	<u>Ch. 3001.1</u>	<u>Clarification of Policy Re: Certification of Certain Non-Residential Services</u>	<u>10/28/80</u>	<u>99-80-12</u>
	<u>Ch. 3140</u>	<u>Funding of Basic Ed. Components of Private Day Treatment Center Programs</u>	<u>10/29/80</u>	<u>99-80-22</u>
• 1981	<u>Ch. 3490</u>	<u>Reporting Suspected Child Abuse in Institutions, Schools, Facilities & Agencies</u>	<u>09/30/81</u>	<u>3490-81-02</u>
• 1982	<u>Ch. 3140</u>	<u>Elig. Reg. Relating to Adjudicated Delinquent Youth Under the Title IV-E Placement Maint. Prog.</u>	<u>10/01/82</u>	<u>3140-82-01</u>
• 1983	<u>Ch. 3130</u>	<u>Clarification of the Definition of "Accept for Service"</u>	<u>02/04/83</u>	<u>3130-83-03</u>
	<u>Ch. 3700</u>	<u>Waiver for Foster Family Homes by Foster Family Care Agencies</u>	<u>02/04/83</u>	<u>3700-83-01</u>
	<u>Ch. 3130</u>	<u>Clarification of County C & Y Agency Requirements with Respect to Fee Setting</u>	<u>02/04/83</u>	<u>3130-83-04</u>
	<u>Ch. 3130</u>	<u>Participation on Agency Administrative Review Panel</u>	<u>02/04/83</u>	<u>3130-83-06</u>
	<u>Ch. 3130</u>	<u>Clarif. on Caseworker-to-Family Case Load Ratio & Case Management Functions</u>	<u>02/04/83</u>	<u>3130-83-07</u>
	<u>Ch. 3140</u>	<u>Clarif. of Adoption Asst. to Relatives in Adoption Cases</u>	<u>05/02/83</u>	<u>3140-83-07</u>
	<u>Ch. 3140</u>	<u>Response. of the Co. for Legal Representation for Children and Parents</u>	<u>06/10/83</u>	<u>3140-83-09</u>
• 1983	<u>Ch. 3140</u>	<u>Reimbursement to Parents for the Cost of Child Visits</u>	<u>08/15/83</u>	<u>3130-83-11</u>
	<u>Ch. 3130</u>	<u>Child Placement Regist. Index</u>	<u>08/29/83</u>	<u>99-83-18</u>
• 1984	<u>Ch. 3140</u>	<u>Reimbursement Rates for Placements in VisionQuest Wilderness & Wagon Train Programs</u>	<u>01/12/84</u>	<u>3140-84-01</u>
	<u>Ch. 3001</u>	<u>Transmittal of Interdpt. Memo. on Nonimmunized Students Excluded from Attending School</u>	<u>07/08/84</u>	<u>99-84-13</u>
• 1984	<u>Ch. 3490</u>	<u>Release of Child Abuse Info. to the Media</u>	<u>08/15/84</u>	<u>99-84-20</u>
	<u>Ch. 3700</u>	<u>Reimbursement for Relative Foster Parents</u>	<u>09/01/84</u>	<u>3130-84-07</u> <u>3700-84-02</u>
	<u>Ch. 3140</u>	<u>VisionQuest Policy</u>	<u>09/07/84</u>	<u>3140-84-05</u>
• 1985	<u>Ch. 3001.5</u>	<u>Unannounced Visits to Licensed & Approved Facilities/Agencies</u>	<u>08/20/85</u>	<u>99-85-18</u>
	<u>Ch. 3130</u>	<u>Non-Mandatory Regis. Requirement for Individ. 18 Yrs. & Older with PA Adoption Cooperative Exch.</u>	<u>09/16/85</u>	<u>99-85-24</u>

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
	<u>Ch. 3490</u>	<u>Providing Copies of Child Abuse Reports to Subjects</u>	<u>11/20/85</u>	<u>99-85-28</u>
	<u>Ch. 3490</u>	<u>Abandoned Children and the Child Protective Services Law</u>	<u>12/02/85</u>	<u>99-85-29</u>
<u>• 1986</u>	<u>Ch. 3140</u>	<u>Continuing Eligibility for Adoption Assistance</u>	<u>04/15/86</u>	<u>3140-86-02</u>
	<u>Ch. 3490</u>	<u>Law Enforcement Officials as Perpetrators of Suspected Child Abuse</u>	<u>07/15/86</u>	<u>3490-86-04</u>
	<u>Ch. 3350</u>	<u>Screening Prospective Adoptive Parents Pursuant to Act 33 of 1985</u>	<u>09/02/86</u>	<u>3350-86-01</u>
	<u>Ch. 3140</u>	<u>Title IV-E Elig. Issues</u>	<u>09/18/86</u>	<u>3140-86-05</u>
<u>• 1987</u>	<u>Ch. 3490</u>	<u>Implementation of Child Protective Svc. Policies Relating to Alleged Medical Neglect of Disabled Infants</u>	<u>05/01/87</u>	<u>3490-87-01</u>
	<u>Ch. 3170</u>	<u>Fin. Part. in Costs of Co. Human Svc. Depts.</u>	<u>08/31/87</u>	<u>3140-87-02</u> <u>3170-87-01</u>
	<u>Ch. 3490</u>	<u>Sharing Child Abuse Info Among DPW Offices</u>	<u>09/01/87</u>	<u>3490-87-03</u>
<u>• 1987</u>	<u>Ch. 3140</u>	<u>Personal Incident Costs</u>	<u>10/01/87</u>	<u>3140-87-05</u>
	<u>Ch. 3130</u>	<u>Child Placements with Emergency Caretakers</u>	<u>10/15/87</u>	<u>3130-87-07</u>
<u>• 1989</u>	<u>Ch. 3350</u>	<u>Adoption Record Disclosure Definition of Founded Report of Child Abuse</u>	<u>06/06/89</u>	<u>3350-89-01</u>
	<u>Ch. 3490</u>		<u>06/08/89</u>	<u>3490-8901</u>
<u>• 1992</u>	<u>Ch. 3040</u>	<u>Establishing Waiting List Service Priorities</u>	<u>06/27/92</u>	<u>3040-92-01</u>
<u>• 1994</u>	<u>Ch. 3130</u>	<u>County Children and Youth Agency Responsibility for Juveniles in Police Custody</u>	<u>03/19/94</u>	<u>3130-93-02</u>
	<u>Ch. 3270</u>	<u>Overpopulation of Indoor</u>	<u>07/30/94</u>	<u>3001-94-01</u>
	<u>Ch. 3280</u>	<u>Child Care Space</u>		
<u>• 1995</u>	<u>Ch. 3040</u>	<u>Application in County of Residence for the Subsidized Child Day Care Program</u>	<u>10/30/95</u>	<u>3040-95-01</u>
	<u>Ch. 3270</u>	<u>Certified Childcare Professiona Credential</u>	<u>11/01/95</u>	<u>3001-95-01</u>
	<u>Ch. 3280</u>			
	<u>Ch. 3290</u>			
<u>• 1996</u>	<u>Ch. 3040</u>	<u>Subsidized Child Day Care Number of Days of Enrollment for Service</u>	<u>07/06/96</u>	<u>3040-96-01</u>
	<u>Ch. 3001</u>	<u>Day Care - Supervision of Children</u>		<u>3001-96-01</u>
<u>Ch. 3001</u>	<u>Day Care - Posting DPW Inspection Summaries</u>		<u>3001-96-02</u>	
	<u>Ch. 3001</u>	<u>Day Care - Inaccessibility of Above Ground Swimming Pools</u>		<u>3001-96-03</u>
	<u>Ch. 3001</u>	<u>Day Care - Departmental Access to Facility Premises</u>	<u>3001-96-04</u>	

GUIDANCE MANUALS:

- Update of Policies and Procedures for Juveniles in Detention
- 96-97 Title IV-E Independent Living Program Guidelines and Application Process
- Act 151 Amendments
- Clearance Statements for School Employees
- Certification and Training for Children and Youth Workers
- Maximization of the Office of Children, Youth and Families' Grant Funds
- Office of Children, Youth and Families Bulletin Board System
- Adoption and Foster Care Reporting System
- Title IV-A EA Fiscal Procedures/EA Delinquency Prohibition
- FY 97-98 County Children and Youth Needs-Based Plan and FY 96-97 Implementation Plan Instructions
- Education Portions of "Non-Educational" Residential Placements

- Federal Regulations Affecting Children's Eligibility for Supplemental Security Income (SSI) Benefits
- Children Living on Their Own: Referrals from School Districts
- Title IV-E Placement Maintenance and Adoption Assistance Invoicing
- Distribution of OCYF Children and Youth Survey and Evaluation Manual
- Indirect Costs Guidelines for County Children and Youth Agencies
- Multiethnic Placement Act of 1994: Procedures to Implement
- Statewide Adoption Network (SWAN) Policies and Procedures
- Continuity of Health Care for Children in the Custody of County Children and Youth Agencies
- Emergency Assistance Initiative - County Child Welfare Services
- Needs-Based Plan and Fourth Quarter Invoice Submission
- Supreme Court Decision A.Y. v. Department of Public Welfare and Allegheny County Children and Youth
- Amendments to the Child Protective Services Law that became effective July 1, 1995
- Family to Family Restructuring Foster Care Initiative Grants
- Revised Waiver Procedure for Regulations Governing Children and Youth Social Service Programs
- Request for Medical Assistance Benefits for Juveniles Placed in County Juvenile Detention Centers
- EPSDT Protocol for Children in Placement
- Consent to EPSDT Child Screening
- County Children and Youth Program Title XX and Title IV-B Procedures
- Random Moment Time Study/Federal Funding Components
- Surveying and Evaluating Satellite Offices of Private Foster Care and Adoption Agencies
- Compliance with the Conflict of Interest Provisions of Chapter 3680 - Administration of Private Children and Youth Social Service Agencies
- Notice to Implement Maher vs. White Court Opinion - Civil Action No. 90-96-74
- Medical Assistance for Children
- Automatic MA Enrollment for Children Placed by County Children and Youth Agencies and Juvenile Probation Officers
- Planning Permanent Families for Children Residing in Mental Retardation Residential Facilities
- County Children and Youth Agency Responsibility for Juveniles in Police Custody
- Audit Clause Language for Use in All County Child Welfare Service Provider Contracts
- Interagency and Intergovernmental Agreements
- Coordination of Child Support Collections Between County Children and Youth Agencies and County Domestic Relations Sections
- Transmittal of Regulations Amending Chapter 3130 Administration of County Children and Youth Social Service Programs
- County Claiming for Child Welfare Training Costs
- Services for Children in Foster Family Care Who are Placed Out-of-County
- Mother/Infant Foster Care - Title IV-E
- Statements of Policy - Amendments to Chapter 3130 Due Process Protections for Parents and Children
- Title IV-D Collections/Title IV-E Invoicing
- Intercountry and Independent Interstate Adoptions
- Submission of Title IV-E Invoices and Quarterly Expenditure Reports
- COBRA (P.L. 99-272) Changes to Title IV-E Adoption Assistance and Placement Maintenance Costs Incident to Special Needs Adoption
- Screening Student Interns
- Status of OCYF Regulations
- Early Intervention Services and Referrals by County Children and Youth Agencies for Handicapped or "At Risk" Preschool Children
- County Children and Youth Advisory Committee Guidelines
- Indirect Costs Under the County Costs Allocations Plan Guidelines
- Reporting Unusual Incidents at Facilities and Agencies Licensed or Approved by the Office of Children, Youth and Families
- Changed Procedure for Conducting MA Eligibility Redeterminations for Children Not Receiving Title IV-E Benefits

- Interstate Compact on the Placement of Children
- Reporting of Indirect Costs - County Children and Youth Services
- Interstate Compact on Juveniles
- Instruction for Completing the Revised Child Protective Services Investigation Report
- PA Adoption Cooperative Exchange Standard Operating Procedures Manual
- Jurisdiction of Office of Hearing and Appeals in Family Service Plans Cases
- Model Case Plan Forms and Instructions
- Revision to Child Placement Registration Index
- Application of Chapter 3700 Regulations When Relatives Provide Substitute Family Care
- Implementation of Allowable Costs for Title IV-E Placement Maintenance and Adoption Assistance Program
- Audit Requirements for the County Children and Youth Audit Reports
- Description of the PA Children and Youth Information System
- 3130.31(4) Case Management Responsibilities When a Report of Suspected Child Abuse is Received Involving a Case Already Accepted for Service
- Clarification of Eligibility Requirements Re: Adjudicated Delinquent Youth Under Title IV-E Placement Maintenance Program
- 3140.203(2), 3140.203(b)(6) and 3140.204(d) Adjustment to Adoption Assistance (Subsidy) Agreements
- Issuance of OCYF Complaint Policy Procedures
- Notice of Right to Appeal for Spanish Speaking Clients
- Eligibility Determination Procedures for Placement Maintenance, Adoption Assistance, Medical Assistance
- Release of Inspection/Monitoring Reports
- Guidelines for Approving Foster Families to Have More than Six Children in a Home
- Contracts for the administration of the Local Management Agencies
- Local Management Agency Policy and Procedures Manual
- "Dear Contractor Letters" - a series of letters providing contract clarifications for subsidized child day care

INTERNAL GUIDELINES:

- Children and Youth Survey and Evaluation manual
- Needs-Based Plans and Budgets: A Guide to Program Decisions
- Child Death Review Policy and Procedures
- Children and Youth System Policy and Procedures Manual: Accessing Mental Health Services Provided in a Residential Treatment Facility
- A Guide to Foster Parenting
- Application of Child Day Care Service Regulations 10/21/94, Class I Bulletin, 00-94-10
- Procedures for the Regulation of Child Day Care Facilities 2/13/95, Class I Bulletin, 00-95-03
- Waivers of Child Day Care Service Regulations 7/3/95, Class I Bulletin, 00-95-07
- Youth Development Center/Youth Forestry Camp Policy Manual

Office of Mental Health/Mental Retardation - Contact: Kim Krill - 717-787-3504 & Matt Jones 717-783-5058

POLICY STATEMENTS:

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
• 1981	<u>Ch. 4000</u>	<u>Procedures for Charging & Collecting of Tuition Expenses for School-Age Residents in MR & MH Residential Facilities</u>	<u>09/02/81</u>	<u>199-81-01</u>
• 1982	<u>Ch. 4000</u>	<u>Respon. for Collection of Tuition Exp. Under Act 199 or 1980 for Out-of-State Residents</u>	<u>03/17/82</u>	<u>199-82-01</u>
	<u>Ch. 4000</u>	<u>Notice of Assessments (Joint MH/MR Bulletin)</u>	<u>04/16/82</u>	<u>99-82-15</u>
• 1985	<u>Ch. 4000</u>	<u>County Indirect Cost Allocation Plan Guideline Update—Maintenance In Lieu of Rent as a Direct Cost (Joint MH/MR Bulletin)</u>	<u>8/22/85</u>	<u>99-85-17</u>
• 1986	<u>Ch. 6000</u>	<u>Procedures for Review of Service Eligibility and Termination Decisions</u>	<u>01/17/86</u>	<u>99-86-01</u>
• 1987	<u>Ch. 4305</u>	<u>Community MH/MR Liability</u>	<u>05/21/87</u>	<u>4305-87-2</u>

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
• 1988	<u>Ch. 4305</u>	<u>Quarterly Liability Summaries</u>	<u>01/29/88</u>	<u>4305-88-01</u>
• 1995	<u>Ch. 4000</u>	<u>Room and Board Payments for Mental Health Only Children in Residential Facilities Which Are Not JCAHO Accredited</u>	<u>04/03/95</u>	<u>4000-95-01</u>

Office of Mental Health - Contact: Kim Krill (717) 787-3504**POLICY STATEMENTS:**

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
• 1981	<u>Ch. 5001</u>	<u>Expiration of 4th Provisional Cert. of Compliance</u>	<u>12/15/83</u>	<u>99-83-49</u>
• 1984	<u>Ch. 5250</u>	<u>Guidelines for Delivery of MH Forensic Svcs. to Persons in Co. Jails & Persons on Prob. or Parole</u>	<u>08/27/84</u>	<u>99-84-38</u>
• 1985	<u>Ch. 4210</u>	<u>Readmission from Community Placement Within 30 Days of Discharge</u>	<u>05/30/85</u>	<u>99-85-21</u>
	<u>Ch. 5001</u>	<u>Administration of Psychotropic Medication to Protecting Patients</u>	<u>03/11/85</u>	<u>99-85-10</u>
• 1986	<u>Ch. 5001</u>	<u>Implementation of Act 33 of 1985</u>	<u>03/19/86</u>	<u>99-86-11</u>
	<u>Ch. 5100</u>	<u>Involuntary Outpatient Commitment</u>	<u>05/08/86</u>	<u>99-86-14</u>
• 1987	<u>Ch. 4210</u>	<u>Dis. Plan. Response. for SMH Child/Adoles. Prog. & Co. MH/MR Program</u>	<u>01/16/87</u>	<u>99-87-10</u>
	<u>Ch. 5100</u>	<u>Guidelines for Assessing & Documenting the Dangerousness of Mentally Ill Adults</u>	<u>01/16/87</u>	<u>99-87-07</u>
	<u>Ch. 5100</u>	<u>Not. of Grievance & Appeal Proc. Involuntary Outpatient Commitment</u>	<u>09/08/87</u>	<u>99-87-23</u>
• 1993	<u>Ch. 5221</u>	<u>Intensive Case Management Record Requirements</u>	<u>09/21/93</u>	<u>5221-93-01</u>

POLICY STATEMENTS:**Office of Mental Retardation - Contact: Matt Jones (717) 783-5058**

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
• 1981	<u>Ch. 6000</u>	<u>Policies and Procedures Governing Admissions, Commitment, Transfers, and Discharges at State-Operated Mental Retardation Facilities</u>	<u>12/01/81</u>	<u>99-81-51</u>
• 1982	<u>Ch. 6000</u>	<u>OMR Guidelines to Co. for Client Info with OVR</u>	<u>11/22/82</u>	<u>99-82-33</u>
• 1983	<u>Ch. 6000</u>	<u>Level of Care Documentation</u>	<u>03/23/83</u>	<u>42-456.600-83-01</u>
	<u>Ch. 6000</u>	<u>DPW Policy/Support Svcs for Persons with MR and Their Families</u>	<u>10/14/83</u>	<u>99-83-24</u>
• 1984	<u>Ch. 6000</u>	<u>Therapeutic Leave Gdlines for 2176 Waiver Facilities & State/Non-State ICFs/MR</u>	<u>08/01/84</u>	<u>99-84-08</u>
	<u>Ch. 6000</u>	<u>Inspection of Care Process Facility Documentation</u>	<u>08/30/84</u>	<u>42.456.1-84-01</u>
	<u>Ch. 6000</u>	<u>Community Residential Program Slot & Funding Adj.</u>	<u>12/27/84</u>	<u>99-84-20</u>
	<u>Ch. 6000</u>	<u>Supplement & Amendment to DPW Policy on Support Svcs for Persons with MR and Their Families</u>	<u>12/27/84</u>	<u>99-84-21</u>
• 1985	<u>Ch. 6000</u>	<u>Beneficiary Choice Under 2176 Waiver Prg.</u>	<u>02/06/85</u>	<u>99-85-02</u>
	<u>Ch. 6000</u>	<u>Assessment & Elig. Procedures for Persons in the 2176 Waiver Prg.</u>	<u>04/01/85</u>	<u>99-85-04</u>
• 1986	<u>Ch. 6000</u>	<u>Need for ICF/MR Level of Care</u>	<u>12/31/86</u>	<u>99-86-11</u>
• 1987	<u>Ch. 6000</u>	<u>Revised Fair Hearing Proc. Related to Svcs. Under 2176 Waiver Prog.</u>	<u>06/10/87</u>	<u>99-87-08</u>
	<u>Ch. 6000</u>	<u>Doc. Requirements-Waiver Requests Increases for Worker's Comp. Costs</u>	<u>09/25/87</u>	<u>99-87-15</u>
	<u>Ch. 6000</u>	<u>Submission of Cost Rpts (MA-11s) to OMR</u>	<u>10/09/87</u>	<u>99-87-16</u>

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
	<u>Ch. 6000</u>	<u>Conversion of Comm. Res. MR Facilities</u>	<u>10/23/87</u>	<u>99-87-17</u>
	<u>Ch. 6000</u>	<u>DPW Reimbursement Guide. Hepatitis B in Comm. MR Fac.</u>	<u>11/25/87</u>	<u>99-87-06</u>
<u>• 1988</u>	<u>Ch. 6000</u>	<u>Mandatory Child Abuse and Criminal History Clearances</u>	<u>05/31/88</u>	<u>6000-88-02</u>
	<u>Ch. 6000</u>	<u>Preventing, Managing and Reporting Unusual Incidents and Deaths</u>	<u>08/01/88</u>	<u>6000-88-04</u>
	<u>Ch. 6000</u>	<u>Licensing Policy and Procedure Manual</u>	<u>08/30/88</u>	<u>6000-88-03</u>
	<u>Ch. 6000</u>	<u>Administration and Management of Client Funds</u>	<u>10/05/88</u>	<u>6000-88-08</u>
<u>• 1989</u>	<u>Ch. 6000</u>	<u>Guidelines for Enhancing and Conducting Direct and Independent Assessment</u>	<u>10/16/89</u>	<u>6000-89-01</u>
	<u>Ch. 6000</u>	<u>Public Law 99-457, Part H, Adoption of the 14 Components as Policy</u>	<u>08/10/89</u>	<u>6000-89-02</u>
<u>• 1990</u>	<u>Ch. 6000</u>	<u>Provider Agreements Under the 2176</u>	<u>09/18/90</u>	<u>6000-90-04</u>
	<u>Ch. 6000</u>	<u>Supplemental Grant Agreement for the 2176 Waiver</u>	<u>10/05/90</u>	<u>6000-90-03</u>
	<u>Ch. 6000</u>	<u>Family-Driven Family Support Services</u>	<u>12/12/90</u>	<u>6000-90-01</u>
	<u>Ch. 6000</u>	<u>Support for Independent Living</u>	<u>12/12/90</u>	<u>6000-90-02</u>
	<u>Ch. 6000</u>	<u>Therapy and Other Specialized Services</u>	<u>12/18/90</u>	<u>6000-90-05</u>
	<u>Ch. 6000</u>	<u>Policy on Employment for Persons with Mental Retardation</u>	<u>12/26/90</u>	<u>6000-90-06</u>
<u>• 1991</u>	<u>*CH. 4225</u>	<u>SCREENING, EVALUATION AND ELIGIBILITY FOR INFANTS AND TODDLERS</u>	<u>06/20/91</u>	<u>4225-91-05</u>
	<u>Ch. 6000</u>	<u>County Fiscal Management for the 2176 Waiver</u>	<u>08/12/91</u>	<u>6000-91-01</u>
	<u>Ch. 4000</u>	<u>Services for Children in Foster Family Care Who Are Placed Out-of-County</u>	<u>11/22/91</u>	<u>4000-91-01</u>
<u>• 1995</u>	<u>Ch. 6600</u>	<u>Medications Administration Training for Intermediate Care Facilities for the Mentally Retarded</u>	<u>09/05/95</u>	<u>6600-95-01</u>
<u>• 1996</u>	<u>Ch. 6000</u>	<u>Criteria for Approval of New Intermediate Care Facilities for People with Mental Retardation</u>	<u>04/06/96</u>	<u>6000-96-01</u>
<u>• 1996</u>	<u>Ch. 6000</u>	<u>Procedures for Funding Reserved Hospital and Leave Days Under 2176 Waiver</u>	<u>04/15/96</u>	<u>6000-96-02</u>

GUIDANCE MANUALS:

- Work Incentives for SSI and 2176 Waiver Recipients
- Obtaining Criminal Clearances on Prospective Employees
- Applicability of Appropriate Life Safety Codes
- CRF Reporting - Revised Procedures for 2176 Waiver Recipients
- Substitute Decision-Making for Medical Treatment
- Adult Day Services Performance Guidelines for Counties
- Residential Data System Instructional Manual
- Correction to Residential Data System Instructional Manual
- Positive Approaches
- Licensing Policies and Procedures for ICFs/MR
- Applicability of OMB Circular A-133 for Non-State ICFs/MR
- Information on Public Law 102-119 Reauthorization of the Individuals with Disabilities Education Act
- Issuance of Audit Guidelines for Non-State Operated ICFs/MR County Responsibilities for Waiver Case Management
- County Responsibilities for Waiver Funded Habilitation in a Private Home
- Supporting People in the Community
- Amendments to Licensing Policy and Procedure Manual
- At-Risk Definition for Infants and Toddlers

- Definition and County Responsibility of Surrogate Parent for Infants and Toddlers
- Amendments to Licensing Policy and Procedure Manual
- Licensing Weighting System for Community Homes for Individuals with Mental Retardation
- Licensing Weighting System for Family Living Homes
- Early Intervention Program Issues for Children Who Are Deaf or Hard of Hearing
- Community Resource Development in Family Support Services Projects
- Targeted Service Management and Third Party Liability
- Targeted Service Management Technical Assistance Packet
- Movement of Funds in ICFs/MR
- Definition and Procedures for Infants and Toddlers with Developmental Delays
- Early Intervention Services for Infants and Toddlers
- Early Intervention Medical Assistance Eligible Service Coordination
- Targeted Service Management and 180-Days Invoice Exceptions
- Early Intervention Reporting System Roles and Responsibility
- Payment for Sign Language Interpreters
- Assessments: Lifetime Medical Histories
- Targeted Service Management Handbook
- Facilitated Communication - Best Practices and Guidelines
- Site Visits and Access to Records by Pennsylvania Protection and Advocacy, Inc.
- Educational and Vocational Training in ICFs/MR
- Screening, Evaluation and Assessment for Infants and Toddlers
- Early Intervention Principles
- Individualized Family Service Plan
- Licensing Inspection Instrument for Family Living Homes Regulations
- Licensing Inspection Instrument for Community Homes Regulations
- Licensing Inspection Instrument for Adult Training Facilities Regulations
- Licensing Inspection Instrument for Vocational Facilities Regulations
- Coordination of Vocational Training and Supported Employment Under the 2176 Waiver
- Early Intervention Due Process System

INTERNAL GUIDELINES:

- Choking Prevention and Management
- State Employees Acting in Voluntary Capacity to Control Client Funds
- Distribution of Mental Retardation Bulletins
- Western Center Settlement Agreement

OTHER:

- Work Incentives for SSI and 2176 Waiver Recipients
- P.L. 99-457, Part H, State Interagency Coordinating Council
- Mission Statement
- New Federal ICF/MR Regulations
- Children's Cardiac Program
- Department of Health Programs for Young Children
- Family Support Services Advisory Councils
- Childhood Lead Poisoning Prevention Program
- SSI Benefits for Children
- Resources for Children with Sensory Impairments
- Joint Statement by the Department of Public Welfare and the Department of Aging
- Opportunities and Supports for Older Persons with Mental Retardation
- Special Innovative Services Expenditures Under Family Support Services
- Increased Medical Assistance Fees for Dental Services

- Medical Assistance for Children
- Providing Services to Persons with Autism/Pervasive Developmental Disorder
- Federal Regulations on Occupational Exposure to Blood borne Pathogens
- Facilitated Communication
- Revised Medications Administration Training
- 1993-94 Annual Report
- Listing of Participating Targeted Service Management Providers
- Medical Assistance Funded Services for Children
- Approved 2176 Waiver Renewal
- 1996 FTA Section 16 Capital Associates Program
- Act 28 of 1995
- Medications Administration Training

REVENUE

- *Please order from specified Bureau. There is no charge unless specified.

BUREAU OF ADMINISTRATIVE SERVICES, TAX FORMS DISTRIBUTION UNIT, 2850 TURNPIKE INDUSTRIAL PARK, MIDDLETOWN, PA 17057-5492 OR TELEPHONE: IN PA 1-800-362-2050, OUTSIDE PA AND WITHIN LOCAL HARRISBURG AREA (717) 787-8094.

- PA-100 Combined Application/Registration Booklet
- PA-40 Personal Income Tax Instruction Book (order by year needed)
- PA-40EZ Personal Income Tax Instruction Book (order by year needed)
- PA-40NR Personal Income Tax Instruction Book/Nonresidents (order by year needed)
- PA-65I Partnership Information Book (order by year needed)
- PA-41 Fiduciary Income Tax Instruction Book (order by year needed)
- PA-1000 Property Tax/Rent Rebate Instruction Book
- PA-20S-I S Corporation Tax Instruction Book (order by year needed)
- PA-3R Sales & Use Tax Replacement Coupon/Instructions
- PA-4R Public Transportation Assistance Fund Taxes/Fees Replacement Coupon/Inst.
- PA-501R Employer Tax Deposit Statement Replacement Coupon/Instructions
- PA-W3R Employer Quarterly Reconciliation Return Replacement Coupon/Instructions
- PA-1 Use Tax Return
- REV-20 Directions for Completion of Federal Form W-2, Block 25
- REV-23 Pamphlet/Practices and Procedures of the Board
- REV-94 Flyer/PIT Exclusion Election
- REV-221 Sales & Use Tax Rate Chart
- REV-229 Estate Tax General Information
- REV-251 Tax Bulletin 53B and 53F Instructions Foreign Corp Clearance Cert./Withdrawal
- REV-252 Tax Bulletin 53C and 53E Security Clearance Cert./Domestic Out of Existence
- REV-253 Tax Bulletin 53D Instructions for Filing Corp Tax Reports
- REV-276 Application for Extension of Time to File (PIT)
- REV-346 Estate Information Sheet
- REV-415 Employer Withholding Instruction Book
- REV-439 Pamphlet/General Information on PIT and PT/RR
- REV-443 IFTA Compliance Manual
- REV-489 Article XI Safe Deposit Box
- REV-555I Inheritance Tax General Information
- REV-670 Instructions for Fuel Use Tax
- REV-678 Fuel Use Record Keeping Requirements

- REV-717 Retailer's Information Booklet
- REV-816G Corp Tax Bulletin #92, Act 90 of December 1983
- REV-816I Corp Tax Bulletin #94, Shares Tax-Banks & Title Insurance Co.
- REV-816M Corp Tax Bulletin #108 Act 21, 1989 Shares Tax Base Rate
- REV-816N Corp Tax Bulletin #95 Credits/Gross Premiums Tax Liability
- REV-851B PA Inheritance & Estate Tax Act, 1982
- REV-851C PA Inheritance & Estate Tax Act, 1991
- REV-851D PA Inheritance & Estate Tax Act, 1994
- REV-851E PA Inheritance & Estate Tax Act, 1995
- REV-1026 Information on Motor Carrier Road Tax
- REV-1076 Tax Bulletin 53A Instructions for Securing Bulk Sales Certificate
- REV-1200 C Corporation Tax Instruction Book (order by year needed)
- REV-1220 Certificate of Exemption for Sales & Use Tax
- REV-1250 Realty Tax Act and Regulations
- REV-1361 Instructions for Liquid Fuels Tax
- REV-1501 Instruction Book Inheritance Tax Resident
- REV-1501B Inheritance Tax Life Estate Booklet
- REV-1613 PIT Pamphlet No. 1, Savings & Thrifts
- REV-1633 PIT Pamphlet No. 2, Taxation of Shareholders
- REV-1643 Listing of Tax Exempt PIT Obligations
- REV-1689 Schedule D-1 Installment Sales
- REV-1729 Farming Information Booklet
- REV-1730 PA Realty Transfer Tax General Information
- REV-1736 Instruction Book/Inheritance Tax Nonresident
- REV-1737 Nonresident Inheritance Tax Returns/Schedules
- REV-1742 PIT Pamphlet No. 3, Gain or Loss on Property Acquired prior to June 1, 1971
- REV-1746 Taxation of PA Motor Fuels Booklet
- REV-1748 Use Tax & You Brochure
- REV-1799 Information Concerning Appeals/Time Limitations

RULES/REGULATIONS/PRONOUNCEMENTS

(Note: As current inventories of Rules and Regulations are replenished, form numbers will convert to the actual regulatory section they pertain to. All regulations and revenue pronouncements issued by the Department of Revenue are published in Title 61 of the Pennsylvania Code. The Department does not reprint all of these documents. If you need to review a regulation or revenue pronouncement that is not included in this list, please consult Title 61 of the Pennsylvania Code.)

- Ruling 3 Dry Ice for Packaging Ice Cream
- Ruling 4 Gas Used by a Manufacturer
- Ruling 7 Pump/Conveying Water to Products
- Ruling 8 Recapping & Retreading of Tires
- Ruling 50 Exemption of Electrical Co-Op Corporations
- Ruling 60 Construction Contractor/Cutting/Bending
- Ruling 61 Construction of Exempt Public Utility Facilities
- Ruling 62 Construction Contractor Installing Stained Glass Windows
- Ruling 63 Fixed Price/Construction Contract
- Ruling 64 Outdoor Advertising Signs
- Ruling 65 Contractors Renting Equipment
- Ruling 72 Frozen Food Lockers
- Ruling 73 Golf Bag Carts and Lockers
- Ruling 80 Saws & Blades to Butchers
- Ruling 81 Soda Fountains

- Ruling 85 Rental of Equipment Between Affiliated Interests
- Ruling 101 Religious Articles
- Ruling 102 Sacramental Wines
- Ruling 103 Credit Unions
- Ruling 111 Game/Fish/Animals & Birds
- Ruling 130 Purchase Replacement Parts/Auto
- Ruling 131 Use of Auto Other than Resale
- Ruling 140 Purchase of Medical Supplies & Equipment
- Ruling 141 Fabrication of Dental Prosthetics
- Ruling 143 Manufacture/Sale/Repair Optical Lenses
- Ruling 150 Clothing
- Ruling 161 Sign Painters
- Ruling 170 Automobile Towing Services
- Ruling 173 Taxidermy Services
- Ruling 180 Main Place of Business in PA
- Ruling 190 Carbonator for Soda Fountain
- Ruling 192 Ice Making Equipment
- Ruling 193 Merchandising Equipment
- Ruling 194 Sale of Equipment to Restaurants
- Ruling 195 Sales Order Books
- Ruling 203 Commercial Vendors/Greeting Cards
- Ruling 204 Decorative Cottage Cheese Containers
- Ruling 205 Barbers/Beauticians Equipment/Materials/Supplies
- Ruling 206 Trading Stamps
- Ruling 208 School Textbook Exemption
- Ruling 211 Taxes Paid/Purchases Resold
- Ruling 212 Flags
- Regulation 155 License of Club Secretaries and Other Vendors
- Regulation 204 Wrapping Supplies
- Regulation 206 Sales to US Government/Federal
- Regulation 207 Sales to Commonwealth/Political Subdivisions
- Regulation 208 Sales to Ambassadors/Ministers
- Regulation 209 Utility Services Fuel/Oil/Gas Residential
- Regulation 224 Dairying
- Regulation 227 Public Utilities
- Regulation 228 Mining
- Regulation 230 Photographers & Photofinishers
- Regulation 302 Credit and Layaway Sales
- Regulation 400 Registration
- Regulation 401 Keeping of Records
- Regulation 500 Tax Examinations & Assessments
- Regulation 601 Board of Finance & Revenue
- Regulation 800 Imposition & Computation of Tax
- Regulation 900 Transient Vendors
- Regulation 901 Board of Appeals Regulation
- SEC06.01-06.22 Tax amnesty
- SEC09.04 Pronouncement/Public Transportation Assistance Taxes
- SEC09.14 Pronouncement/Passenger Car Rental Tax
- SEC31.04 Rentals or Leases of Tangible Personal Property

- SEC31.05 Persons Rendering Taxable Services
- SEC31.06 Persons Rendering Nontaxable Services
- SEC31.07 Use Tax
- SEC31.1-31.3 Scope of Taxable and Exempt Transactions
- SEC31.11-31.16 Construction Contractors
- SEC31.21 Advertising Agencies
- SEC31.22 Duplicating
- SEC31.23 Auctioneers
- SEC31.24 Florists
- SEC31.26 Financial Institutions
- SEC31.27 Morticians and Funeral Directors
- SEC31.28 Vending Machines and Auto Sales Devices
- SEC31.29 Books, Printed Matter and Advertising Materials
- SEC31.30 House Trailers and Mobile Homes
- SEC31.41-31.50 Vehicles
- SEC32.02 Exemption Certificates
- SEC32.03 Sales for Resale
- SEC32.04 Isolated Sales
- SEC32.05 Multi-State Sales
- SEC32.21 Charitable, volunteer Firemen's, Religious Org/Nonprofit Education Inst.
- SEC32.32 Manufacturing/Processing
- SEC32.33 Farming
- SEC32.36 Printing
- SEC33.02 Purchase Price
- SEC34.01-34.03 Tax Returns
- SEC34.04 Direct Payment Permit
- SEC35.02 Interest/Additions/Penalties/Crimes & Offenses
- SEC35.03 Lien for Taxes
- SEC38.03 Hotel Occupancy
- SEC41.02 Concrete Transit Mixing Unit
- SEC41.05 Integrated Plants
- SEC41.06 Processing for Wholesale Distribution
- SEC41.09 Research Exemption
- SEC42.1-42.5 Broadcasting
- SEC43.00 Water Well Drillers
- SEC44.01 Dairy Farm Paper Towels
- SEC44.02 Cooperative Agricultural Associations
- SEC45.02 Automobiles for Attorneys
- SEC45.03 Street Repairs
- SEC46.07 Nonresident Contractors
- SEC46.08 Industrialized Housing
- SEC46.09 Financial Institutions Security Equipment
- SEC47.01 Coin Operated Amusement Devices
- SEC47.02 Films for Commercial Exhibitions
- SEC47.06 Miniature Golf Course
- SEC47.10 Riding Academies and Stables
- SEC47.17 Lease or Rental of Vehicles and Rolling Stock
- SEC47.18 Totalizator Equipment
- SEC48.01 Utility Services Used by Exempt Organizations

- SEC50.01 Purchases & Sales by Wholesalers
- SEC51.04 Remittances for Payment of Sales Tax on Certain Vehicles
- SEC53.02 Footwear, Footwear Accessories and Footwear Repairs
- SEC54.01 Delivery Charges
- SEC55.05 Cleaning of Animals
- SEC57.02 Gas Used by Restaurants
- SEC57.07 Purchase of Soft Drinks by Liquor Licensees
- SEC58.02-58.02 Taxable & Exempt Personal Property
- SEC58.03 Timbering Operations
- SEC58.08 Commercial Airport and Aircraft Operators
- SEC58.10 Water Softeners & Conditioners
- SEC58.13 Carpeting and Other Floor Coverings
- SEC60.01 Pronouncement/Bldg. Maintenance or Bldg. Cleaning Services
- SEC60.02 Pronouncement/Lawn Care Services
- SEC60.03 Pronouncement/Disinfecting or Pest Control Services
- SEC60.04 Pronouncement/Help Supply Services
- SEC60.05 Pronouncement/Employment Agency Services
- SEC60.06 Pronouncement/Lobbying Services
- SEC60.07 Pronouncement/Sale and Preparation of Food & Beverages
- SEC60.08 Pronouncement/Secretarial & Editing Services
- SEC60.09 Pronouncement/Premium Cable Services
- SEC60.10 Pronouncement/Adjustment and Collection Services
- SEC60.11 Pronouncement/Credit Reporting Services
- SEC60.12 Pronouncement/Self Storage Services
- SEC60.13 Pronouncement/Computer Services
- SEC60.14 Pronouncement/Zero Emission Vehicles
- SEC60.15 Pronouncement/Sales Tax Refund Procedures Regarding Contracts
- SEC60.16 Pronouncement/Local Sale Use and Hotel Occupancy Tax
- SEC60.17 Pronouncement/Sale of Food/Beverages Sold to Nonprofit Associations

**BUREAU OF BUSINESS TRUST FUND TAXES, DEPT. 280900, HARRISBURG, PA 17128-0900,
TELEPHONE (717) 783-5472**

- REV-330 Electronic Funds Transfer Program Guide
- REV-331A Authorization Agreements for EFT Payments
- REV-335 Payment by EFT Regulation
- DAS3 Magnetic Media Reporting Instructions

**BUREAU OF CORPORATION TAXES, DEPT. 280700, HARRISBURG, PA 17128-0700,
TELEPHONE (717) 787-8211.**

- E69 Important 1967 Legislative Changes
- E70 Important 1969 Legislative Changes
- E71 Important 1970 Legislative Changes
- E72 Important 1970 Legislative Changes
- E73 Important 1971 Legislative Changes-Tentative Tax-Reports & Payments
- F74 Important 1971 Legislative Changes
- F75 1972 Disaster Relief Policy with respect to CNI/CIT
- F76 1973 CNI/CIT
- F77 1974 CNI/CIT
- F78 1974 Tentative Tax-Reports & Payments Rates/CNI/CIT
- F79 1975 CNI/CIT
- F81 1976 Recycling Process
- F82 1977 New Address for Mailing Tax Reports and Remittances

- F83 1978 Important 1977 Legislative Changes Tax Rate
- F84 1979 Addressing Report and Remittances
- REV-816 Corp Tax Bulletin F-85 1982 CNI/CIT
- REV-816A Corp Tax Bulletin F-86 1982 CNI Tax. Delays application of depreciation changes in 1981 Federal Economic Recovery Tax Act
- REV-816B Corp Tax Bulletin F-87 1982 Gilbert Asso, Inc. v. Commonwealth
- REV-816C Corp Tax Bulletin 88 1983 CNI/Interest Rate/Oil Franchise Rate/Installment Payment of Tentative CNI Tax/Mutual Thrift Inst./ PURTA/Employment Incentive Payments Credits
- REV-816D Corp Tax Bulletin 89 1983 Tentative CNI/Method 2 Election
- REV-816E Corp Tax Bulletin 90 1983 CNI Tax
- REV-816F Corp Tax Bulletin 91 1984 Act No. 90/Election to be Taxed as a PA S Corp.
- REV-816H Corp Tax Bulletin 93 1984 Act No. 29/Reporting and Payment of Public Utility Realty Tax Liability
- REV-816J Corp Tax Bulletin 96 Fixed Formula-Valuation of Capital Stock/ Domestic and Foreign Corporations
- T-CT-1 Corp Tax Bulletin 98 1985 Gross Premiums Tax-Foreign Fire Insurance Co.
- T-CT-2 Corp Tax Bulletin 99 1985 Economic Revitalization Tax Credit
- T-CT-3 Corp Tax Bulletin 100 1985 Estimated CNI System
- T-CT-4 Corp Tax Bulletin 101 1986 Capital Stock/Franchise Tax Regulated Investment Co.
- T-CT-5 Corp Tax Bulletin 102 1986 Act No. 77-Reduction in rates for CNI/\$50,000 Deduction Capital Stock Value/Change in Definition of Net Worth
- T-CT-6 Corp Tax Bulletin 103 1987 Act No. 58-Reduction in Capital Stock/Foreign Franchise/Tentative Capital Stock/Tentative Franchise Tax Rates
- T-CT-7 Corp Tax Bulletin 104 1988 Notice to Mutual Thrift Institution Taxpayers
- REV-1743 Corp Tax Bulletin 105 1988 Tentative Capital Stock/Franchise Tax Method 2 Election
- DCT09 Corp Tax Bulletin 106 Notice to Mutual Thrift Institution Taxpayers
- REV-816L Corp Tax Bulletin 107 1989 Shares Tax-Banks, Bank & Trust Co., Trust Co.
- DCT13 Corp Tax Bulletin 109 Notice to Mutual Thrifts Inst./ Change in Base Rate
- DCT18 Corp Tax Bulletin 110 Major Filing Changes for 1991
- REV-176 Corp Tax Bulletin 111 1991 Major Changes on or after January 1, 1991
- REV-173 Corp Tax Bulletin 112A Notice regarding Recomputation of Safe Harbor and Recovery Payments
- REV-174 Corp Tax Bulletin 112B Notice of PA Corporations Fiscal Years beginning in July 1991 through and including December 1991
- DCT27 Corp Tax Bulletin 113 1991 Utilities Gross Receipts/PURTA
- DCT28 Corp Tax Bulletin 115 1991 Tax for Financial Inst. for Shares Tax/Mutual Thrift
- DCT29 Corp Tax Bulletin 114 1991 Annuities for Gross Premiums Tax Retroactive to July 1, 1991
- REV-440 Corp Tax Bulletin 116A 1994 Act 48 Changes
- REV-440A Corp Tax Bulletin 116B 1994 Act 48 Amended Shares Tax/Allowing Apportionment
- REV-440C Corp Tax Bulletin 116C 1995 Act 48 Concerning Business Trusts
- REV-440D Corp Tax Bulletin 117 1995 Double Weighted Sales Factor, Tax Rate Changes Fixed Formula, Processing Exemptions, Insurance Gross Premiums Tax, Utilities Gross Receipts Tax, Commercial Printers & Tax Amnesty
- DCT35 Special Notice/Mutual Thrift Instructions Conversion to Estimated Payment System

BUREAU OF MOTOR FUEL TAXES, DEPT. 280646, HARRISBURG, PA 17128-0646, TELEPHONE (717) 783-1025.

- DMF49 Policy Statement Motor Carrier

BUREAU OF AUDITS, DEPT. 281001, HARRISBURG, PA 17128-1001, TELEPHONE (717) 787-6499.

- DAU14 Pamphlet Criminal Tax Evasion

PRESS OFFICE, DEPT. 281100, HARRISBURG, PA 17128-1100, TELEPHONE (717) 787-6960.

- DPO4 Tax Update

BUREAU OF RESEARCH, DEPT. 281100, HARRISBURG, PA 17128-1100, TELEPHONE (717) 787-6300.

- DOP3 Compendium of Revenue
- DOP4 Personal Income Tax Statistics
- DOP7 Statistical Supplemental to Tax Compendium

BUREAU OF INDIVIDUAL TAXES, DEPT. 280600, HARRISBURG, PA 17128-0600, TELEPHONE: (717) 783-1159

- DEX42 Property Tax Statistical Report

OFFICE OF CHIEF COUNSEL, DEPT. 281061, HARRISBURG, PA 17128-1061, TELEPHONE: (717) 787-1382

- OCCPLR Office of Chief Counsel Private Letter Rulings (Fee Charged)

PA STATE LOTTERY, 2850 TURNPIKE INDUSTRIAL PARK, MIDDLETOWN, PA 17057, TELEPHONE: (717) 986-4714 (*Or from Lottery Retailer Outlets)

- Annual Reports
- Where Does the Lottery Go? Brochure
- Lottery Fund Benefits Programs Brochure
- Comparative Statement of Income and Expenditures
- *Instant Ticket Game Brochures
- *Daily Number Brochures
- *Cash 5 Brochures
- *Wild Card Lotto Brochures
- *Big 4 Brochures
- *Keystone Jackpot Brochures
- *Winning Numbers Lists
- *RSL-3 Lottery Retailer License Application
- *RSL-209 Standard Claim Form
- *RSL-291 On-Line Payout Odds Card
- *RSL-355 Beneficiary Statement

PENNSYLVANIA SECURITIES COMMISSION

GUIDANCE MANUALS:

- Monthly Pennsylvania Securities Commission Bulletin and Annual Report
- Compendium of Commission and Staff Positions, Summary of Significant Commission Orders and Compilations of Staff No-Action Letters

Contact: G. Philip Rutledge (717)783-5130

STATE

POLICY STATEMENTS:

Bureau of Professional and Occupational Affairs

State Board of Dentistry

Amalgams, 49 Pa. Code § 33.213

- Referrals, 49 Pa. Code § 33.214
- Lasers, 49 Pa. Code § 33.215

Contact: June Barner - (717) 783-7162

State Board of Nursing

- Interpretations; Scope of Practice, 49 Pa. Code §§ 21.401-21.414
- "Guidelines for the LPN providing nursing care in home for a ventilator dependent patient."
- "Pennsylvania State Board of Nursing Position Statement on Unlicensed Activity" (7/88)
- LPN's role in care and maintenance of central venous lines (not within scope - letters to individual writers) (within scope - "LPN and Central Venous Lines" memo (11/94)

Contact: Ann Steffanic - (717) 783-7142

State Board of Pharmacy

- Emergency Access to Pharmacy
- Sale of Outdated Over-the-Counter Drugs

Contact: W. Richard Marshman - (717) 783-7157

GUIDANCE MANUALS:**Bureau of Professional and Occupational Affairs**

- Case Management Guidelines Manual for the Professional Health Monitoring Programs

Contact: Robert Wolf - (717) 783-4857

State Board of Barber Examiners

- Policy Manual

Contact: Kathleen Davis - (717) 783-3402

State Board of Certified Real Estate Appraisers

- Policy Manual

Contact: Shirley Klinger - (717) 783-4866

State Board of Cosmetology

- Policy Manual

Contact: Sara Sulpizio - (717) 783-7130

State Board of Nursing

- Staff suggestions for the development and submission of feasibility and curriculum proposals

Contact: Ann Steffanic - (717) 783-7142

Bureau of Commissions, Elections and Legislation

- Implementation Manual for the Pennsylvania Voter Registration Act for County Election Officials

Contact: Terri Marquis - (717) 783-5280

DECISIONS:**Bureau of Professional and Occupational Affairs****State Architects Licensure Board**

- Architect's Participation in Design Build Projects

Contact: Kathleen Davis - (717) 783-3398

State Board of Nursing

- Education-related policies adopted by Board action:

Definition of a nursing education "program" (5/95)
 Closing of nursing education program before enrolled students graduate (6/95)
 Policy on approval of clinical agencies (2/88)
 Utilization of clinical agencies on "Provisional Approval" status 1/95
 Use of clinical agencies during labor union strikes (1/95)
 Definition of an observational experience (10/90)
 Approval of program director (9/88)
 Use of preceptors to supervise clinical practice of students (1/95)
 Approval of curriculum changes (10/88)
 Definition of program completion (3/94)
 TPP applications (10/90)
 Deletion of transcript requirement from PA programs (10/90)
 Retaking exam by legal order (2/91)

- Letters related to specific Board decisions:

Out of State M.D. orders
 RN functioning as surgical first assistant
 Administration of IV Conscious Sedation (2)
 RN performing micropigmentation
 LPN and range of dosage medications
 LPN and assessments
 RN taking orders from a CRNP
 CRNP prescriptive authority - Legal Opinion
 Graduate registered nurse who fails exam
 Board Position re: ICFs/MR & CLAs as patient's/clients home
 Nurses Teaching Radiation Technicians
 Temporary Practice Permit Board Granted Extensions (policies)
 Recommendations for Self Administration of Medications (policy) 1996

Contact: Ann Steffanic - (717) 783-7142

INTERNAL GUIDELINES:**Bureau of Professional and Occupational Affairs****State Board of Accountancy**

- Application Date - 49 Pa. Code § 11.54(c)

State Board of Dentistry

- Probable Cause Screening Committee

Contact: June Barner - (717) 783-7162

State Board of Medicine

- Interim Procedures: Disciplinary cases involving Lyness concerns

Contact: Cindy Warner - (717) 783-1400

State Board of Nursing

- Endorsement/International Graduates

Authority for Policy on Endorsements

Authority to Discontinue Requirement for Transcript

PN Endorsement Equivalency Evaluation

Endorsement of Applicants Who are Graduates of Foreign Nursing Schools and Were Endorsed by Another U.S. Jurisdiction Without Examination

Special Circumstance for Canadian Whose Examination Was Not Equivalent

Endorsement of Applicants from Puerto Rico

High School Transcript Requirement

Guidelines for the Delegation of Medication Administration

Orders from a CRNP, Certified Nurse Midwife, Certified Physician Assistant

Orders from a Certified Physician Assistant

A Decision Making Model for determining RN/LPN Scope of Practice (1996) with letter as cover

List of Board approved Medication Courses for the LPN licensed by waiver

Curriculum Guidelines for the Approval of a CRNP Program

Criteria for Approval of a "Self Study Modules" format for an LPN IV Therapy Education Program (11/95)

LPN and Central Venous Lines (1994)

Verbal Clarification of Physicians Order from Pharmacist

Contact: Ann Steffanic - (717) 783-7142

State Board of Optometry

- Probable Cause Screening Committee

Contact: Deborah Orwan - (717) 783-7134

State Board of Osteopathic Medicine

- Probable Cause Screening Committee

Contact: Gina Bittner - (717) 783-4858

State Board of Psychology

- Probable Cause Screening Committee-Section 8(d) Internal Operating Procedures

Contact: Cheryl Lyne - (717) 783-7155

State Board of Veterinary Medicine

- Probable Cause Screening Committee-Section 25(b) Internal Operating Procedures

Contact: Robert Kline - (717) 783-1389

OTHER:**Bureau of Commissions, Elections and Legislation**

- Secretary's advisories to county election and voter registration officials Election Calendars

- Becoming a Notary Public in Pennsylvania

- Instructions for filing as a candidate of a Minor Political Party

- Campaign Finance Reporting Law Pamphlet

- Instructions for filing as an Independent Candidate

- Nomination Petitions

- Nomination Papers

Contact: Terri Marquis, (717) 783-5280

Bureau of Charitable Organizations

- Registration packets for charitable organizations, professional solicitors, and professional fundraising counsels

Contact: Elissa Brown (717) 783-1720

Corporations Bureau

- Uniform Commercial Code Filing Guide
- Pennsylvania's Corporation Laws, A Guide to Compliance

Contact: Karen Vance (717) 783-9210

Bureau of Professional and Occupational Affairs**State Board of Nursing**

- RN, CRNP & LPN Approved Schools/Programs

Contact: Ann Steffanic (717) 783-7142

State Real Estate Commission

- Applications - Experience Requirements for Broker Applicants/Point System

Contact: Melissa Wilson (717) 783-3658

STATE POLICE**GUIDANCE MANUALS****Bureau of Criminal Investigation**

- Flammable and Combustible Liquids Handbook

Contact: Sergeant Edward Kauffman (717) 783-5529

Bureau of Liquor Control Enforcement

- Liquor Laws Guide

Contact: Alice Belmont (717) 540-7410

Bureau of Records and Information Services

- Important Information For Pennsylvania Firearm Purchasers

Contact: Corporal Albert Picca (717) 783-5598

TRANSPORTATION**POLICY STATEMENTS:****Bureau of Equal Opportunity**

- Sexual Harassment Pamphlet
- Affirmative Action Brochure
- ADA Brochure

Bureau of Design

- Standards for Hazardous Glulam Timber Bridge Design (Pub. 6)
- Design Manual Part 1 (Pub.10)
- Design Manual Part 2 (Pub. 13)
- Design Manual Part 3 (Pub. 14)
- Design Manual Part 4 (Pub. 15)
- Design Manual Part 5 (Pub. 16)
- Design of Local Roads (Pub. 70)
- Roadway Construction Standards (Pub. 72)
- Bridge Design Standards (Pub. 218)
- Bridge Design Standards (Pub. 218M)
- Bridge Construction Standards (Pub. 219)
- Bridge Construction Standards (Pub. 219M)
- Right-of-Way Encroachments and Outdoor Advertising Sign Control (Pub. 266)

- Roadway Specifications (Pub. 408-94)
- Roadway Specifications (Pub. 408-96)

Bureau of Environmental Quality

- Design Manual Part 1A, Environmental Impact Assessment and Related Procedures (Pub. 24, 2/96)
- Waste Site Evaluation Procedures for the Highway Project Development Process (Pub. 281, 5/93)

Bureau of Maintenance & Operations

- Oversize/Overweight Special Hauling Permits Holiday Movement Restrictions (annual letter)
- Pavement Policy Manual (Pub. 242)

Bureau of Construction & Materials

- Geotechnical Engineering Manual (Pub. 293)

Bureau of Highway Safety & Traffic Engineering

- School Student Walking Routes (Pub. 46, Chapter 9, 2/96)
- Work Zone Traffic Control Guidelines (Pub. 54, 11/90)
- Traffic Signing Standards, TC-7700 Series (Pub. 111, 6/90)
- Traffic Signal Standards, TC-7800 Series (Pub. 148, 6/89)
- Traffic Signal Design Handbook (Pub. 149, 3/92)
- Guidelines for the Maintenance of Traffic Signal Systems (Pub. 191, 1989)
- Engineering and Traffic Studies (metric) (Pub. 201M, 1995)
- Work Zone Traffic Control (metric) (Pub. 203M, 1995)
- Flagging Handbook (Pub. 234, 2/95)
- Handbook of Approved Signs (Pub. 236, 5/92)
- Sign Blank Specifications (Pub. 306, 1995)
- Traffic Engineering (Approval & Installation of Traffic Control Devices) (MPS #414)

Center for Program Development and Management

- Statewide Transportation Policy Plan

Bureau of Municipal Services

- Mileage Addition Guidelines (Policies concerning adding local road mileage to a municipalities Liquid Fuels Road Inventory.)
- Liquid Fuels Allowable Expenditures (Expenditures that a municipality may make utilizing Liquid Fuels Funds.)

GUIDANCE MANUALS:

Bureau of Driver Licensing

- Pennsylvania Driver's Manual
- Commercial Driver's Manual
- Motorcycle Operator Manual

Bureau of Equal Opportunity

- Harassment/Sexual Harassment Manual

Bureau of Municipal Services

- Liquid Fuels Annual Qualifying Package (Yearly forms a municipality must complete to receive their annual Liquid Fuels Allocation.)

Bureau of Office Services

- Conducting Business with the PA Department of Transportation
- RFP/Contracting Procedures Manual (Pub. 300)

Bureau of Design

- Relocation Assistance Information (Pub. 47)
- Contract Proposal Preparation Guide (Pub. 51)
- Contract Proposal Preparation Guide (Metric Edition) (Pub. 51M)
- When Your Land Is Needed for Highway Use (Pub. 83)
- Local Public Agency Project Guidelines (Pub. 98)
- Surveying and Mapping Manual (Pub. 122M)
- Specifications for Consultant Engineering Agreements (Form 442)

Bureau of Maintenance & Operations

- Trucker's Handbook (Pub. 194, 3/92)
- Posting and Bonding Procedures for Municipal Highways (Pub. 221, 3/90)
- Highway Occupancy Permit Handbook (Pub. 282, 9/93)
- Guide for Obtaining Minimum Use Driveway Permits
- How to Apply for a Super Load Permit
- Trucker's Guide to Pennsylvania
- Pennsylvania STAA Truck Routes (Listing of approved routes for 102 inch wide tractor trailers.)

Bureau of Construction & Materials

- Access to Contracts Management System by Outside Agencies (MPS #419)
- Procedures for Administration for Municipal Projects (Pub. 39)

Center for Program Development and Management

- Congestion Management System (CMS) Planning Guidance
- Local Bridge Program Operational Manual
- Transportation Enhancements Program Guidance
- State Transportation Program Guidance
- Major Metropolitan Transportation Investments/Major Investment Studies Guidance
- PennDOT User's Guide to Transportation Planning & Programming

Office of the Deputy Secretary for Planning

- Transportation Partnerships Guidelines Manual

Bureau of Municipal Services

- Turnback Manual (Provide information on the process of turning a road back to local jurisdiction.)

DECISIONS:**Bureau of Equal Opportunity**

- Affirmative Action Plan
- DBE Plan
- Contract Compliance Plan

INTERNAL GUIDELINES:**Bureau of Office Services**

- Model Stockpile Guidelines
- Procurement Manual

Bureau of Equal Opportunity

- DBE Orientation Course Manual

Bureau of Design

- Appraisal Guide (Pub. 94M)
- Right-of-Way Manual

Bureau of Environmental Quality

- Environmental Impact Statement Handbook (Pub. 278, 8/93)
- Categorical Exclusion Evaluation Handbook (Pub. 294, 8/95)
- Public Involvement Handbook (Pub. 295, 9/95)
- Needs Study Handbook (Pub. 319, 8/96)
- PennDOT Project Level Air Quality Handbook (Pub. 321, 3/96)

Bureau of Maintenance & Operations

- Maintenance Manual (Pub. 23)
- Guide Rail Condition Survey Field Manual (Pub. 33)
- Pavement Condition Survey Field Manual (Pub. 36)
- Drainage Condition Survey Field Manual (Pub. 73)

Bureau of Construction & Materials

- Finals Unit Manual (Pub. 11) (Guidance for Highway Construction Project Closeouts)
- Field Computation Guidebook (Pub. 21)(Guidance for Highway Construction Projects)
- Contract Documentation System Field Operations Manual (Pub. 320)
- Construction and Materials Management (MPS #404) (How to Record, Document & Attest Materials in a Highway Construction Project)
- Cooperation with Outside Agencies: Highway Construction and Materials Testing (MPS #407)
- New Product Evaluations (MPS #418)

Bureau of Transportation Systems Performance

- Traffic Monitoring Program Guidance

Center for Program Development and Management

- Single Occupancy Vehicle Capacity Adding Project (SOVCAP) Guidance
- Rail-Highway Grade Crossing Safety Program Guidance

Bureau of Municipal Services

- Abandonment/Vacation/Deletions Procedure Letter (Policies and procedures governing the abandonment, vacation, and deletion of roads from the state road system and their return to local jurisdiction.)

OTHER:**Bureau of Office Services**

- Publication Sales List

Bureau of Design

- Construction Items Catalog (Pub. 7)
- Construction Items Catalog (metric edition) (Pub. 7M)
- Construction Cost Catalog of Standard Construction Items (Pub. 287)

Bureau of Environmental Quality

- Getting Involved Brochure (Pub. 304, 10/94)

Bureau of Construction & Materials

- Aggregate Producers (Pub. 34, 1995) (Listing of Approved Quarries)
- Approved Construction Materials (Pub. 35, 1995) (Listing of Approved Manufacturers of Highway Products)
- Producers of Bituminous Mixtures (Pub. 41, 7/94) (Listing of Approved Bituminous Plants)
- Producers of Redi-Mix Concrete (Pub. 42, 7/94) (Listing of Approved Concrete Producers)
- Contract Plan Reading for Inspectors (Textbook - Training Manual) (Pub. 211)
- Contract Plan Reading for Inspectors (Quizbook) (Pub. 212)
- Contract Plan Reading for Inspectors (Final Exam) (Pub. 213)
- Plan Book for the Course in Contract Reading (Training Manual) (Pub. 214)
- Slope Stability Program, PASTABL (Metricated)
- Prequalification and Contractor Evaluation (MPS #405)
- Highway Contract Claims (MPS #406)

Bureau of Highway Safety & Traffic Engineering

- Bicycling Directory of Pennsylvania (Pub. 316, 1995-96)

Center for Program Development and Management

- Transportation Conformity - State Implementation Plan

Bureau of Municipal Services

- Liquid Fuels Calendar (Tool for municipalities highlighting policies, procedures and information to assist with road and street maintenance.)
- Treasurer's Account Book (Accounting system for local governments.)

Bureau of Public Transportation

- Public Transportation in PA - A User's Guide (Consumers guide to Public Transportation Services.)
- PA Urban Transit Statistical Report 94/95 (Statistics for urban public transportation providers.)
- PA Rural and Small Urban Public Trans. Program (Statistics for rural and small urban public trans. providers.)

- Senior Citizen Shared-Ride Program (Background info, statistics, trends, etc. for Shared-Ride Program.)
- PA Public Transportation Directory

All of the non-regulatory compliance-related documents listed above are available from the Department of Transportation Publications Office. In some cases, due to the length of the document, a duplication fee will be charged. Please contact the Publications Office at PA Department of Transportation, Distribution Services Unit, P.O. Box 2028, G-123 Transportation & Safety Building, Harrisburg, PA 17105, telephone number (717) 787-6746 for more information. Documents are also available from the State Library, Government Publications Section at 219 Forum Building, Harrisburg, PA 17120 and are available through inter-library loan.

[Pa.B. Doc. No. 96-1269. Filed for public inspection August 2, 1996, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Actions Taken by the Commission

The Independent Regulatory Review Commission met publicly at 11 a.m., Wednesday, July 3, 1996, and took the following actions:

Regulation Approved:

Department of Transportation #18-332: Mechanical, Electrical and Electronic Speed Timing Device (amends 67 Pa. Code Chapter 105)

Department of Agriculture #2-92: Conditions and Requirements under which Domestic Animals May be Offered as Prizes (amends 7 Pa. Code by adding a new Chapter 20)

Environmental Hearing Board #106-2: Practice and Procedure (amends 25 Pa. Code Chapter 1021)

Environmental Quality Board #7-265: Coal Mining (amends 25 Pa. Code Chapter 86 by adding Subchapter J, Sections 86.251—86.295)

Commissioners Present: John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice Chairperson; Arthur Coccodrilli; John F. Mizner; Irvin G. Zimmerman

Public meeting held
July 18, 1996

Department of Transportation—Mechanical, Electrical and Electronic Speed Timing Devices; Doc. No. 18-332

Order

On July 14, 1995, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Transportation (Department). This rulemaking would amend 67 Pa. Code Chapter 105 under the authority contained in sections 3368 and 6103 of the Vehicle Code (75 Pa.C.S. §§ 3368 and 6103) relating to speed timing devices and promulgation of rules and regulations. The proposed regulation was published in the July 29, 1995 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 1, 1996.

Subsection 3368(d) of the Vehicle Code establishes that the Department may classify specific speed timing devices as being mechanical, electrical or electronic and that the Department "shall appoint stations for calibrating and testing the devices and may prescribe regulations as to the manner in which calibrations and tests shall be

made." Subsection 3368(c)(2) of the Vehicle Code distinguishes between mechanical, electrical and electronic speed timing devices by limiting the use of electronic speed timing devices utilizing radiomicrowaves (radar) to the Pennsylvania State Police. Subsection 3368(c)(3) provides an exception to this rule for electronic speed timing devices which calculate speed by measuring elapsed time between measured road surface points by using two sensors and devices which measure and calculate the average speed of a vehicle between any two points. Electronic speed timing devices meeting this condition may be used by local enforcement agencies.

The Department has determined that the Enradd (Model EJU-91), an electronic speed timing device (nonradar), meets the condition established under subsection 3368(c)(3) of the Vehicle Code because it measures the elapsed time between two sensors to calculate vehicle speed. Specifically, the Enradd speed timing device calculates the elapsed time between two timing strips which are spaced 5 feet apart as recommended by the manufacturer's specifications. When a vehicle passes over the strips, the unit will record the time interval between the activation of the first and second timing strips. This time interval, with the known distance between the two timing strips, is used to measure the speed of the vehicle. The speed of each vehicle is displayed by the Enradd in miles per hour.

The regulation requires three components for the accurate calibration of an Enradd speed timing device. These components are: two pulse generators; a dual channel oscilloscope or a frequency counter with interval capability; and a power supply of more than 5 volts. In addition, the regulation also provides a procedure for the precise measuring of the calibration of the Enradd. Further, if the comparison of the oscilloscope/frequency counter with the Enradd differs by more than 1 mile per hour (plus or minus) then the unit is to be returned to the manufacturer or an approved service center. The Department also amends Figures 7 and 8, contained in Appendix A, to indicate that the diagrams detailing the test setup and interconnection for the calibration procedures demonstrated in these figures apply to both the Speed Chek (another similar electronic speed timing device) and the Enradd.

Finally, the text of subsection 105.56(e) of the regulation, which requires timing and calibration equipment, timing strips and other devices actually used with a particular nonradar electronic device be used consistent with the manufacturer's specifications, has been relocated to a new subsection (f), entitled "Equipment, timing strips and other devices." This change has been made so that the calibration rules for the Enradd speed timing device could be placed in subsection (e) thereby maintaining the existing organization of the entire section.

The proposed amendments will affect drivers of motor vehicles and State and local police officers. The Vehicle Code requires that these devices be tested every 60 days. The rulemaking will also affect the 16 private stations appointed by the Department which calibrate and test electronic (nonradar) speed timing devices.

The cost of the Enradd speed timing device is approximately \$1,200, which the Department reports is half the cost of other devices in the same category. The Enradd is manufactured by Y.I.S. Incorporated, located in York, PA.

A prototype of the Enradd was tested by the State Police in a controlled laboratory setting and additional tests were performed under practical use during inclement weather. At our request, the Department forwarded a memo from the State Police which details the test results of the Enradd and includes the recommendations of the testing officer that this unit should be approved for use within the Commonwealth.

In our Comments, we pointed out an omission of the words "chassis ground" which indicates where the chassis ground must be connected to the speed timing device for the accuracy of the testing procedure in Appendix A, Figure 7, and two typographical errors which resulted in the wrong words being used in sections 105.56(e)(2)(ii) and 105.56(e)(2)(iii). In the final-form regulation, the Department corrected all of these errors.

We have reviewed this regulation and find it to be in the public interest. We are satisfied with the information provided by the Department regarding the proposal to add the requirements for the calibration of the Enradd speed timing device to section 105.56. The regulation will provide an additional, more cost-effective device for use by law enforcement agencies for the enforcement of posted speed limits.

Therefore, It Is Ordered That:

1. Regulation No. 18-332 from the Department of Transportation, as submitted to the Commission on July 1, 1996, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice Chairperson; Arthur Coccodrilli; John F. Mizner; Irvin G. Zimmerman

Public meeting held
July 18, 1996

Department of Agriculture—Conditions and Requirements under which Domestic Animals may be Offered as Prizes; Doc. No. 2-92

Order

On September 5, 1995, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Agriculture (Department). This rulemaking would amend 7 Pa. Code by adding a new Chapter 20. The authority for this regulation is Act 24 of 1994 (Act 24) (P. L. 146, No. 24) which amended 18 Pa.C.S. § 5511 and established 18 Pa.C.S. § 5511.1. The proposed regulation was published in the September 16, 1995 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 18, 1996.

The proposed regulation establishes conditions under which an agricultural, educational or vocational program may conduct a game at which a domestic animal may be

offered or given away as a prize. Domestic animals are defined as "[A] dog, cat, equine animal, bovine animal, sheep, goat, or porcine animal." The exemption for which the conditions are established is authorized in Act 24 which contains a general prohibition against offering or giving away live animals, except fish, as prizes in games. The proposal is limited to giving away domestic animals in connection with agricultural, educational or vocational programs sponsored or sanctioned by the Department. Animals must be weaned and a written certification of good health from a licensed veterinarian must accompany the animal.

During proposed rulemaking, the Department received a letter from the House Agriculture and Rural Affairs Committee (House Committee) which questioned application of the regulations to nonprofit raffles and awards. The Department provided answers in its Comment and Response document. Representative Jerry L. Nailor, prime sponsor of H. B. 1420, which became Act 24, commended the Department on the proposed regulation. The Pennsylvania Legislative Animal Network (PLAN) expressed support for the regulation and offered suggestions for changes. The Federated Humane Societies of Pennsylvania also supported adoption of the proposed regulation.

We raised several concerns in our Comments. Among our concerns was the reason for a provision that stated that "[A] person who gives or offers to give away as a prize in a game a discount or coupon that would allow a domestic animal to be purchased for less than \$50 shall be considered as giving or offering to give away a domestic animal as a prize in a game, for purposes of the Act and this chapter." We questioned how the Department determined that \$50 could be considered to be equivalent to Act 24's requirement of giving or offering to give away, and requested an explanation. The Department responded by deleting section 20.4 from the final-form regulation.

In the proposed regulation, the Department defined the term "live animal" and used the phrase "live domestic animal." We were concerned that the term "living animal" was based on an anticipated statutory change. We objected, reasoning the regulations must be based on statutory changes, not on a legislative proposal still before the General Assembly. We further questioned the need for the definition and recommended elimination of the definition in the final-form regulation, unless legislation was passed and signed by the Governor prior to the return of the regulation in final-form.

The Department responded to our recommendation by deleting the definition for "live animal" and revising the phrase "live domestic animal" to "domestic animal" throughout the regulation. However, due to a typographical error, the brackets were omitted to the word "live" in section 20.4(2) of the final-form regulation. The Department has provided a letter of explanation and a corrected page. We will recommend to the Attorney General that section 20.4(2) be amended to incorporate this change.

The Department also responded to our recommendation that penalty provisions be added to the final-form rulemaking by adding to section 20.8(b) (Violation of conditions and requirements), a sentence which states that a violation will be prosecuted as a summary criminal offense punishable by a fine of not more than \$250. Additional changes, resulting from our Comments, include clarification of the application process for designation as a sanctioned program, more specific provisions for prompt notification, and the inclusion of the length of time for retention of records.

We have reviewed this regulation and find it to be in the public interest. The Department does not anticipate the administration of this proposal will appreciably increase Department costs. The likelihood of awarding domestic animals to unprepared recipients is diminished. Persons who conduct games at which domestic animals are offered will be required to incur the costs of obtaining a veterinarian's certification of the animal's general good health prior to awarding animals as prizes. Persons who win domestic animals in connection with agricultural, educational or vocational programs will be assured of receiving a healthy animal as a result of the veterinary certification requirements.

Therefore, It Is Ordered That:

1. Regulation No. 2-92 from the Department of Agriculture, as submitted to the Commission on June 18, 1996, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice Chairperson; Arthur Coccodrilli; John F. Mizner; Irvin G. Zimmerman

Public meeting held
July 18, 1996

*Environmental Hearing Board—Practice and Procedure;
Doc. No. 106-2*

Order

On December 8, 1995, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Hearing Board (EHB), which would amend 25 Pa. Code Chapter 1021. The authority for this regulation is found in section 5(c) of the Environmental Hearing Board Act (35 P.S. § 7515(c)). The proposed regulation was published in the December 23, 1995 edition of the *Pennsylvania Bulletin*, with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 26, 1996.

This rulemaking would amend the EHB's existing practice and procedure rules and add some new procedural rules. The amendments are based on an evolution and refinement of the EHB's practice under the procedural rules existing since the mid-1970's, precedents of the EHB and Commonwealth Court, and changes in environmental statutes. The changes address the following general areas: appeals; intervention; reopening the record prior to an adjudication; reconsideration of interlocutory orders; reconsideration of final orders; and awarding attorney fees and costs.

Comments on the proposed version of this rulemaking were submitted by the Department of Environmental Protection (DEP) and John N. Cox, Esquire, a private practitioner. Neither commentator opposed the proposed rulemaking, but each offered suggested clarifying amendments. In our Comments on the proposed version, we made several recommendations relating to conformance with statutory authority and suggested language revisions to improve the clarity of the regulation. The final-form regulation incorporates many of the recommendations of commentators. However, in connection with the final-form regulation, the EHB rejected as unnecessary our recommendations relating to section 1021.122 *Reopening the record prior to an adjudication* and section

1021.151 *Application for counsel fees under more than one statute*.

During the public comment period, a private practitioner pointed out that section 1021.122 (*Reopening the record prior to an adjudication*) does not specify if the evidence considered is new evidence, or evidence already in the record which should be reconsidered in light of a change in legal authority. The commentator noted that the EHB has an unofficial policy allowing new case law to be submitted to the EHB by letter. The commentator recommended that an official procedure be codified in the regulation for bringing new case law to the attention of the EHB, such as provided for under Rule 2501(b) of the Pennsylvania Rules of Appellate Procedure. In our Comments, we asked the EHB to reconsider its position on this issue because including a formal procedure in the regulation may assist those who do not regularly practice before the EHB.

In response, the EHB declined to establish such a formal procedure, stating that establishing a formal procedure is unnecessary because counsel is able to bring new case law to the EHB's attention even in the absence of a formal rule, and the EHB accepts such submissions in either letter or motion form. The EHB also emphasized that it has been a long-standing policy at the EHB for its members and staff to routinely remain abreast of current environmental law in Pennsylvania.

We believe that EHB has sufficiently explained and justified its position on this matter. In addition, we note that, in response to another commentator's suggestion, the EHB has amended section 1021.122(c) to clarify that a petitioner filing for reopening of the record prior to adjudication due to a change of law need not demonstrate when that evidence was discovered. This change will further clarify this provision of the regulation.

The EHB's existing procedural rules did not provide for recovery of attorney fees and costs under more than one statute. Therefore, the EHB proposes to add section 1021.151 entitled *Application for counsel fees under more than one statute*, to specifically address this circumstance. Section 1021.151 provides that an applicant seeking to recover counsel fees under more than one statute do so by filing a single application which sets forth, in separate counts, the basis for claiming fees and costs under each statute.

In our Comments, we suggested the EHB may improve clarity by further amending this section to provide additional instructional information regarding the application of this section, or incorporate a reference to other rules for how determinations will be made under this section. We suggested that the EHB provide procedures similar to those set forth in section 1021.142 (regarding applications for costs and fees).

The EHB did not incorporate our recommendation into the final regulation. The EHB stated that further clarification of section 1021.151 is unnecessary because the structure of the rule makes it obvious that the procedures set forth in the previous sections are to be followed except where those procedures are inconsistent with the specific statute under which the application is being made. According to the EHB, to provide further instruction would require a survey of procedures under many environmental statutes even though the EHB rarely receives applications for counsel fees under statutes other than the Costs Act or the Surface Mining Law. Finally, the EHB noted that it has asked its Procedural Rules Committee for a recommendation on a rule specific to fee

applications under the Surface Mining Law and that it intends to propose a specific rule on this subject in the near future.

We believe the EHB has sufficiently explained and justified its rationale for not incorporating our recommendation. It is in the best position to judge the appropriateness of including or not including such procedures. Given its response and stated intention (relative to proposing a specific rule in the near future on fee applications under the Surface Mining Law), we believe this area can be left for a future refinement of this regulation.

The proposed regulation will affect all litigants before the EHB. Potential litigants include the DEP, other State agencies, individuals, businesses, Federal and State governments, and municipalities. During 1995, the EHB heard 271 cases, predominantly involving appeals from DEP determinations on surface mining, clean streams and the Solid Waste Management Act.

According to the EHB, the proposed regulation will have little cost impact on the public or private sector. The proposed rules on amendments of appeals, intervention and reconsideration may result in some cost savings by expediting the processing of a matter before the EHB, thus encouraging parties to stay before the EHB in lieu of filing more appeals with Commonwealth Court. The EHB states that litigants will benefit from procedures which are consistent with those of the trial courts of the common pleas system, and result in the expeditious processing of cases before the Board.

We have reviewed this regulation and find it to be in the public interest. These rulemaking changes will update and clarify the EHB's practice and procedure rules. Doing so will better protect the rights of all parties involved in EHB proceedings while making it easier for parties to comply with the governing procedural rules.

Therefore, It Is Ordered That:

1. Regulation No. 106-2 from the Environmental Hearing Board, as submitted to the Commission on June 26, 1996, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

Commissioners Present: John R. McGinley, Jr., Chairperson; Robert J. Harbison, III, Vice Chairperson; Arthur Coccodrilli; John F. Mizner; Irvin G. Zimmerman

Public meeting held
July 18, 1996

Environmental Quality Board—Coal Mining; Doc. No. 7-265

Order

On April 5, 1994, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (EQB). This rulemaking would amend 25 Pa. Code Chapter 86 by adding subchapter J, sections 86.251—86.295 relating to remining and reclamation incentives. The authority for this regulation is Section 4.2 of the Surface Mining Conservation and Reclamation Act (SMCRA) (52 P. S. § 1396.4b). The proposed regulation was published in the April 23, 1994 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on June 20, 1996.

SMCRA, as amended by Act 173 of 1992 and Act 43 of 1996, directs the EQB to promulgate regulations to

implement remining and reclamation incentives and to establish qualifications and criteria for coal mine operators proposing to remine abandoned mine sites. The goal is to encourage reclamation of abandoned mine lands by coal mine operators. This regulation sets forth provisions for the Remining Operators Assistance Program (ROAP). Through ROAP, operators may apply for financial assistance from the Department of Environmental Protection (DEP) to pay approved consultants to develop most of the information necessary for the preparation of permit applications to remine abandoned mine lands.

The regulation also establishes the rules and procedures for State backed financial guarantees to insure reclamation. A special account financially guarantees the bond obligation of a qualified operator in remining areas. The account is part of the Remining Financial Assurance Fund. It provides financial guarantees for qualified operators who remine in areas approved by DEP. For each approved permit of an operator for a remining area, DEP will reserve a portion of the financial guarantees special account in the Remining Financial Assurance Fund as collateral for reclamation obligations on the remining area.

In addition, the regulation provides for bond credits, free of charge, toward an operator's future bonding obligations if an operator completes the reclamation of an abandoned mine site. The bond credit program is underwritten by a special account of the Remining Financial Assurance Fund. This fund is financed by the Land and Water Conservation and Reclamation Act which authorized a \$200 million bond issue for mining reclamation. SMCRA allows up to \$5 million to be deposited into the Remining Financial Assurance Fund.

The DEP and EQB claim that this regulation imposes no mandatory costs, direct or indirect, on coal mine operators. In the preamble of the final-form regulation, they add:

However, operators who opt to avail themselves of the remining and reclamation incentives will find additional forms, reports, paperwork and, in some cases, engineering costs beyond that normally required for a coal mining activity permit. The incentives provided by these amendments should more than offset these costs.

... These amendments place no additional regulatory requirements on the coal mining industry. The new regulations establish procedures and qualifications for the operators who voluntarily choose to participate in the remining and reclamation incentives programs. When the incentives become available, the Department [DEP] plans to provide notice to all licensed coal operators. Roundtable meetings will be held to help coal operators, their consultants and the public understand these incentives.

On May 26, 1994, the EQB held a public hearing in New Stanton on the proposed rulemaking. Testimony was presented on behalf of the Pennsylvania Coal Association (PCA) and Penn Equipment Corporation, Port Carbon, PA (Penn Equipment). Subsequently, written comments were submitted by PCA, Penn Equipment, and White Pine Coal Company, Inc., Ashland, PA.

The final-form regulation was approved by the Mining and Reclamation Advisory Board (MRAB) on April 25, 1996. According to both DEP and MRAB, this regulation is the result of a collaborative effort. The MRAB, under section 18(g) of SMCRA (52 P. S. § 1396.18(g)), includes representatives from the coal mining industry, EQB's Citizens Advisory Council and General Assembly.

We have reviewed this regulation and find it to be in the public interest. EQB and DEP responded in a constructive fashion to most of the comments submitted by commentators and the Commission. Many of the comments on the proposed regulation were the basis for revisions to the final-form regulation. In addition, significant changes to SMCRA contained in Act 43 of 1996 were added to this regulation.

According to DEP, MRAB reviewed the comments on the proposed version of this regulation. MRAB's main concerns were expanding the definition of "remining area" to include lands used to support remining activities, revising the financial guarantees program to reduce the eligibility requirements for operators and increase the level of financial guarantees which may be approved by DEP, and revising the bond credit program to allow credits to be transferred and provide for termination of unused bond credits. The recommendations from MRAB were incorporated into the final-form regulation.

In several other areas in the regulation, the EQB and DEP responded to commentators' concerns with revisions that clarified provisions and either eased requirements or provided operators with greater flexibility. One example of the revisions is the deletion of subsection 86.253(a)(5) in the proposed regulation. This provision stated that an operator who had a single violation of one of the listed regulations would be ineligible for the remining and reclamation incentives programs. Deletion of this provision is consistent with section 4.10 of SMCRA (52 P. S. § 1396.4j) which states that DEP "shall establish a program to assist and pay for the preparation of applications for licensed mine operators *otherwise eligible to obtain a permit* for remining abandoned mine land." (emphasis added).

Other examples of substantive revisions can be found in section 86.283(a)(1). In the proposed regulation, this provision set annual payments in the "payment in lieu of bond" program at 2.5% of the average per acre cost for DEP to reclaim a mine site multiplied by the number of acres in the remining area. Act 43 of 1996 replaced the "payment in lieu of bond" program with the "financial guarantees to insure reclamation" program. Payments under this program will excuse operators from the requirement to post a bond for their remining permits. Instead, the operators will make annual payments to the Remining Financial Assurance Fund. In the final-form regulation, the annual payment formula in section 86.283(a)(1) now applies to the financial guarantees to insure reclamation program. The final-form regulation reduced the annual payment formula from 2.5 to 1% of the total amount of the number of acres of remining area to be affected multiplied by DEP's current applicable bond rates. Not only is the percentage being reduced but substituting current applicable bond rates for the average per acre cost of reclamation also represents a substantial reduction in the cost of the annual payments.

The regulation's objective is to encourage coal mine operators to voluntarily mine and reclaim abandoned mine sites. The regulation strives to provide financial incentives to operators for this purpose. Successful reclamation of abandoned sites will eliminate hazards to human health and safety, abate pollution of surface and ground waters, reduce sediment erosion, and restore land to beneficial uses. The regulation is designed to invigorate the accomplishment of these tasks while simultaneously recovering the remaining coal resource in abandoned mine sites. We support these efforts.

Therefore, It Is Ordered That:

1. Regulation No. 7-265 from the Environmental Quality Board, as submitted to the Commission on June 20, 1996, is approved; and
2. The Commission will transmit a copy of this Order to the Legislative Reference Bureau.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 96-1270. Filed for public inspection August 2, 1996, 9:00 a.m.]

Notice of Filing of Final-Form Rulemakings

The Independent Regulatory Review Commission received, on the dates indicated, the following final-form regulations for review. The regulations will be considered within 30 days of their receipt at a public meeting of the Commission. To obtain the date and time of the meeting, interested parties may contact the office of the Commission at (717) 783-5417. To obtain a copy of the regulation, interested parties should contact the agency promulgating the regulation.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
14-435	Department of Public Welfare Nursing Facility Intergovernmental Transfer	7/22/96
7-287	Environmental Quality Board Hazardous and Municipal Waste	7/24/96
7-286	Environmental Quality Board Storage Tanks; Certification Program	7/24/96

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 96-1271. Filed for public inspection August 2, 1996, 9:00 a.m.]

INSURANCE DEPARTMENT

Addition to Insurance Department Eligible Surplus Lines Insurer List; Notice No. 1996-11

Mary Marines, President, Pennsylvania Surplus Lines Association, a licensed surplus lines agent, has sponsored the following company for qualification as an eligible surplus lines insurer: The Marine Insurance Company Limited, 35/36 Lime Street, London, EC3M 7JE, Key No. 4530.

The Insurance Commissioner has designated the above company an eligible surplus lines insurer, effective July 13, 1996. Please add the company to the Insurance Department Eligible Surplus Lines Insurer List published at 26 Pa.B. 2672 (June 1, 1996).

Persons who have any questions concerning this notice should contact Cressinda Bybee, Company Licensing Divi-

sion, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, telephone (717) 787-2735.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-1272. Filed for public inspection August 2, 1996, 9:00 a.m.]

Application and Request For Plan Approval Of A Merger

American Title Insurance Company, a Florida domiciled title insurance company, has submitted a Plan of Merger, whereby it proposes to merge with Fidelity National Title Insurance Company of Pennsylvania, a Pennsylvania domiciled title insurance company. The survivor will be Fidelity National Title Insurance Company of Pennsylvania. The initial filing was received on July 3, 1996, and was made under requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. §§ 1921—1932 and 21205—21207. Persons wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving of this merger are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the author, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the statement and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-1273. Filed for public inspection August 2, 1996, 9:00 a.m.]

Application and Request For Plan Approval Of A Merger

Hanover Mutual Fire Insurance Company, a Pennsylvania domiciled stock fire insurance company, has submitted a Plan of Merger, whereby it proposes to merge with Pioneer Mutual Insurance Company, a Pennsylvania domiciled stock fire insurance company. The survivor will be Hanover Mutual Fire Insurance Company. The initial filing was received on July 12, 1996, and was made under requirements set forth under the Business Corporation Law of 1988, 15 Pa.C.S. §§ 1921—1932 and 21205—21207. Person wishing to comment on the grounds of public or private interest to the issuance of the Department's order approving of this merger are invited to submit a written statement to the Insurance Department within 15 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the author, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Insurance Department of the exact basis of the statement and the relevant facts upon which it is based. Written statements should be directed to Robert

Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 787-2735.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-1274. Filed for public inspection August 2, 1996, 9:00 a.m.]

Liberty Mutual Insurance Group; Uninsured/Underinsured Motorist Coverage Arbitration Provision

On July 16, 1996, the Insurance Department received from Liberty Mutual Insurance Group a revision to their Private Passenger Uninsured/Underinsured Motorist Coverage eliminating the Arbitration Provision and to have claim disputes settled by the Pennsylvania court system.

The company requests this be approved for all policies produced and effective on or after August 30, 1996.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections, to Randy Rohrbaugh, Director, Bureau of Property and Casualty Insurance, Insurance Department, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

LINDA S. KAISER,
Insurance Commissioner

[Pa.B. Doc. No. 96-1275. Filed for public inspection August 2, 1996, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Bucks County, Wine & Spirits Shoppe #0916, Bristol Commerce Pk., 238 Commerce Circle, Bristol, PA 19007-3113.

Lease Expiration: June 30, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space on Route 13, within 1/4 mile radius of the Borough of Bristol.

Proposals due: August 30, 1996, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

Chester County, Wine & Spirits Shoppe #1508, 410 W. First Ave., Parkesburg, PA 19365-1204.

Lease Expiration: May 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space in the Borough of Parkesburg.

Proposals due: August 30, 1996, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

Chester County, Wine & Spirits Shoppe #1513, 1006 Lancaster Avenue, Berwyn, PA 19312-1844.

Lease Expiration: August 31, 1997

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space on Route 30, in the community of Berwyn.

Proposals due: August 30, 1996, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

Delaware County, Wine & Spirits Shoppe #2301, Lawrence Park Ind. Ctr., 629 Park Way, Broomall, PA 19008-4206.

Lease Expiration: October 31, 1996

Lease warehouse space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 8,000 net useable square feet of new or existing warehouse space near Route 320, Marple Township.

Proposals due: August 30, 1996, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

Delaware County, Wine & Spirits Shoppe #2326, Delcroft Shopping Center, 1856 Delmar Drive, Folcroft, PA 19032-1414.

Lease Expiration: July 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space on Delmar Drive, in Folcroft.

Proposals due: August 30, 1996, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

Delaware County, Wine & Spirits Shoppe #2328, Granite Run Mall North, 1067 W. Baltimore Pike, Media, PA 19063-5121.

Lease Expiration: June 30, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 6,000 net useable square feet of new or existing retail commercial space within 1/2 mile radius of Granite Run Mall.

Proposals due: August 30, 1996, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

Delaware County, Wine & Spirits Shoppe #2332, 821 W. Sproul Road, Springfield, PA 19064-1208.

Lease Expiration: September 30, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,500 net useable square feet of new or existing retail commercial space on Sproul Road within 1/2 mile radius of Route 1, Marple or Springfield Townships.

Proposals due: August 30, 1996, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

Delaware County, Wine & Spirits Shoppe #2333, Barclay Square Shopping Center, 1500 Garrett Road, Upper Darby, PA 19082-4519.

Lease Expiration: June 30, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 5,500 net useable square feet of new or existing retail commercial space on Garrett Road, in Upper Darby Township.

Proposals due: August 30, 1996, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

Montgomery County, Wine & Spirits Shoppe #4604, 315 High Street, Pottstown, PA 19464-5537.

Lease Expiration: July 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space on High Street in the Borough of Pottstown.

Proposals due: August 30, 1996, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

Montgomery County, Wine & Spirits Shoppe #4607, 131 E. Butler Avenue, Ambler, PA 19002-4425.

Lease Expiration: July 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,500 net useable square feet of new or existing retail commercial space in the Borough of Ambler.

Proposals due: August 30, 1996, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

Montgomery County, Wine & Spirits Shoppe #4615, 26 4th and Washington Streets, East Greenville, PA 18041-1338.

Lease Expiration: May 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,500 net useable square feet of new or existing retail commercial space in East Greenville.

Proposals due: August 30, 1996, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

Montgomery County, Wine & Spirits Shoppe #4634, Store 4, 2014 Old Arch Road, Norristown, PA 19401-2048.

Lease Expiration: September 30, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,000 net useable square feet of new or existing retail commercial space in Plymouth or E. Norriton Townships.

Proposals due: August 30, 1996, at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Bureau of Real Estate, 4501 Kelly Drive, Philadelphia, PA 19129-1794
Contact: Robert Jolly, (215) 560-5310

JOHN E. JONES,
Chairperson

[Pa.B. Doc. No. 96-1276. Filed for public inspection August 2, 1996, 9:00 a.m.]

PENNSYLVANIA DEVELOPMENTAL DISABILITIES COUNCIL

Plan Update for 1996

Under the provisions of the Federal Developmental Disabilities Assistance and Bill of Rights Act of 1994, P. L. 103-320 (The 1994 DD Act), this announcement serves to notify the public of the availability of Pennsylvania's "1996 Plan Update." The 1996 Plan Update describes the current status of the Pennsylvania Developmental Disabilities Council's Federally approved Three-Year State Plan for the Federal fiscal years of 1996, 1997 and 1998. The Goals and Objectives of this Three-Year Plan were developed with public input over the course of calendar 1994 and 1995 as per the requirements of The 1994 DD Act. The 1996 Plan Update is available upon mailed written request to Developmental Disabilities Council, Attention: Mary Kent, Room 569 Forum Building, Harrisburg, PA 17120.

Alternative formats of the 1996 Plan Update are available upon specified request. The 1994 DD Act is available through county public library systems and county court house law libraries.

DONALD HAHN,
Acting Executive Director

[Pa.B. Doc. No. 96-1277. Filed for public inspection August 2, 1996, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Railroad With Hearing

A-00112491. CSX Transportation, Inc. An application has been made to the Pennsylvania Public Utility Commission, under the provisions of Public Utility Code. The application requests the approval of an exemption from 52 Pa. Code § 33.42 governing switch lamps in connection with operations on the tracks in the McKees Rocks, Newell and Riverton Yards, all in or around the City of Pittsburgh, Allegheny County.

An initial hearing upon this proceeding will be held Thursday, August 29, 1996, at 10 a.m., in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA, when persons may appear and be heard.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-1278. Filed for public inspection August 2, 1996, 9:00 a.m.]

Railroad With Hearing

I-00960061. Consolidated Rail Corporation. Investigation into the matters pertaining to the condition of, and responsibility for maintenance of, the rail-highway crossing (AAR 592-372 A) carrying State Route 0743 over and above the grade of the tracks of Consolidated Rail Corporation in Derry Township, Dauphin County.

A public hearing in this investigation will be held Thursday, September 12, 1996, at 10 a.m. in an available hearing room, Ground Floor, North Office Building, North Street and Commonwealth Avenue, Harrisburg, PA, when and where all persons in interest may appear and be heard if they so desire.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-1279. Filed for public inspection August 2, 1996, 9:00 a.m.]

**Railroad
With Hearing**

A-00110656. Department of Transportation. An application has been made to the Pennsylvania Public Utility Commission, under the provisions of Public Utility Code. The application requests the approval of the rehabilitation of the S. R. 588 bridge over the Beaver River, the tracks of Consolidated Rail Corporation in Eastville Borough (AAR 503 761 N) and the tracks of CSX Transportation, Inc., operated by the Three Rivers Railway Company (AAR 584 889 F), in the City of Beaver Falls, all in Beaver County, and the allocation of costs and expenses incident thereto.

An initial hearing upon this proceeding will be held Wednesday, September 25, 1996, at 10 a.m. in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-1280. Filed for public inspection August 2, 1996, 9:00 a.m.]

**Railroad
With Hearing**

I-00960048. Southeastern Pennsylvania Transportation. Investigation into the maintenance, inspection and/or disposition of the rail-highway crossing (AAR 531 107 T) carrying Queen Lane and Wissahickon Avenue (S. R. 4003) over and above the grade of the tracks of Southeastern Pennsylvania Transportation in the City of Philadelphia, Philadelphia County.

A public hearing in this investigation will be held Thursday, September 19, 1996, at 10 a.m. in an available hearing room, 13th Floor, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, PA, when and where all persons in interest may appear and be heard if they so desire.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-1281. Filed for public inspection August 2, 1996, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without hearing in the absence of protests to the application. Protests to the applications published herein are due on or before August 26, 1996, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.

A-00112977. Bobby Bullet Productions, Inc. (11737 Old Route 16, Rouzerville, Franklin County, PA 17250), a corporation of the Commonwealth of Pennsylvania—persons on schedule, between the boroughs of Waynesboro and Chambersburg, Franklin County, the borough of Gettysburg, Adams County, and the city of Harrisburg, Dauphin County, over the following routes: beginning in the borough of Waynesboro, Franklin County, thence over borough streets to PA Route 316, thence north on PA Route 316 to its intersection with Interstate Route 81, thence north on Interstate Route 81 to the borough of Chambersburg, Franklin County, thence east on U. S. Route 30 to the borough of Gettysburg, Adams County, thence over borough streets to PA Route 116, thence south on PA Route 116 to its intersection with PA Route 16, thence west on PA Route 16 through the borough of Waynesboro, Franklin County, the place of beginning. *Attorney:* Deborah K. Hoff, 154 South Potomac Street, Waynesboro, PA 17268.

A-00113215. Thomas J. Hindmarsh. (316 Union Street, Exeter, Luzerne County, PA 18643)—persons in limousine service between points in the county of Luzerne, and from points in said county to points in Pennsylvania and return. *Attorney:* Omalley and Langon, Chamber of Commerce Building, Mulberry Street, Scranton, PA 18505.

Applications of the following for approval of discontinuance of service for the transportation of persons as described under each application.

A-00107316, F. 1, Am-J. Albert A. Precht, t/d/b/a Eagle Express (1300 Brussels Street, Saint Marys, Elk County, PA 15857)—partial discontinuance of service—household goods in use, between points in the borough of Saint Marys, Elk County, and within 20 miles by the usually travelled highways of the limits of said borough; household goods in use, from points in the borough of Saint Marys, Elk County, and within 20 miles by the usually travelled highways of the limits of said borough, to other points in Pennsylvania and vice versa.

**Notice of Motor Carrier Applications—
Property, Excluding Household Goods in Use**

The following applications for the authority to transport property, excluding household goods in use, between points in Pennsylvania, have been filed with the Pennsylvania Public Utility Commission. Public comment to these applications may be filed, in writing with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 on or before August 19, 1996.

A-00113219	Wilson T. Lambert, Jr., Inc. 149 Highland Avenue, Coatesville, PA 19320
A-00113220	Passanita Trucking, Inc. 299 Krug Road, Ashville, PA 16613; Dwight L. Koerber, Jr., Esquire, 110 North Second Street, P. O. Box 1320, Clearfield, PA 16830
A-00113221	Wayne Carmint Landscaping, Inc. 340 Crooked Lane, King of Prussia, PA 19406

A-00113219 Wilson T. Lambert, Jr., Inc.
149 Highland Avenue, Coatesville,
PA 19320

A-00113223 Alson Concrete Systems, Inc.
769 Mount Road, Aston, PA 19014

A-00113212 Eastern Express, Inc.
312 West 35th Avenue, Griffith
Lake, IN 46319

A-00113228 Garrett Goggin, t/d/b/a Goggin Moving
671 Jefferson Road, Bryn Mawr, PA
19010

A-00104960, F.2 Frank Gerney Truck, Inc.
Box 201, Cairnbrook, PA 15924

A-00113211 Robert J. Balzano
110 Dysart Drive, Dysart, PA 16636;
Dwight L. Koerber, Jr., P. O. Box
1320, Clearfield, PA 16830

A-00113229 Karl R. Fielding, t/d/b/a K and B
Truck Services
P. O. Box 164, Centerville, PA 16404

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-1282. Filed for public inspection August 2, 1996, 9:00 a.m.]

**Water Service
Without Hearing**

A-212370 F0027. Utility Group Services Corporation and Philadelphia Suburban Water Company. Application for Approval of the merger of Utility Group Services Corporation with and into Philadelphia Suburban Water Company, such that Philadelphia Suburban Water Company will become the owner of 100% of the stock of the following regulated public utility companies that provide water or sewer service in certain areas of Chester County, Pennsylvania, together with approval of tariff revisions to reflect the regulatory effect of the merger: Spring Run Water Company, Friendship Water Company, Bradford Glen Water Company and Little Washington Drainage Company.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, Harrisburg with a copy served on the applicant on or before August 19, 1996, under 52 Pa. Code (relating to public utilities).

Counsel for Applicant: Mark J. Kropilak, Esquire,
Philadelphia Suburban Water Company, 762 West
Lancaster Avenue, Bryn Mawr, PA 19010-3489.

JOHN G. ALFORD,
Secretary

[Pa.B. Doc. No. 96-1283. Filed for public inspection August 2, 1996, 9:00 a.m.]

STATE CIVIL SERVICE COMMISSION

Management Directives

- 580.2 Civil Service Availability Survey/Interview Notice
- 580.6 Monthly Report of Classified Service Employees
- 580.8 Classified Service Probationary Periods
- 580.10 Rights of Certified Eligibles in the Classified Service
- 580.11 Documentation of Classified Service Personnel Actions
- 580.12 Recruitment for Classified Service Positions
- 580.13 Report of Personnel Transactions for Non-State Employees
- 580.15 Selective Certification of Classified Service Eligibles
- 580.16 Provisional Employment in the Classified Service
- 580.17 Performance Evaluation Credit for Classified Service Furloughs
- 580.18 Residency and United States Citizenship Requirements for the Classified Service
- 580.19 Promotion in the Classified Service Without Examination
- 580.20 Classified Service Furlough and Reemployment
- 580.21 Veterans' Preference on Classified Service Employment Lists
- 580.23 Resignation from and Reinstatement to the Classified Service
- 580.24 Promotion of Employees in Unskilled Positions Into the Classified Service
- 580.25 Political Activities of Classified Service Employees
- 580.26 Transfer or Reassignment of Classified Service Employees
- 580.27 Limited Appointments to Positions Exempted from the Classified Service Pursuant to Section 3(c)(4), Civil Service Act
- 580.28 Reallocation to a Lower Class in the Classified Service
- 580.29 Rapid Promotion Examinations in the Classified Service
- 580.30 Classified Service Leave Without Pay and Return Rights
- 580.31 Classified Service Temporary Appointments
- 580.32 Substitute Employment in the Classified Service
- 580.33 Reproductions of Documents for Classified Service Personnel Actions

- 580.34 Removal of Eligibles for Certification or Appointment in the Classified Service
- 580.35 Employees Placed in the Classified Service by Position Reallocation
- 580.36 Engineering Intern Program
- M580.1 Certification of Eligibles for the Classified Service

JOHN J. WILK,
Executive Director

[Pa.B. Doc. No. 96-1284. Filed for public inspection August 2, 1996, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT SYSTEM

Nonregulatory Public Documents

Under Executive Order 1996-1 (Regulatory Review and Promulgation), the State Employees' Retirement System (SERS) submits for publication in the *Pennsylvania Bulletin* the following list of the agency's nonregulatory public documents. For additional information on the listed items, contact SERS Information Officer Geoffrey S. Yuda at (717) 787-5759.

JOHN BROSIUS,
Executive Director

- SERS Board of Trustees Adjudications:
 - Benefit Options
 - Cost of Living Increase
 - Credited Years of Service
 - Death Benefit
 - Disability
 - Effective Date of Retirement
 - Final Average Salary
 - Fraternal Order of Police
 - Frozen Present Value
 - Membership Eligibility
 - Military Service
 - Multiple Service Credit
 - Overpayment
 - Payment of Interest
 - Pension Forfeiture
 - Purchase of Service
 - Reinstatement
 - Retirement-Covered Compensation
 - Miscellaneous
- SERS Member Handbook (current edition 1995)
- SERS pamphlets:
 - Information for Retirees (SERS-149)
 - Special Membership Classes (SERS-150)
 - Social Security Integration Coverage for SERS Members (SERS-151)
 - How to Apply for a Disability Retirement (SERS-152)
 - Retirement Information for Pennsylvania State Police (SERS-153)
 - Retirement Options for SERS Members (SERS-154)
 - Provisions for the Purchase of Service (SERS-155)

- Domestic Relations and Support Orders (SERS-157)
- Frozen Present Value: Its Impact on State Pensions (SERS-158)
- Management Directives and Administrative Circulars issued by SERS
- SERS Mission Statement
- SERS Investment Policy
- SERS Investment Guidelines
- SERS current 5-year investment plan ("1996 Annual Five Year Investment Plan," dated Dec. 6, 1995)
- SERS Policy on Public Information (current 3/95)
- The FOP Decision: The resolution of the SERS Board of Trustees dated September 26, 1990, implementing the arbitration award issued February 17, 1988, in *Commonwealth of Pennsylvania v. Commonwealth of Pennsylvania State Police Lodges*, American Arbitration Association Case No. 14 390 1611 87 J (Thomas J. DiLauro, Chair)
- The "SERS News" member newsletter
- SERS Information Bulletins
- SERS *Annual Financial Report*
- Sample Domestic Relations Order and Instruction Letter
- SERS Board Minutes and Resolutions
- Actuarial Reports (annual and 5-year)
- Actuarial Tables

[Pa.B. Doc. No. 96-1285. Filed for public inspection August 2, 1996, 9:00 a.m.]

STATE ETHICS COMMISSION

Public Meeting

The Public Official and Employee Ethics Law requires that the State Ethics Commission hold at least two public hearings each year to seek input from persons and organizations who represent an individual subject to the provisions of the law and from other interested parties.

The State Ethics Commission will conduct a public meeting in 307 Finance Building, Harrisburg, Pennsylvania on August 28, 1996, beginning at 9 a.m. for purposes of receiving said input and for the conduct of other agency business. Public officials, public employees, organizations and members of the general public may attend.

Persons seeking to testify or present a statement, information or other comments in relation to the Ethics Law, the Regulations of the State Ethics Commission or agency operations should contact Claire Hershberger at (717)-783-1610 or (800)-932-0936. Written copies of statements should be provided at the time of said meeting.

JOHN J. CONTINO,
Executive Director

[Pa.B. Doc. No. 96-1286. Filed for public inspection August 2, 1996, 9:00 a.m.]

STATE SYSTEM OF HIGHER EDUCATION

Basic Fee and Tuition Schedule for the 1996/97 Academic Year

Notice is hereby given to all students that the Board of Governors of the State System of Higher Education, acting under section 2006-A of the act of November 12, 1982 (P. L. 660, No. 188), has established the following schedule for assessment of basic fees and tuition to be effective fall semester 1996 at the System's fourteen universities: Bloomsburg, California, Cheyney, Clarion, East Stroudsburg, Edinboro, Indiana, Kutztown, Lock Haven, Mansfield, Millersville, Shippensburg, Slippery Rock and West Chester Universities of Pennsylvania.

Undergraduate Students		
Residency Status	Full-time	Part-time ¹
Pennsylvania Residents	\$3,368 per academic year	\$140 per credit hour
Nonresidents	\$8,566 per academic year	\$357 per credit hour
Graduate Students		
Residency Status	Full-time	Part-time ¹
Pennsylvania Residents	\$3,368 per academic year	\$187 per credit hour
Nonresidents	\$6,054 per academic year	\$336 per credit hour

JAMES H. MCCORMICK,
Chancellor

[Pa.B. Doc. No. 96-1287. Filed for public inspection August 2, 1996, 9:00 a.m.]

TURNPIKE COMMISSION

Request for Proposals

Sealed proposals will be received by Jeffrey L. Hess, Director of Purchases, at the Administration Building, Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676) and publicly opened and read at the date and time indicated below for the following contract:

Contract No. 94-004-FS88. Structural demolition and/or removal for the Mon/Fayette Expressway in Washington Co., PA.

Bid Opening: August 20, 1996, 11 a.m.

Bid Survey: 5%.

Plans, specifications and contract documents will be available and open to the public inspection at the Administration Building. Copies may be purchased upon payment of \$25 per paper copy set (do not add State tax) by check or U.S.P.S. Money Order (no cash) to the Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676: Attn: Secretary/Treasurer's Office. No refund will be made for any reason.

¹ The part-time rates per credit hour shall pertain to all summer session and interim session course offerings.

A Prequalification Certification and Maximum Capacity Rating assigned by the Prequalification Committee of the Department of Transportation is a necessary prerequisite for bidding on this project.

A mandatory prebid site review of the project will be made on August 6, 1996. The inspection party will meet at the office of the project's Construction Manager, Trumbull Corporation, 600 Park Avenue, Monongahela, PA 15063, telephone (412) 258-9234, at 10 a.m., and will proceed to each site under the direction of authorized Commission personnel.

Contact the Director of Purchases for listing of other locations where plans and specs can be inspected.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 96-1288. Filed for public inspection August 2, 1996, 9:00 a.m.]

Retention of an Engineering Firm

**Bucks County, Pennsylvania
Burlington County, New Jersey
Reference No. 4-046**

The Turnpike Commission will retain an engineering firm to perform preliminary and final design for the deck replacement of the Pennsylvania half of the main thru-arch truss portion of the Delaware River Bridge (approximately 682 feet of bridge deck), connecting the New Jersey Turnpike and the Pennsylvania Turnpike.

The engineering services required will include reviewing an existing redecking study, preliminary structural design, traffic control plans, and preparation of final structural plans and specifications in order for the Commission to proceed with advertisement and construction for this structure.

Direct inquiries to Gary L. Graham, P.E., at (717) 939-9551, ext. 5990.

General Requirements and Information

Firms interested in performing the above services are invited to submit letters of interest to John F. Graham, Jr., P.E., Deputy Executive Director—Engineering/Chief Engineer, Administration Building located on Eisenhower Boulevard at the Harrisburg-East Interchange near Highspire, PA (Mailing Address: P. O. Box 67676, Harrisburg, PA 17106-7676).

The letters of interest must include in the heading the project reference number indicated in the advertisement. A Standard Form 254, "Architect-Engineer and Related Services Questionnaire," not more than 1 year old as of the date of this advertisement, and Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project," must accompany each letter of interest. If the firm has multiple offices, the location of the office performing the work must be identified.

Firms with out-of-State headquarters or corporations not incorporated in Pennsylvania must include with each letter of interest a copy of their registration to do business in the Commonwealth as provided by the Department of State.

The Turnpike Commission currently limits its participation in the remuneration of principals or consultant

employees performing work on projects to \$72,800 per annum or \$35 per hour or their actual audited remuneration, whichever is less. The Commission currently limits its participation in the consultant's indirect payroll costs (overhead) on design projects to 130% and the consultant's actual audited overhead rate, whichever is less.

The following factors will be considered by the Committee during their evaluation of the firms submitting letters of interest:

(A) Specialized experience and technical competence of firm.

(B) Past record of performance with respect to cost control, work quality and ability to meet schedules. The specific experience of individuals who constitute the firms shall be considered.

(C) Letters of interest must include an indication of the prime consultant's and subconsultant's current workload by submitting Form D-427 (as revised 6/89) listing all Department of Transportation and Turnpike Commission projects. Letters of interest not including Form D-427 and subject to nonconsideration by the Selection Committee.

(D) Location of consultant's office where the work will be performed.

(E) Listing of subconsultants intended. Any deviation from the subconsultants listed in the letter of interest will require written approval from the Commission.

(F) Special requirements of the project.

(G) Other factors, if any, specific to the project.

Each firm should demonstrate in his letter of interest his ability to perform the specific requirements indicated for this project.

The letters of interest and required forms must be received by 4 p.m., Friday, August 23, 1996. Any letters of interest received after this date and time will be time-stamped and returned.

The assignment of the above services will be made to one of the firms responding to this notice, but the Commission reserves the right to reject all letters of interest submitted, to cancel the solicitation requested under this notice and/or to readvertise solicitation for these services.

JAMES F. MALONE, III,
Chairperson

[Pa.B. Doc. No. 96-1289. Filed for public inspection August 2, 1996, 9:00 a.m.]

STATE CONTRACTS INFORMATION

DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". A qualified small business concern is an independently owned, operated for profit, business employing 100 or fewer employes and is not a subsidiary or affiliate of a corporation otherwise not qualified.

Such penalties apply to invoices for goods or services when payments are not made by the required payment date or within a 15 day grace period thereafter. The small business concern must include on every invoice submitted to the Commonwealth: "(name of vendor) is a qualified small business concern as defined at 4 Pa. Code § 2.32".

For information on the required payment date and annual interest rate, please call the Pennsylvania Department of Commerce, Small Business Action Center, 483 Forum Building, 783-5700.

Reader's Guide

Legal Services & Consultation—26

- ① Service Code Identification Number
- ② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services
 Location: Harrisburg, Pa.
 Duration: 12/1/93-12/30/93
 Contact: Procurement Division
 787-0000

③ Contract Information

④ Department

⑦

⑤ Location

(For Commodities: Contact:)
 Vendor Services Section
 717-787-2199 or 717-787-4705

⑥ Duration

REQUIRED DATA DESCRIPTIONS

- ① Service Code Identification Number: There are currently 39 state service and contractual codes. See description of legend.
- ② Commodity/Supply or Contract Identification No.: When given, number should be referenced when inquiring of contract of Purchase Requisition. If more than one number is given, each number represents an additional contract.
- ③ Contract Information: Additional information for bid preparation may be obtained through the departmental contracting official.
- ④ Department: State Department or Agency initiating request for advertisement.
- ⑤ Location: Area where contract performance will be executed.
- ⑥ Duration: Time estimate for performance and/or execution of contract.
- ⑦ Contact: (For services) State Department or Agency where vendor inquiries are to be made.

(For commodities) Vendor Services Section (717) 787-2199 or (717) 787-4705

GET THAT COMPETITIVE EDGE—FOR FREE!

Do you want to do business with your state government? The Treasury Department's office of Contract Information Services can assist you by providing you with information that may be helpful to you in successfully bidding on State contracts.

Act 244 of 1980 requires Commonwealth departments and agencies to file with the Treasury Department a copy of all contracts involving an expenditure of \$5,000 or more.

These fully executed contracts usually contain the vendor's name, dollar value, effective and termination dates and contract specifications. Some contracts also include the names of other bidding vendors and the bid proposal compiled by the awarded vendor. There is a minimal cost for photocopying contracts.

Allow the Treasury Department to "make a difference for you." For contract information call the office of Contract Information Services TOLL-FREE (in Pennsylvania) at 1-800-252-4700 or (717) 787-4586. Or you may write or visit the office at Room G13, Finance Building, Harrisburg, Pa. 17120.

CATHERINE BAKER KNOLL,
State Treasurer

Online Subscriptions At <http://www.statecontracts.com> 1-800-334-1429 x337

Commodities

1157116 Containers, household, commercial, packaging and packing—200,000 each; cardboard for vehicle registration plate: size 12" x 6" x .050"—.070 thick outdoor signboard type cardboard white on one side with waterproofing.

Department: Corrections
Location: Pittsburgh, Allegheny County, PA 15233
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

8205380 Data processing and computer equipment and supplies—160 each; slip document (wid) printers.

Department: Transportation
Location: Harrisburg, Dauphin County, PA 17106-7901
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1170216 Electric wire and power and distribution equipment—7,000 feet; cable, medium voltage—2/0 5 kv, 1000 ft. reels, overall size of reels not to exceed 32 inches wide and 48 inches in diameter.

Department: Wernersville State Hospital
Location: Wernersville, Berks County, PA 19565-0300
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1150156 Hospital equipment and supplies—2 each; monitor defibrillator integrated SPO2, integrated external pacing, water resistant. Includes 2.5 ah nicd battery.

Department: Penn State University
Location: University Park, Centre County, PA 16801
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1130156 Laboratory equipment and supplies—1 lot; Leica microscope components (no substitute) w/appropriate accessories.

Department: State System of Higher Education
Location: West Chester University, West Chester, Chester County, PA 19383
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

8231460 Motor vehicles—various amounts; compact heavy duty vans w/appropriate accessories.

Department: Transportation
Location: Harrisburg, Dauphin County, PA 17120
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

8231420 Motor vehicles—various amounts; vans, w/appropriate accessories.

Department: Transportation
Location: Harrisburg, Dauphin County, PA 17120
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

8139260 Scales and measuring devices and equipment—10 each; load scales with printers (requires pilot model).

Department: Transportation
Location: Uniontown, Fayette County, PA 15401
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

1166186 Signs/outdoor—1 lot; Pennsylvania lottery numbers games outdoor signs—design to be silk screened in four colors: yellow, orange, black and green with a half-tone gradation from yellow to orange—design to be embedded in .090 fiberglass.

Department: Revenue
Location: Middletown, Dauphin County, PA 17057
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

8231430 Trucks and construction vehicles—2 each; 3/4 ton truck w/option same as item No. 1.

Department: Transportation
Location: Harrisburg, Dauphin County, PA 17120
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

8231450 Trucks and construction vehicles—various amounts; 1/2 ton trucks w/appropriate accessories.

Department: Transportation
Location: Harrisburg, Dauphin County, PA 17120
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

8231510 Trucks and construction vehicles—various amounts; 3/4 ton trucks w/different accessories.

Department: Transportation
Location: Harrisburg, Dauphin County, PA 17120
Duration: Indeterminate 1996-97
Contact: Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199 or (717) 787-4705

SERVICES

Agricultural Services—02

FL 350446—FL 350454 Provide fish feed products used in a Statewide fish culture program during the period October 01, 1996 through December 31, 1996. Fish feed products purchased in bulk and bagged quantities only from vendors who have had their products tested and accepted by the Fish and Boat Commission.

Department: Fish and Boat Commission
Location: Statewide to various fish culture stations as requested
Duration: October 01, 1996—December 31, 1996
Contact: Dennis C. Ricker, (814) 359-5141

Computer Related Services—08

010299 To provide computer training for various software (Basic Windows, Word Perfect, etc.). For more information or a bid package contact Amy Judson-Burak at (814) 437-4202.

Department: Transportation
Location: 1-0, Vendors Location
Duration: 10/01/96—09/30/97
Contact: Raymond L. Winger, (814) 437-4329

SP 312938 Purchase of Lightspeed NVS for Windows—Tier 5.

Department: PA Board of Probation and Parole
Location: 3101 North Front Street, Harrisburg, PA 17110
Duration: 09/01/96 to 08/31/97
Contact: Michelle Carl, (717) 787-8879

SPC No. 281388 The Commonwealth of Pennsylvania, Department of Revenue, Bureau of Receipts and Control desires to engage vendor services to provide data entry and key verification of Pennsylvania State Income Tax Records, bid proposals to be submitted for PA-40EZ (short form) clean and establish, price per thousand, PA 40 (long form) clean and establish, price per thousand, PA41 (long form) clean and establish, price per thousand and transaction code 442 (long form), price per thousand. Prices and daily production volumes must be started in terms of 700 character records and firm for the period of January 15, 1997 to December 31, 1997. Records are to be recorded on 9 track 1600 BPI magnetic tape. Two contracts will be awarded.

Department: Revenue
Location: Bureau of Receipts and Control, 1854 Brookwood Street, Harrisburg, PA 17104
Duration: January 15, 1997 to December 31, 1997
Contact: Ernest E. Fanella, Director, (717) 787-8117

Construction Maintenance—09

080913 Venango County, SR 62-04S; McKean County, SR 46-A02; Lycoming County, SR 2060-01M; Luzerne County, Carverton Rd. (SR 309); Cumberland County, T-574 Bernheisel Br.; York County, Twp. RD. 616; Lancaster County, SR 1013-001; District Wide 10-0, Group 10-96-ATR; Jefferson County, SR 322-503, 504, 505; Allegheny County, Group 111-96-7135-1; Allegheny County, SR 60-A20; Beaver County, SR 51-B12; Fayette County, Trotter Br./SR 1051; Washington County, Group 12-96-HMM; Bucks County, Group 6-96-SP4; Chester County, Group 6-96-SP3; Delaware County, Group 6-96-SP5; Philadelphia County, Group 6-96-SP9.

Department: Transportation
Location: Districts 1-0, 2-0, 3-0, 4-0, 6-0, 8-0, 10-0, 11-0, 12-0
Duration: FY 1996/1997
Contact: V. C. Shah, P.E., (717) 787-5914

080914 Highway Construction Projects, Dauphin County, SR 3009-003.

Department: Transportation
Location: District 8-0
Duration: FY 1996/1997
Contact: V. C. Shah, P.E., (717) 787-5914

Engineering Services and Consultation—14

08430AG2005 Construction inspection and documentation services for various highway occupancy permit projects in Engineering District 3-0, that is, Bradford, Columbia, Lycoming, Montour, Northumberland, Snyder, Sullivan, Tioga and Union Counties.

Department: Transportation
Location: Engineering District 3-0
Duration: Thirty-six (36) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2006 Two (2) Open-End Contracts for various engineering services for various projects in Engineering District 6-0, that is, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties.

Department: Transportation
Location: Engineering District 6-0
Duration: Thirty (30) months
Contact: Consultant Agreement Division, (717) 783-9309

08430AG2007 To perform environmental studies, preliminary engineering, final design, shop drawing review and consultation during construction for S. R. 1006, Section 80S, Point Pleasant Pike over the Delaware River Canal, Tinicum Township, Bucks County and S. R. 4006, Section 76S, City Avenue Southbound over the Schuylkill River, ConRail, S.B.—Kelly Drive, Ramp E and N.B. Kelly Drive, City of Philadelphia.

Department: Transportation
Location: Engineering District 6-0
Duration: Twenty-four (24) months
Contact: Consultant Agreement Division, (717) 783-9309

Contract No. FDC-500-207 Retain an engineering firm for various engineering, environmental and geological services on various bridge projects. The types of projects being designed under short completion schedules include, but are not limited to, bridge replacements (single and multi-span), bridge rehabilitation, bridge approach work, minor location studies and CADD service.

Department: Conservation and Natural Resources
Location: Throughout State Forest Lands in PA
Duration: 1 year with 4 1 year extensions possible
Contact: Division of Design, (717) 787-4892

Environmental Maintenance Services—15

BF 28-103.1 Abandoned Mine Reclamation, I.S.C., Inc. Involves an estimated 265,000 c. y. of grading and 56 acres of seeding. Eighty-eight percent (88%) of this project is financed by the Federal Government. Federal funds available for this program total \$13 million for Pennsylvania's 1996 AML Grant.

Department: Environmental Protection
Location: Somerset Township, Washington County
Duration: 360 days after notice to proceed
Contact: Construction Contracts Unit, (717) 783-7994

Food—19

169 Bread, Rolls and Related Items To cover period from October 1, 1996—December 31, 1996. Estimated need: enriched white bread, Texas toast, wheat bread, cinnamon/raisin bread, Italian bread, hamburger rolls, frankfurter rolls, soft dinner rolls, hoagy rolls, steak rolls, hard rolls, Pita pocket bread, honey buns, doughnuts, muffins, cinnamon rolls, assorted specialty pastries, assorted fruit pies, assorted cream pies, assorted cakes, assorted pastry pockets.

Department: Public Welfare
Location: Youth Development Center, R. R. 6, Box 21A, New Castle, Lawrence County, PA 16101
Duration: October 1, 1996—December 31, 1996
Contact: Kathy Zeigler, (412) 656-7308

278 Meat and Meat Products To cover period from October 1, 1996—December 31, 1996. Estimated need: beef for kabobs, ground beef, top inside round, beef short ribs, New York strip steak, ground beef patties, spareribs, pork chops, sliced bacon, beef steak burger, frankfurters, pre-cooked sausage, hot sausage, chopped ham, kielbasa, bologna, salami, gyro meat, canned ham, sliced pepperoni.

Department: Public Welfare
Location: Youth Development Center, P. O. Box 7029, New Castle, Lawrence County, PA 16101-7029
Duration: October 1, 1996—December 31, 1996
Contact: Kathy Zeigler, (412) 656-7308

LAU-TRT-96-F012 Fresh fruits and vegetables: listing of specific commodities can be obtained by contacting the institution for bid packet. Estimated quantities and deliveries are determined and based on the institution's population projection at the time the bid is issued.

Department: Corrections
Location: State Correctional Institution at Laurel Highlands, 5706 Glades Pike, P. O. Box 631, Somerset, PA 15501-0631
Duration: 8/1/96 through 6/30/97
Contact: Richard C. Claycomb, Purchasing Agent II, (814) 443-0347

6816 Bread and rolls.

Department: Military Affairs
Location: Hollidaysburg Veterans Home, Route 220 at Meadows Intersection, P. O. Box 319, Hollidaysburg, PA 16648
Duration: October, November and December, 1996
Contact: Nancy B. Keith, Purchasing Agent, (814) 696-5210

Heating, Ventilation, Air Conditioning—22

090-000210 To perform annual inspections, general maintenance and repairs of Interchange Lighting Systems located in Blair County. The Interchanges are located on I-99 and on SR 22. There are 15 (fifteen) interchanges located within the County. Repairs will be and include the replacement of and furnishing of materials, equipment, labor to maintain the interchange operations. Also included will be the repair and replacement of Overhead Sign Lighting. County Map with specific SRs will be furnished with bid proposal.

Department: Transportation
Location: District 9-2, Blair County, I-99, SR 22, SR 4010
Duration: 3 year proposal, 1996 through 1998
Contact: Clarence G. Graham, (814) 696-7288

FM-165 Provide emergency and routine repair work to the plumbing and electrical systems as needed. Bid awarded on low mechanic and travel rates. Materials will be billed at vendor cost. Contractor to respond within four (4) hours of receiving a call. Replacement parts must be original or equal quality.

Department: State Police
Location: Facility Management Division, Greensburg Headquarters, Garage, Laboratory and P & S Building, 100 North Westmoreland Avenue, Greensburg, PA 15601
Duration: 9/1/96 to 6/30/99
Contact: Les Brightbill or Joan Douglass, (717) 783-5484

300673 Cathodic Protection: conduct an annual inspection of the protection equipment during the period covered by contract. Repair or replace anode rods on the interior of the reservoirs. Inspect, repair or replace electrical wiring, conduit, parts and equipment in accordance with the technicians' recommendations, restore equipment in accordance with the technicians' recommendations, restore equipment to its original function. Reservoirs—two (2) 500M gallon and one (1) 400M gallon elevated water storage tanks.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300
Duration: July 1, 1997 to June 30, 2002, a period of five (5) years
Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

300675 Repair of electric motors: the contractor shall provide all labor and parts necessary to repair electric motors throughout the hospital complex. There are approximately 45 various electric motors that may need to be repaired or rebuilt under this contract.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300
Duration: July 1, 1997 to June 30, 2000, a period of three years
Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

300676 Repair of domestic automatic washers and dryers: to provide repairs and parts for approximately 28 domestic washers and approximately 28 domestic dryers of various name brands. Service is to be done at the Harrisburg State Hospital, at a time that is mutually agreeable between successful vendor and hospital.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300
Duration: July 1, 1997 through June 30, 2000, a period of three (3) years
Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

Janitorial Services—23

7200-0185 Five (5) times weekly, janitorial service to include emptying of wastebaskets, sweeping and mopping all tile floors or vacuuming carpets, washing walls, dusting furniture, washing windows inside and outside, plus semi-annual house cleaning at the Philadelphia Island Avenue Driver Exam Site. Also to include picking up trash outside the exam site within the fence perimeter 3 times per week. Detailed work schedule and bid package can be obtained from Facility Management at (717) 783-8482 or FAX (717) 772-3254.

Department: Transportation

Location: Bureau of Driver Licensing, Island Avenue (Philadelphia) Driver Exam Site, 2320 Island Avenue, Philadelphia, PA 19142

Duration: 11/03/96—12/31/97 w/3 1 year options; bid opening: 09/10/96 at 2:00 p.m.

Contact: Janett Johnson, (717) 772-1552

Laboratory Services—24

0882-119 Clinical laboratory services—contractor shall perform clinical laboratory services as required by the Center for in-mate residents (non-eligible residents). Laboratory services shall be provided by contractors licensed by the Pennsylvania Department of Health, approved by the Commission of Inspections and accredited by the College of American Pathologists or meet equivalent standards. The contractor must participate in recognized proficiency testing programs. Any sub-contracted laboratory tests shall be limited to no more than 20% of the tests required. Such sub-contracted services shall also meet contractor's qualifications described above. A phlebotomist shall be available to the Center for bleeding procedures and specimens collection (i.e. urines, cultures, etc.) Monday through Friday at times and days mutually agreed upon between the Center and the contractor. All routine lab results are to be returned in 24 hours or less, except those tests requiring more than 24 hours, including but not limited to bacteriology, special hormonal test or drug level studies, etc. Additional information and bid specifications can be obtained by contacting the Center.

Department: Public Welfare

Location: South Mountain Restoration Center, 10058 South Mountain Road, South Mountain, PA 17261

Duration: 9/3/96 through 9/2/99

Contact: Cathy J. Tarquino, Purchasing Agent, (717) 749-4030

2500 The Commonwealth of Pennsylvania, Department of Environmental Protection is hereby soliciting qualifications and proposals from firms interested in providing laboratory services for the Division of Remediation Services, Bureau of Land Recycling and Waste Management. Laboratory services may be requested through the Division of Remediation Services to support additional programs within the Department. A more detailed description is included in DEP's Request for Qualifications and Proposals for Laboratory Services. Proposals are due by 4:00 p.m. on September 20, 1996. For further information and copies of the proposals, contact Carolyn Crosson, Bureau of Land Recycling and Waste Management, P. O. Box 8471, 14th Floor Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8471, (717) 787-0886. A preproposal conference is scheduled for August 20, 1996 at 10:00 a.m. at the Rachel Carson State Office Building Auditorium in Harrisburg, PA.

Department: Environmental Protection

Location: Statewide

Duration: Two years with a potential for extension at the Department's discretion.

Contact: Carolyn Crosson, (717) 787-0886

3500-001 (Rebid No. 2) Perform specified polychlorinated biphenyl (PCB) analyses and report results to PennDOT within designated turn-around times. Also, the laboratory will provide specified sampling/collection materials, and provide for the delivery of samples from testing locations to the laboratory. Technical specifications and associated bid documents will be available beginning August 5, 1996. FAX requests to Rhea Lynn at (717) 783-7971.

Department: Transportation

Location: Bureau of Office Services, 9th Floor, State Street Building, 500 North Third Street, Harrisburg, PA 17101

Duration: Six months with one 6-month renewal

Contact: Rhea Lynn, (717) 772-8444

Medical Services—29

RFI No. 1-96 Implementation of a Long Term Care Capitated Assistance Program (L.T.C.C.A.P.). Under this Request for Information (RFI), the Department of Public Welfare is requesting that providers currently enrolled in the Medical Assistance Program (hospitals, community health centers, home health agencies, etc.) interested in arranging for Prepaid Health Plans with the Department to provide specific services to individuals who are dually Medicaid and Medicare eligible and who have been determined to require nursing facility services, with the intent to become a fully capitated, full risk provider contact the Department. In order to be considered for Fiscal Year 1996-97, interested providers must have a feasibility study completed by, and a letter of approval from On Lo, Inc. or one of their technical assistance sites stating the provider's readiness to become a Prepaid Health Plan provider for the purpose of becoming a fully capitated long term care provider. If you feel you meet the above criteria, can meet the PACE (Program of All-inclusive Care for the Elderly) protocols, and are interested in further information, please contact the Department of Public Welfare, Bureau of Long Term Care, Division of Long Term Care Client Services, P. O. Box 2675, Harrisburg, PA 17105 (717) 772-2525.

Department: Public Welfare

Location: Services will be available to individuals residing the catchment area of the LTCCAP demonstration site providers.

Duration: The agreement will be for a three year period with the option of renewing for an additional two year period.

Contact: Bureau of Long Term Care, Division of Long Term Care Client Services, (717) 772-2525

300669 Psychological rehabilitation specialist—to provide expert training for patients and staff to assist the chronically mentally ill patient with a multitude of dysfunctional behaviors to prepare to leave the hospital and reside successfully in the community.

Department: Public Welfare

Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300

Duration: July 1, 1997 to June 30, 1999, a period of two (2) years

Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

300672 Non-emergency/basic scheduled ambulance service: ambulance service contractor to provide non-emergency/basic scheduled ambulance service to transport patients, unable to utilize a hospital automobile or van, to a local provider hospital for non-emergency/basic scheduled out-patient treatment and/or clinical services, and/or destination for discharge.

Department: Public Welfare

Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300

Duration: July 1, 1997 to June 30, 2000, a period of three years

Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

E-1174 Physical therapy services. To receive specifications, send written request to I. G. Reinert, Hamburg Center, Hamburg, PA 19526 (FAX (610) 562-6025).

Department: Public Welfare

Location: Embreeville Center, Coatesville, PA 19320

Duration: 2/15/97 to 12/31/99

Contact: Irvin G. Reinert, Purchasing Agent, (610) 562-6031

Inquiry No. 111 To provide maintenance/preventive maintenance for all bio-medical equipment.

Department: Public Welfare

Location: Allentown State Hospital, 1600 Hanover Avenue, Allentown, PA 18103-2498

Duration: August 1, 1996 to July 30, 2000

Contact: T. F. Snyder, Purchasing Agent, (610) 740-3428

96-35 Interpretation of Radiographs taken by radiology department at State Correctional Institution Waymart Forensic Treatment Center. Routine X-rays to be read and a written report sent to the facility within 24 hours after receipt. Emergency abnormal interpretation of X-rays to be reported to the medical department by telephone immediately and a written report to follow within 24 hours. All X-rays to be returned to facility within 24 hours.

Department: Corrections

Location: State Correctional Institution Waymart, P. O. Box 256, Waymart, Canaan Township, Wayne County, PA 18472-0256

Duration: September 1, 1996 to June 30, 1998 (2 years renewal)

Contact: John Ondash, (717) 488-2706

Moving Services—30

PDA 384 Move the contents of the Bureau of Veterinary Diagnostic Laboratories from Summerdale to Harrisburg, PA. The projected move dates are September 19—20, 1996. A mandatory walk through with potential movers will be held on August 13, 1996 at 9:00 a.m.

Department: Agriculture
Location: Summerdale/Harrisburg, PA
Duration: September 19—20, 1996
Contact: Lewis Newpher, (717) 787-8808

Personnel—31

CALPN-96 Vendor to provide "on-call" supplemental employment for Certified Nursing Aides and Licensed Practical Nurses for a State nursing home.

Department: Military and Veterans Affairs
Location: Southeastern PA Veterans Center, Spring City, Chester County, PA 19475
Duration: January 1, 1997—June 30, 1999
Contact: Theresa Barthel, Purchasing Agent, (610) 948-2493

Property Maintenance—33

SP318215 Contractor shall supply all labor, equipment, and materials necessary to clean all carpet and carpet runners at the Warren County Assistance Office. Complete details and specifications may be obtained by contacting the Procurement Office.

Department: Public Welfare
Location: Building No. 29, State Hospital Grounds, P. O. Box 397, Warren, PA 16365
Duration: 01-01-97—12-31-99
Contact: Lori Vessella, (717) 783-9281

WC 621 Removal of existing asphalt shingled roofing and underlayment down to existing roof deck, installation of new fiberglass or simulated slate roof shingle system including underlayment and possibly the replacement of some limited areas of deteriorated roof sheathing. Also includes replacement of selected runs of rain gutter and downspouts and painting of roof eave wood trim. This is a 3-story building that is 100 years old with serpentine stone exterior walls and the roof structure is all wood. All roof surfaces are sloped and many are in excess of 6:12. Approximately 22,000 square feet of roof. Must have the west side and north end completed by November 30, 1996. The remainder of the roof by March 30, 1997.

Department: State System of Higher Education
Location: West Chester University, Recitation Hall, West Chester, PA
Duration: Through March 30, 1997
Contact: Jacki Marthinsen, (610) 436-2705

050-296 Operations and maintenance of roadside rest area and welcome center in Monroe County both located on I-80 eastbound. A separate contract for each site will be prepared. Requests for bid packages must be requested on or before close of business 4:00 p.m. August 30, 1996.

Department: Transportation
Location: Monroe County, I-80 Eastbound
Duration: One year from effective date
Contact: William E. Bellas, (610) 798-4190

Project No. DGS A 948-310 Rebid Project title: Brick Pavement Replacement. Brief description: brick pavement replacement on Second Street side of residence and Rose Garden area. General construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: Commonwealth of PA, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, August 7, 1996 at 2:00 p.m. Any and all bulletins issued prior to July 19, 1996 are hereby cancelled.

Department: General Services
Location: Governor's Residence, Harrisburg, Dauphin County, PA
Duration: 90 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

Security Services—37

814167 Provide materials, labor, supervision, tools and equipment necessary to perform repairs, adjustments, emergency service, preventative maintenance and inspections to the elevators and escalators in the Main Terminal Building.

Department: Transportation
Location: Aviation, Harrisburg International Airport, Middletown, Dauphin County, PA 17057
Duration: October 1, 1996 through September 30, 1997
Contact: Curt Summers, (717) 948-3927

814168 Provide materials, labor, supervision, tools and equipment necessary to perform repairs, adjustments, emergency service, preventative maintenance and inspections to the security system in the Main Terminal Building.

Department: Transportation
Location: Aviation, Harrisburg International Airport, Middletown, Dauphin County, PA 17057
Duration: October 1, 1996 through September 30, 1997
Contact: Curt Summers, (717) 948-3927

Vehicle, Heavy Equipment and Powered Machinery Services—38

010300 We are seeking individuals with their own equipment: milling machines (various sizes), pug mill mixers, rollers, distributors (various sizes), excavators, sewer cleaners, stump cutters, sweepers, and various other highway equipment.

Department: Transportation
Location: 1140 Liberty Street, P. O. Box 711, Franklin, PA 16323
Duration: 1-1-97—12-31-99
Contact: Tom Moore, (814) 437-4237

Project No. DGS A 251-320 Project title: Vehicle Exhaust System Maintenance Garage, Paint Shop and Metal Storage Buildings. Brief description: installation of three (3) overhead vehicle exhaust systems and two (2) power roof ventilators with related controls. Mechanical construction. Plans deposit: \$25.00 per set. Payable to: The Commonwealth of Pennsylvania. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. The bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail request to: The Department of General Services, Room 107, Headquarters Building, 18th and Herr Streets, Harrisburg, Pennsylvania 17125. Telephone: (717) 787-3923. Bid date: Wednesday, August 21, 1996 at 2:00 p.m.

Department: General Services
Location: PennDOT, District 4-4, Milford, Pike County, PA
Duration: 95 calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

SPC-138871 Provide equipment, operators, labor and materials necessary to perform any and all general maintenance activities at the Lackawanna Refuse Site on an as-needed basis. The contractor should be available, should the need arise, to respond expeditiously, to PA DEP's need for services in the case of an emergency. A mandatory pre-bid inspection has been scheduled for this project on August 20, 1996, at 1:00 p.m., at the Lackawanna Refuse Site, located off Keyser Avenue, Borough of Old Forge, Lackawanna County. In case of inclement weather, alternate date for the mandatory pre-bid inspection will be August 27, 1996, at 1:00 p.m. Bidders should notify Dorothy A. Fuller at (717) 826-2511, to register to attend the mandatory pre-bid inspection. At the site inspection, the Invitation-Bid Proposal will be given to contractors.

Department: Environmental Protection
Location: Lackawanna Refuse Site, Old Forge Borough, Lackawanna County, PA
Duration: October, 1996—June 30, 1998, w/option for two additional consecutive annual terms.
Contact: Dorothy A. Fuller, (717) 826-2511

5-037 Equipment Rental—Winter Use. Truck with plow and spreader—with operator: 52,000 to 73,280 GVW—Schuylkill County ± (10); 58,401 and over GVW: Berks County (5); Carbon County (1); Lehigh County (10); Monroe County (5).

Department: Transportation
Location: Berks, Carbon, Lehigh, Monroe, Northampton, Schuylkill Counties
Duration: 11/01/96 to 4/30/99
Contact: Robert W. Kuzma, (610) 798-4181

5-038 The following equipment will be bid in District 5-0 counties. Bid opening will be August 15, 1996. Truck with plow and spreader, with operator: 33,000 to 38,000 GVW: Berks County (5), Carbon County (1); Lehigh County (10); Northampton County (3); 38,001 to 58,400 GVW: Berks County (7); Lehigh County (10), 52,000 to 58,400 GVW: Carbon County (2); Monroe County (5).

Department: Transportation
Location: Berks, Carbon, Lehigh, Monroe, Northampton, Schuylkill Counties
Duration: 11/01/96 to 4/30/99
Contact: Robert W. Kuzma, (610) 798-4181

5-039 Equipment Rental—Winter Use. Stock pile equipment—without operators: Loader 5 c. y. or larger: Monroe County (1). Conveyor—60 foot or more: Monroe County (1).

Department: Transportation
Location: Berks, Carbon, Lehigh, Monroe, Northampton, Schuylkill Counties
Duration: 11/01/96 to 4/30/99
Contact: Robert W. Kuzma, (610) 798-4181

5-040 Winter equipment rental. Stand-by winter equipment, with operator: Loader 5 c. y. or larger: Northampton County (5); Schuylkill County (10). Loader 3 to 5 c. y.: Berks County (6). Loader 1 1/2 to 3 C. Y.: Berks County (5). Sno Blower, tractor mounted: Northampton County (3).

Department: Transportation
Location: Berks, Carbon, Lehigh, Monroe, Northampton, Schuylkill Counties
Duration: 11/01/96 to 4/30/99
Contact: Robert W. Kuzma, (610) 798-4181

5-041 Equipment rental—winter use. Winter equipment, with operator: Loader 5 c. y. or larger: Carbon County (1); Lehigh County (3); Monroe County (5). Sno Blower, self propelled: Berks County (7); Lehigh County (3). Sno Blower, tractor mounted: Berks County (5). Grader Plow, 27,000 lbs. minimum: Berks County (3); Lehigh County (2).

Department: Transportation
Location: Berks, Carbon, Lehigh, Monroe, Northampton, Schuylkill Counties
Duration: 11/01/96 to 4/30/99
Contact: Robert W. Kuzma, (610) 798-4181

5-042 Equipment rental—winter use. Winter equipment, without operator. Loader 5 c. y. or larger: Lehigh County (3); Schuylkill County (1). Sno Blower, self propelled: Lehigh County (3); Monroe County (1); Schuylkill County (1). Sno Blower, tractor mounted: Lehigh County (3). Grader, Minimum 27,000 lbs.: Lehigh County (2); Monroe County (2).

Department: Transportation
Location: Berks, Carbon, Lehigh, Monroe, Northampton, Schuylkill Counties
Duration: 11/01/96 to 4/30/99
Contact: Robert W. Kuzma, (610) 798-4181

Miscellaneous—39

260085 Subscriptions Journals. Various medical and professional subscriptions to be supplied as resource materials for the Professional Library at Mayview State Hospital.

Department: Public Welfare
Location: Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017-1599
Duration: 1/1/97—12/31/99
Contact: F. Molisee, Purchasing Agent, (412) 257-6215

300674 Ethnic Rehabilitative Interpretation: to provide cross-cultural services for hospital patient treatment programs. The provider must have experience in the cultures and customs of people with Southeast and Latino backgrounds and have people on their staff who are fluent in these languages. The provider must be skilled in presenting cultural programs for people with these backgrounds and must be operating an established program subject to the observation and evaluation of this hospital. The provider of this service must have experience dealing with persons who are mentally ill.

Department: Public Welfare
Location: Harrisburg State Hospital, Cameron and Maclay Streets, Harrisburg, PA 17105-1300
Duration: July 1, 1997 through June 30, 1999, a period of two years
Contact: Jack W. Heinze, Purchasing Agent III, (717) 772-7435

[Pa.B. Doc. No. 96-1290. Filed for public inspection August 2, 1996, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction Maintenance: Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,
Secretary

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract #	Awarded On	To	In the Amount Of
0011-04	08/01/96	PIBH	12,500.00
0022-04	08/01/96	Badzik Printing Service, Inc.	17,916.00
0023-03	08/01/96	Western Publishing Co., Inc.	1,411,759.18
0064-04	08/01/96	K-B Offset Printing, Inc.	81,530.00
1004046-01	07/22/96	Synbiotics Corporation	13,066.00
1037206-01	07/22/96	ATL East Tag and Label Co.	3,180.00
1074166-01	07/22/96	National Computer Systems, Inc.	1,663.70
1088076-01	07/17/96	Moore Business Forms, Inc.	8,100.00
1115156-01	07/17/96	Carr & Duff, Inc.	47,900.00
2338385-01	07/22/96	Cambria Tractor and Equipment Co.	54,571.00

Requisition or Contract #	Awarded On	To	In the Amount Of
6810-03	08/01/96	Scotwood Industries, Inc.	121,695.00
6810-03	08/01/96	CO Products	39,040.00
6810-03	08/01/96	Flor-Dri Supply Co., Inc.	201,960.00
6810-03	08/01/96	General Chemical Corp.	5,346.00
8231380-01	07/22/96	Griffin Motors Co.	277,816.00
8231640-01	07/22/96	Stephenson Equipment, Inc.	22,500.00
8405-02	07/25/96	Chem Tex Corp.	102,548.80
8430-04	07/25/96	National Rubber Footwear, Inc.	3,681.75
8430-04	07/25/96	Kar Wing Trading Co., Inc.	162.50
8430-04	07/25/96	Freedman Shoe Co.	805.00

GARY E. CROWELL,
Secretary

[Pa.B. Doc. No. 96-1291. Filed for public inspection August 2, 1996, 9:00 a.m.]

PROPOSED RULEMAKING

ENVIRONMENTAL QUALITY BOARD

[25 PA. CODE CHS. 261, 262 and 264—266]

Hazardous Waste Management

The Environmental Quality Board (Board) proposes to amend Chapters 261, 262 and 264—266 (relating to criteria, identification and listing of hazardous waste; and special standards for the management of certain hazardous waste activities) to read as set forth in Annex A.

This proposal was adopted by the Board at its regular meeting on June 18, 1996.

A. *Effective Date*

These proposed amendments will go into effect immediately upon publication in the *Pennsylvania Bulletin* as final rulemaking.

B. *Contact Persons*

For further information, contact Leon Kuchinski, Chief, Division of Hazardous Waste Management, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, 14th floor, 400 Market Street, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-6239, or Marc A. Roda, Assistant Counsel, Bureau of Regulatory Counsel, Rachel Carson State Office Building, 9th floor, 400 Market Street, P. O. Box 8464, Harrisburg, PA 17105-8464, (717) 787-7060. Information regarding submitting comments on this proposal appears in Section I of this Preamble. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). These proposed amendments are available electronically through the Department of Environmental Protection (Department) Web site (<http://www.dep.state.pa.us>).

C. *Statutory Authority*

This proposal is being made under the provisions of sections 105, 401—403 and 501 of the Solid Waste Management Act (35 P. S. §§ 6018.105, 6018.401—6018.403 and 6018.501); sections 105, 402 and 501 of The Clean Streams Law (35 P. S. §§ 691.105, 691.402 and 691.501); and section 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510—20). Under sections 105, 401—403 and 501 of the Solid Waste Management Act. The Board has the power and duty to adopt rules and regulations concerning the storage, treatment, disposal and transportation of hazardous waste as are necessary to protect the public's health, safety and welfare, as well as protect the environmental resources of this Commonwealth. Sections 105, 402 and 501 of The Clean Streams Law grant the Board the authority to adopt regulations as are necessary to protect the waters of this Commonwealth from pollution. Section 1920-A of The Administrative Code of 1929 grants the Board the authority to promulgate rules and regulations as are necessary for the proper work of the Department.

D. *Background of the Proposal*

The Department administers the hazardous waste program under numerous State laws, including the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304), The Clean Streams Law (35

P. S. §§ 691.1—691.100), the Air Pollution Control Act (35 P. S. §§ 4001—4015) and sections 1905-A and 1917-A of The Administrative Code of 1929 (71 P. S. §§ 510-5 and 510-17).

Numerous Federal statutes applicable to hazardous waste management activities are administered by Federal agencies including the Environmental Protection Agency (EPA). The Resource Conservation and Recovery Act of 1976 (42 U.S.C.A. §§ 6901—6992) (RCRA), and Federal regulations at 40 CFR Parts 260—279 administered by the EPA, contain the basic Federal hazardous waste program requirements. RCRA provides that states may apply for and receive authorization from the EPA for all or parts of the state hazardous waste management program, under 42 U.S.C.A. § 6926 and 40 CFR Part 271. The EPA authorization essentially eliminates the dual Federal and state permitting requirements for the hazardous waste management activities that are covered entirely within the scope of the state program authorized by the EPA, and thereby allows the regulated community to comply with state law in lieu of the affected parts of Federal law. The Department intends to apply for EPA authorization for the universal waste rule once this proposal is finalized.

EPA has concluded that the existing regulatory structure is not appropriate for certain widely generated wastes referred to as universal wastes. On May 11, 1995, the EPA promulgated the universal waste rule at 40 CFR Part 273. The universal waste rule is a set of simplified management standards for the collection and transportation of universal wastes. (Notice of proposed universal waste rule appeared at 58 FR 8102 (February 11, 1993), and final universal waste rule appeared at 60 FR 25492 (May 11, 1995).

Universal wastes share the following common characteristics:

- a. They are frequently generated in a variety of settings other than the industrial settings usually associated with hazardous wastes.
- b. They are generated by a vast community, the size of which poses implementation difficulties for both those who are regulated and the regulatory agencies charged with implementing the hazardous waste program.
- c. They may be present in significant volumes in nonhazardous waste management systems.

The EPA has determined that nickel cadmium and other types of batteries, certain hazardous waste pesticides and mercury-containing thermostats should be classified as universal wastes. In the future, EPA may add additional wastes or categories of wastes to the universal waste rule.

The universal waste rule is designed to accomplish three general goals. The first goal is to encourage resource conservation, while ensuring adequate protection of human health and the environment. The second goal is to improve implementation of the current Subtitle C hazardous waste regulatory program. The third goal is to provide incentives for individuals and organizations to collect the unregulated portions of these universal waste streams (such as, universal wastes from households or conditionally exempt small quantity generators) and manage them using the same systems developed for the regulated portion, thereby removing these wastes from the municipal waste stream and minimizing their input of hazardous constituents to municipal landfills and combustors.

At its March 14, 1996, meeting, the Department's Solid Waste Advisory Committee (Committee) voted to recommend the Department proceed with the draft regulations as written. No changes were made to the regulations as a result of this recommendation.

On April 20, 1996, the Department published in the *Pennsylvania Bulletin* an enforcement strategy for interim management of waste that meets the proposed definition for universal waste. See 26 Pa.B. 1828 (April 20, 1996). Under the enforcement strategy, persons who manage any of the three universal wastes in accordance with this proposal will not be subject to enforcement proceedings initiated by the Department under more stringent existing Pennsylvania regulations. This enforcement strategy is an exercise of the Department's discretionary enforcement authority under the existing regulations.

E. Summary and Purpose of Proposed Rulemaking

The Board agrees with the EPA that the existing regulatory structure is not appropriate for the wastes referred to as universal wastes. The universal waste rule strikes an appropriate and reasonable balance between the need to streamline the waste management requirements and to protect human health and the environment. Therefore, the Board is proposing to amend the Department's hazardous waste regulations by adding a universal waste rule that is essentially identical to the EPA rule.

The purpose of the proposed amendments is to add the Federal universal waste rule to the Department's hazardous waste management regulations. Adopting the rule should facilitate recycling or proper disposal of universal wastes by encouraging the creation of universal waste collection systems.

The Department's regulations as applied to the collection and transportation of batteries, pesticides and mercury thermostats have become more stringent than necessary to retain RCRA authorization. The EPA's reduced management standards for the collection and transportation of universal wastes will protect human health and the environment. Therefore, adopting the universal waste rule will eliminate an unnecessary conflict with the RCRA regulations.

At present, due to the lack of effective collection systems, many universal wastes are not being recycled or properly disposed of. Batteries and mercury thermostats are frequently being disposed rather than recycled. These wastes are frequently included in the municipal waste stream and disposed of at either an incinerator or a municipal landfill rather than at a hazardous waste disposal facility. This is especially true for universal wastes generated by households. Farmers now frequently retain or dispose of unused or waste pesticides without having to comply with the requirements of Chapters 264—266. These pesticides should be returned to the manufacturer for proper management.

The absence of adequate universal waste collection systems is due to the high cost of complying with the existing management standards for the storage, treatment, disposal and transportation of hazardous wastes. By reducing the waste management standards applicable to universal waste collection systems, the costs associated with their operation should be reduced. Therefore, it is anticipated that establishing the universal waste rule will encourage the creation of universal waste collection systems and facilitate the recycling or proper disposal of universal wastes.

As described in this Preamble, the Commonwealth's universal waste rule is essentially equivalent to the Federal universal waste rule. Adopting the universal waste rule is consistent with the Department's commitment to adopting environmental regulations that are no more stringent than Federal requirements unless there is a compelling reason.

The Board proposes to amend Chapter 266 by adding six subchapters defining the universal waste program: Subchapter J (relating to general), Subchapter K (relating to standards for small quantity handlers of universal waste), Subchapter L (relating to standards of large quantity handlers of universal waste), Subchapter M (relating to standards for universal waste transporters), Subchapter N (relating to standards for destination facilities), Subchapter O (relating to import requirements) and Subchapter P (relating to petitions to include other wastes under Chapter 266 as universal waste). In addition, the Department proposes to make some technical amendments to §§ 262.10(a) and 266.80 (relating to scope; reclaimed spent lead acid batteries: applicability and requirements).

The following table is a simplified overview of the types of participants in the universal waste system and the requirements that are applicable to each type of participant. Each of the universal waste requirements is then described in more detail.

OVERVIEW OF UNIVERSAL WASTE REGULATIONS

<i>Universal Waste Requirements</i>	<i>Small Quantity Handlers of Universal Waste</i>	<i>Large Quantity Handlers of Universal Waste</i>	<i>Universal Waste Transporters</i>	<i>Destination Facilities</i>
Prohibitions	§ 266.211	§ 266.231	§ 266.251	Comply with RCRA TSDF requirements
Notification	§ 266.212 NO REQUIREMENTS	§ 266.232	Comply with DOT requirements	Comply with RCRA TSDF requirements
Waste Management Requirements	§ 266.213	§ 266.233	§ 266.252 Comply with DOT requirements	Comply with RCRA TSDF requirements
Labeling/Marking	§ 266.214	§ 266.234	Comply with DOT requirements	Comply with RCRA TSDF requirements
Storage Time Limits	§ 266.215 ONE YEAR LIMIT	§ 266.235 ONE YEAR LIMIT	§ 266.253 TEN DAY LIMIT	Comply with RCRA TSDF requirements
Employe Training	§ 266.216 DISTRIBUTE INFO	§ 266.236 ENSURE FAMILIARITY	Comply with DOT requirements	Comply with RCRA TSDF requirements
Response to Releases	§ 266.217	§ 266.237	§ 266.254	Comply with RCRA TSDF requirements
Off-Site Shipments	§ 266.218	§ 266.238	§ 266.255 Comply with DOT requirements	§ 266.261
Tracking	§ 266.219 NO REQUIREMENTS	§ 266.239	Comply with DOT requirements	§ 266.262
Export Requirements	§ 266.220	§ 266.240	§ 266.256	None

¹ Gray shading indicates that there are applicable regulations in Chapter 266, Subchapters K—O.

Wastes Covered Under the Universal Waste System

The proposed universal waste rule covers three types of wastes. These wastes are: batteries, hazardous waste pesticides that are either recalled or collected in waste pesticide collection program, and mercury thermostats. The Board is requesting comments and supporting documentation concerning the inclusion of fluorescent tubes, as well as other wastes or waste categories, under the universal waste rule on final publication of the rule. Individuals who collect and store lead acid batteries have the option of using either the universal waste rule or Chapter 266, Subchapter G. Proposed § 266.205 (relating to applicability, household and conditionally exempt small quantity generator waste) makes it clear that universal wastes generated by households or conditionally exempt small quantity generators may also be managed under the universal waste rule. As explained as follows, proposed Subchapter P contains a process for adding other wastes to the universal waste rule.

Participants in the Universal Waste Program

The four types of participants in the universal waste system are: Small Quantity Handlers of Universal Waste (SQHUW), Large Quantity Handlers of Universal Waste (LQHUW), Universal Waste Transporters and Destination Facilities. Each of these participants and the applicable management standards are described as follows.

SQHUWs and LQHUWs

Section 266.206 (relating to definitions) defines a “universal waste handler” as a person who generates or collects a universal waste. A “generator” is a person who creates a universal waste. This is a person who uses batteries, pesticides or thermostats and determines that

the material has become a waste. Contractors or repair persons who decide that batteries or thermostats are no longer useable and remove them from service are also generators. A universal waste handler collects universal wastes that are generated by the handler or are received from other handlers, consolidates the waste and sends it on to other handlers or treatment/recycling or disposal facilities. Each separate location (that is, generating location or collecting location) is considered a separate universal waste handler. Except as authorized under proposed §§ 266.213 and 266.233 (relating to waste management) a universal waste handler cannot treat/recycle, or dispose of a universal waste.

The proposed categories of LQHUWs and SQHUWs are distinguished by the amount of waste accumulated onsite at any time. See § 266.206. LQHUWs may accumulate 5,000 kilograms or more total of universal wastes. SQHUWs are limited to accumulating less than 5,000 kilograms total.

A SQHUW may occasionally receive or generate more than 5,000 kg of universal waste. There is no intent to permanently categorize a universal waste handler as a LQHUW simply because in 1 year that handler accumulated onsite at one time 5,000 kgs or more of universal waste. As a result, the proposed definition for LQHUW allows the individual to annually reevaluate its status.

It is anticipated that the SQHUW category will facilitate the creation of universal waste collection systems. Many collectors of universal wastes will service consumers and small businesses. These collectors would frequently be retail-type operations participating in a National collection program, such as, a department or specialty store that has a spent battery collection box. These collectors would likely accumulate only small quantities of universal waste because only a minor portion of their business is devoted to managing waste, and because they would ship wastes frequently using package shipping services or similar systems set up by the collection programs.

notification) is different for SQHUW and LQHUW. Only LQHUVs are required to obtain an EPA identification number.

Sections 266.213 and 266.233 (relating to waste management) explain the requirements SQHUWs and LQHUVs must follow when handling universal waste. Universal waste must be managed in a way that prevents releases to the environment and must also be specially packaged. Special procedures must be followed when handling batteries and when removing mercury-containing ampules from thermostats. Proposed §§ 266.214 and 266.234 (relating to labeling/markings) require handlers to label or mark universal wastes or containers of universal waste to identify the universal waste. Proposed §§ 266.215 and 266.235 (relating to accumulation time limits) limit the time that handlers may accumulate universal waste to 1 year. This time limit may be exceeded if additional time is solely necessary to facilitate the proper recycling or disposal of the waste. In addition, handlers must be able to demonstrate the length of time the waste has been accumulated.

Proposed §§ 266.216 and 266.236 (relating to employee training), are somewhat different for SQHUWs and LQHUVs. SQHUWs are required to distribute basic handling and emergency information to employees handling universal waste. LQHUVs are required to ensure that employees are familiar with waste handling and emergency procedures as appropriate, based on their responsibilities. Proposed §§ 266.217 and 266.237 (relating to response to releases) requires handlers to immediately contain any releases of universal waste and to handle residues appropriately. Proposed §§ 266.218 and 266.238 (relating to offsite shipments) requires handlers to send universal waste only to persons within the universal waste system and specify procedures to be followed when a shipment is rejected by the receiving facility. Proposed §§ 266.219 and 266.239 (relating to tracking universal waste shipments) are different for SQHUWs and LQHUVs. SQHUWs are not required to keep records of shipments of universal waste. LQHUVs are required to maintain basic records documenting shipments received at the facility and shipments sent from the facility. Proposed §§ 266.220 and 266.240 (relating to exports) specify notification procedures to be followed when handlers ship universal wastes to foreign destinations.

Universal Waste Transporters

A "universal waste transporter" is defined as a person who is engaged in the transportation of universal wastes. A universal waste transporter may be an independent shipper contracted to transport the waste, or may be a handler who self-transport universal waste. The proposed requirements applicable to universal waste transporters are found in Subchapter M.

Proposed § 266.250(a) (relating to applicability) explains to whom the transporter requirements are applicable. A universal waste transporter who complies with the requirements of Subchapter M will be deemed to have a transporter's license as required by the Solid Waste Management Act. There are no similar requirements in the Federal regulations. Because the State license is provided by the regulations, the proposed amendments have the same practical effect as the Federal regulations which do not require a license.

Proposed § 266.251 (relating to prohibitions) prohibits universal waste transporters from disposing of, diluting or treating universal waste. Proposed § 266.252 (relating

to waste management) explains that universal waste transporters are required to comply with applicable United States Department of Transportation requirements if the waste they are transporting is a hazardous material under United States Department of Transportation regulations. Proposed § 266.253(a) (relating to storage time limits) allows a universal waste transporter to store universal waste for 10 days or less at a universal waste transfer facility. Universal waste transfer facilities are transportation-related facilities such as loading docks, parking areas and storage areas where universal waste is normally stored during the course of transportation. See § 266.206 (relating to definitions). If a universal waste transporter stores universal waste for more than 10 days at one location, the universal waste transporter is required to comply with the appropriate universal waste handler rules in § 266.253(b).

Proposed § 266.254 (relating to response to releases) requires universal waste transporters to immediately contain any releases of universal waste and to handle residues appropriately. Proposed § 266.255 (relating to offsite shipments) prohibits universal waste transporters from transporting universal waste to any place other than a universal waste handler, destination facility or foreign destination. Finally, proposed § 266.256 (relating to exports) requires universal waste transporters to follow certain requirements for exports of universal waste.

Destination Facilities

A "destination facility" is defined as a facility that treats, disposes of or recycles a particular category of universal waste in § 266.206 (relating to definitions). For the purposes of the universal waste rule, treatment does not include the waste management practices required by proposed §§ 266.213(a) and (c) and 266.233(a) and (c) (relating to waste management). The standards that will be applicable to a destination facility are found in Subchapter N.

Proposed § 266.260 (relating to applicability) indicates which of the hazardous waste regulations destination facilities are required to follow. Except as modified by Subchapter N, a destination facility is subject to the same regulations applicable to any treatment, storage or disposal facility handling a hazardous waste.

Proposed § 266.261 (relating to offsite shipments) sets forth procedures to be used when rejecting a shipment of waste. Finally, proposed § 266.262 (relating to tracking universal waste shipments) requires destination facilities to retain the same records for receipt of universal waste shipments that LQHUVs are required to retain. By documenting receipt of universal waste shipments, these records complete documentation of shipments sent from handlers.

Import Requirements

Proposed Subchapter O (relating to import requirements) clarifies the requirements applicable to universal wastes that are imported. Once universal waste enters the United States it is subject to the same universal waste requirements as if it had been generated in the United States. See § 266.270 (relating to imports).

Including Additional Hazardous Wastes under the Universal Waste Rule

Proposed Subchapter P creates two methods for adding new categories to the universal waste rule. First, all new categories of hazardous waste added to the EPA universal waste rule will be incorporated by reference into the Department's universal waste rule. See § 266.283 (relat-

ing to incorporation by reference). Second, the Board is directing the Department to make a determination whether another waste can be managed in a manner consistent with the universal waste rule. This determination shall be based on a petition from individuals or on the Department's own motion. The procedures and standards for making this determination are set forth in proposed §§ 266.280—266.282 (relating to general; factors for petitions to include other waste under Chapter 266, Subchapters J—O; public notice and review of petitions).

Authorizing the Department to determine whether to include additional wastes under the universal waste rule enables the Department to quickly customize the universal waste rule to hazardous waste management practices in this Commonwealth. The Department's determination to include another hazardous waste under the universal waste rule should automatically become part of the Department's authorized program because the procedures and standards for making this determination will be part of the universal waste rule submitted to the EPA as a revision to the Department's authorized program.

It is anticipated that the EPA will approve the procedures and standards authorizing the Department to determine whether to add additional wastes to the universal waste rule as part of a revision to the Commonwealth's authorized program. The EPA is encouraging states to include in their universal waste rule a process for petitioning that state to revise its regulations to include additional wastes under its universal waste rule. See 60 FR 25536 (May 11, 1995) (addition of new universal wastes to state programs). The procedures established by the Board are essentially equivalent to those required by the EPA. The information requirements and substantive standards established by the Board are identical to those mandated by the EPA. The only difference is that the Department's determination is an adjudication rather than a rulemaking. By proceeding by adjudication rather than rulemaking, the proposed amendments will streamline the process.

Miscellaneous Proposed Amendments

Section 261.5 (relating to special requirements for hazardous waste generated by conditionally exempt generators) proposes to exclude universal wastes from the quantity determination necessary to qualify for small quantity generator status. This proposal has been made because universal wastes are to be managed separately under Chapter 266, Subchapters J—P. Proposed § 261.9 (relating to requirements for universal waste) makes it clear that universal wastes are to be managed in accordance with the requirements of Chapter 266, Subchapters J—O and not the normal hazardous waste regulations. Finally, the proposal to § 266.80 (relating to applicability and requirements) includes lead-acid batteries that are being regenerated.

F. Benefits and Costs

Executive Order 1996-1 requires a statement of the benefits of proposed amendments, as well as the costs which may be imposed. It also requires a statement of the need for, and a description of, forms, reports or other paperwork required as a result of the proposed amendments.

Benefits

Adopting the universal waste rule will prevent pollution by facilitating the recycling or proper disposal of these wastes. The complexity and costs of complying with the full hazardous waste regulations inhibits the creation of systems for the collection and transportation of univer-

sal wastes to recycling or hazardous waste disposal facilities. The universal waste rule establishes environmentally protective streamlined standards for the collection and transportation of these wastes. By making these management standards less complex and less costly to comply with, the creation of universal waste systems will be facilitated.

The Department lacks the data to develop an estimate of the reduction in costs that will result from adopting the universal waste rule. However, EPA's analysis of its universal waste rule indicates that the management costs for generators or universal wastes should be reduced by approximately 50% when compared to management under full Subtitle C RCRA standards. Since the proposed universal waste rule is essentially equivalent to EPA's universal waste rule, it is anticipated that Pennsylvania generators of universal waste will see a similar reduction in costs.

Costs

The proposed amendments, if adopted, provide an optional means to comply with applicable hazardous waste requirements. Compared to existing requirements, the proposed amendments will reduce costs.

There are some persons who are currently not subject to regulation under the hazardous waste regulations which may elect to participate in the universal waste program. If they elect to collect universal waste under the proposed amendments, they will incur additional costs.

Compliance Assistance

The Department's compliance assistance efforts will take two forms. The Department will prepare fact sheets to help explain how the universal waste rule works. In addition, the Department will work with industry groups to develop workshops to explain how individuals can utilize the universal waste rule to establish universal waste collection systems to recycle or properly dispose of these hazardous wastes.

G. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Department submitted a copy of the proposed rulemaking on July 24, 1996, to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the Senate and House Environmental Resources and Energy Committees. In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed regulatory analysis form prepared by the Department in compliance with Executive Order 1982-2 "Improving Government Regulations." A copy of this material is available to the public upon request.

If IRRC has objections to any portion of the proposed amendments, it will notify the Department within 30 days of the close of the public comment period. The notification shall specify the regulatory review criteria which have not been met by that portion. The Regulatory Review Act specifies detailed procedures for the Department, the Governor and the General Assembly to review these objections before final publication of the regulation.

H. Sunset Review

These regulations will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulation effectively fulfills the goals for which it was intended.

I. Public Comments

Written Comments—Interested persons are invited to submit comments, suggestions or objections regarding the proposed amendments to the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 15th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by October 2, 1996. Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by October 2, 1996. The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final regulation will be considered.

Electronic Comments—Comments may be submitted electronically to the Board at RegComments@A1.dep.state.pa.us. The subject heading of the proposal and returned name and address must be included in each transaction. Comments submitted electronically must also be received by the Board by October 2, 1996.

JAMES M. SEIF,
Chairperson

(Editors Note: A proposed rulemaking relating to this proposal was published at 25 Pa.B. 4917 (November 11, 1995). The following sections were also proposed to be amended at that time: §§ 261.5, 262.10 and 265.1.)

Fiscal Note: 7-297. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart D. ENVIRONMENTAL HEALTH AND SAFETY

ARTICLE VII. HAZARDOUS WASTE MANAGEMENT

CHAPTER 261. CRITERIA, IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

(Editor's Note: The Department is proposing to delete the existing text of § 261.5 which appears at 25 Pa. Code pages 261-15—261-19, serial pages (176171)—(176175) and replace it with the text which follows.)

§ 261.5. Special requirements for hazardous waste generated by conditionally exempt small quantity generators.

(a) A generator is a conditionally exempt small quantity generator in a calendar month if the generator generates no more than 100 kilograms of hazardous waste in that month.

(b) Except for those wastes identified in subsections (e)—(g) and (j), a conditionally exempt small quantity generator is not subject to regulation under Chapters 262—266 and 270 if the generator complies with the requirements of subsections (f), (g) and (j).

(c) When making the quantity determinations of this chapter and Chapter 262 (relating to generators of hazardous waste), the generator shall include all hazardous waste that it generates, except hazardous waste that is one or more of the following:

(1) Exempt from regulation under 40 CFR 261.4, 261.6(a)(3), 261.7(a)(1) or 261.8.

(2) Managed immediately upon generation only in onsite elementary neutralization units, wastewater treatment units, or totally enclosed treatment facilities as defined in § 262.2.

(3) Recycled, without prior storage or accumulation, only in an onsite process subject to regulation under 40 CFR 261.6(c)(2).

(4) Used oil managed under the requirements of 40 CFR 261.6(a)(4) and 40 CFR Part 279.

(5) Spent lead-acid batteries managed under the requirements of Chapter 266, Subchapter G (relating to reclaimed spent lead-acid batteries),

(6) Universal waste managed under Chapter 266 (relating to special standards for the management of certain hazardous waste activities and universal waste management).

(d) In determining the quantity of hazardous waste generated, a generator need not include one or more of the following:

(1) Hazardous waste when it is removed from onsite storage, if it has been counted once.

(2) Hazardous waste produced by onsite treatment, including reclamation of hazardous waste generated onsite, if the hazardous waste that is treated was counted once.

(3) Spent materials that are generated, reclaimed and subsequently reused onsite, if the spent materials have been counted once.

(4) A universal waste managed under § 261.9 (relating to requirements for universal waste) and Chapter 266.

(e) All quantities of acute hazardous waste are subject to Chapters 262—266, and 270 if a generator generates acute hazardous waste in a calendar month in quantities greater than the following:

(1) A total of 1 kilogram of acute hazardous wastes listed in § 261.31, § 261.32 or § 261.33(4) (relating to list of hazardous waste from nonspecific sources; list of hazardous waste from specific sources; and waste commercial chemical products, off-specification species, containers, container residues and spill residues thereof).

(2) A total of 100 kilograms of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acute hazardous wastes listed in § 261.31, § 261.32 or § 261.33(4).

(f) For acute hazardous wastes generated by a generator of acute hazardous wastes in quantities equal to or less than those set forth in subsection (e) to be excluded from this section, the generator shall comply with the following requirements:

(1) Section 262.11 (relating to hazardous waste determination).

(2) The generator may accumulate acute hazardous waste onsite. If the generator accumulates at any time acute hazardous wastes in quantities greater than those in subsection (e), all of those accumulated wastes are subject to Chapters 262—266 and 270. The time period established in § 262.34(a) (relating to accumulation) for accumulation of wastes onsite begins when the accumulated wastes exceed the applicable exclusion limit.

(3) The conditionally exempt small quantity generator may either treat or dispose of acute hazardous waste

generated onsite at an onsite facility or ensure delivery to an offsite treatment, storage or disposal facility, either of which, if located in the United States, is:

(i) Permitted under Chapter 270 (relating to permit program) if the facility is located within this Commonwealth.

(ii) Provided interim status under Chapter 265 (relating to interim status standards for hazardous waste management facilities and permit program for new and existing hazardous waste management facilities) and Chapter 270 if the facility is located within this Commonwealth.

(iii) Authorized to manage hazardous waste by another state with a hazardous waste management program approved under 40 CFR Part 271 (relating to requirements for authorization of state hazardous waste programs).

(iv) Permitted, licensed or registered by another state to manage municipal or industrial solid waste.

(v) A facility which meets one or more of the following conditions:

(A) Beneficially uses or reuses, or legitimately recycles or reclaims its waste.

(B) Treats its waste prior to beneficial use or reuse, or legitimate recycling or reclamation.

(vi) A universal waste handler or destination facility subject to the requirements of Chapter 266, Subchapters J—P, if the waste is a universal waste managed under Chapter 266, Subchapters J—P.

(g) For hazardous waste generated by a conditionally exempt small quantity generator in quantities of less than 100 kilograms of hazardous waste during a calendar month to be excluded from full regulation under this section, the generator shall comply with the following requirements:

(1) Section 262.11.

(2) The conditionally exempt small quantity generator may accumulate hazardous waste onsite. If the conditionally exempt small quantity generator accumulates at any time more than a total of 1,000 kilograms of hazardous wastes which were generated onsite, all of those accumulated wastes are subject to regulation under the special provisions of Chapter 262 (relating to generators of hazardous waste) applicable to generators of between 100 kg and 1,000 kg of hazardous waste in a calendar month as well as the requirements of Chapters 263—266 and 270. The time period established in § 262.34(e) for accumulation of wastes onsite begins for a conditionally exempt small quantity generator when the accumulated wastes exceed 1,000 kilograms.

(3) The conditionally exempt small quantity generator may either treat or dispose of hazardous waste generated onsite at an onsite facility or ensure delivery to an offsite treatment, storage or disposal facility, either of which, if located in the United States, is:

(i) Permitted under Chapter 270.

(ii) Provided interim status under Chapters 265 and 270.

(iii) Authorized to manage hazardous waste by a state with a hazardous waste management program approved under 40 CFR Part 271.

(iv) Permitted, licensed or registered by another state to manage municipal or industrial solid waste.

(v) A facility which meets one or more of the following conditions:

(A) Beneficially uses or reuses, or legitimately recycles or reclaims its waste.

(B) Treats its waste prior to beneficial use or reuse, or legitimate recycling or reclamation.

(vi) A universal waste handler or destination facility subject to the requirements of Chapter 266, if the waste is a universal waste managed under Chapter 266.

(h) Hazardous waste subject to the reduced requirements of this section may be mixed with nonhazardous waste and remain subject to these reduced requirements even though the resultant mixture exceeds the quantity limitations identified in this section, unless the mixture meets any of the characteristics of hazardous waste identified in Subchapter C (relating to characteristics of hazardous waste).

(i) If a person mixes a solid waste with a hazardous waste that exceeds a quantity exclusion level of this section, the mixture is subject to full regulation.

(j) If a conditionally exempt small quantity generator's wastes are mixed with waste oil, the mixture is subject to Chapter 266, Subchapter E (relating to waste oil burned for energy recovery), if it is destined to be burned for energy recovery. A material produced from such a mixture by processing, blending or other treatment is also so regulated if it is destined to be burned for energy recovery.

(Editor's Note: Section 261.8 has been omitted to retain parallelism with the Federal numbering system.)

§ 261.9. Requirements for universal waste.

The wastes listed in this section are exempt from regulation under Chapters 262—270 except as specified in Chapter 266 (relating to special standards for the management of certain hazardous waste activities and universal waste management) and, therefore are not fully regulated as hazardous waste. The wastes listed in this section are subject to regulation under Chapter 266:

(1) Batteries as described in § 266.202 (relating to applicability—batteries).

(2) Pesticides as described in § 266.203 (relating to applicability—pesticides).

(3) Thermostats as described in § 266.204 (relating to applicability—thermostats).

(4) Other hazardous wastes or categories of hazardous waste determined by EPA to be universal wastes regulated under 40 CFR Part 273 (relating to standards for management of universal wastes).

(5) Other hazardous wastes or categories of hazardous waste determined by the Department to be universal wastes in accordance with Chapter 266, Subchapter P (relating to petitions to include other wastes under Chapter 266 as universal wastes).

CHAPTER 262. GENERATORS OF HAZARDOUS WASTE

Subchapter A. GENERAL

§ 262.10. Scope.

(a) This chapter establishes standards for a generator of hazardous waste identified in Chapter 261 (relating to criteria, identification and listing of hazardous waste)

who is located in this Commonwealth. [A generator who is located outside this Commonwealth and whose hazardous waste is designated for treatment, storage or disposal in this Commonwealth shall be subject to the requirements of this chapter, except §§ 262.34, 262.45, 262.46 and 262.70. Small quantity generators identified in § 261.5 (relating to special requirements for hazardous waste generated by small quantity generators), are subject only to the requirements of § 262.11 and Subchapter B (relating to hazardous waste determination; and manifest).] Section 261.5(c) and (d) (relating to special requirements for wastes generated by conditionally exempt small quantity generators) shall be used to determine the applicability of provisions of this chapter that are dependent on calculations of the quantity of hazardous waste generated per month.

* * * * *

§ 262.11. Hazardous waste determination.

(a) A person or municipality who generates a solid waste as defined in section 103 of the act (35 P.S. § 6018.103) shall determine if that waste is a hazardous waste using the following procedures:

(1) The generator shall first determine if the waste is excluded from regulation under § 261.4 (relating to exclusions) or subject to the special requirements under § 261.5 (relating to special requirements for hazardous waste generated by conditionally exempt small quantity generators), or to be managed as a universal waste under the special requirements of Chapter 266 (relating to special standards for the management of certain hazardous waste activities and universal waste management).

* * * * *

CHAPTER 264. NEW AND EXISTING HAZARDOUS WASTE

MANAGEMENT FACILITIES APPLYING FOR A PERMIT

Subchapter A. General

§ 264.1. Scope.

* * * * *

(c) The requirements of this chapter do not apply to the following:

* * * * *

(10) Universal waste handlers and universal waste transporters as defined in § 266.206 (relating to definitions) handling the wastes listed in this paragraph. These persons are subject to regulation under Chapter 266 (relating to special standards for the management of certain hazardous waste activities and universal waste management) when managing the following listed universal wastes:

- (i) Batteries as described in § 266.202 (relating to applicability—batteries).
(ii) Pesticides in § 266.203 (relating to applicability—pesticides).
(iii) Thermostats as described in § 266.204 (relating to applicability—mercury thermostats).
(iv) Other hazardous wastes or categories of hazardous waste determined by EPA to be universal

wastes regulated under 40 CFR Part 273 (relating to standards for management of universal wastes).

(v) Other wastes or categories of hazardous waste determined by the Department to be universal wastes in accordance with Chapter 266, Subchapter P (relating to petitions to include other wastes under Chapter 266 as universal waste) to be universal wastes.

* * * * *

CHAPTER 265. INTERIM STATUS STANDARDS FOR HAZARDOUS WASTE MANAGEMENT FACILITIES AND PERMIT PROGRAM FOR NEW AND EXISTING HAZARDOUS WASTE MANAGEMENT FACILITIES

Subchapter A. GENERAL

§ 265.1. Scope.

* * * * *

(c) This section does not apply to the following:

* * * * *

(11) Universal waste handlers and universal waste transporters as defined in § 266.206 (relating to definitions) handling the wastes listed in this paragraph. These persons are subject to regulation under Chapter 266 (relating to special standards for the management of certain hazardous waste activities and universal waste management) when handling the following listed universal wastes.

- (i) Batteries as described in § 266.202 (relating to applicability—batteries).
(ii) Pesticides as described in § 266.203 (relating to applicability—pesticides).
(iii) Thermostats as described in § 266.204 (relating to applicability—mercury thermostats).
(iv) Other hazardous wastes which may be determined by EPA to be universal wastes regulated under 40 CFR Part 273 (relating to standards for management of universal wastes).

(v) Other wastes or categories of hazardous waste determined by the Department in accordance with Chapter 266, Subchapter P (relating to petitions to include other wastes under Chapter 266 as universal waste).

* * * * *

CHAPTER 266. SPECIAL STANDARDS FOR THE MANAGEMENT OF CERTAIN HAZARDOUS WASTE ACTIVITIES AND UNIVERSAL WASTE MANAGEMENT

Subchapter G. RECLAIMED SPENT LEAD-ACID BATTERIES

§ 266.80. Applicability and requirements.

(a) This section applies to persons who reclaim (including regeneration) spent lead-acid batteries. Persons who generate, transport or collect intact spent lead-acid batteries, who regenerate spent batteries, or who store intact spent batteries, but do not reclaim them (other than spent batteries that are to be regenerated) are not subject to Chapters [262] 260—265, 267, 269 and 270 or the notification requirements of § 261.41 (relating to notification of hazardous waste activities).

(b) Owners or operators of facilities that store spent lead-acid batteries before reclaiming them (other than

spent batteries that are to be regenerated) shall be deemed to have a hazardous waste storage permit and are subject to the following requirements:

* * * * *

(Editor's Note: The following Subchapters J—P are proposed to be added. They are printed in regular type to enhance readability.)

Subchapter J. GENERAL

- Sec.
- 266.201. Scope.
- 266.202. Applicability—batteries.
- 266.203. Applicability—pesticides.
- 266.204. Applicability—mercury thermostats.
- 266.205. Applicability—household and conditionally exempt small quantity generator waste.
- 266.206. Definitions.

§ 266.201. Scope.

(a) This subchapter and Subchapters K—P establish requirements for managing the following:

- (1) Batteries as described in § 266.202 (relating to applicability—batteries).
- (2) Pesticides as described in § 266.203 (relating to applicability—pesticides).
- (3) Thermostats as described in § 266.204 (relating to applicability—mercury thermostats).

(4) Other hazardous wastes which may be determined universal wastes through the petition process as described in Subchapter P (relating to petitions to include other wastes under Chapter 266 as universal waste).

(b) This subchapter and Subchapters K—P provide an alternative set of management standards in lieu of regulation under the remainder of this article.

§ 266.202. Applicability—batteries.

(a) Batteries covered under this subchapter and Subchapters K—P include the following:

- (1) The requirements of these sections apply to persons managing batteries, as described in § 266.206 (relating to definitions), except those listed in subsection (b).
- (2) Spent lead-acid batteries which are not managed under Subchapter G (relating to reclaimed spent lead-acid batteries), are subject to management under this subchapter and Subchapters K—P.

(b) The requirements of this subchapter and Subchapters K—P do not apply to persons managing the following batteries:

- (1) Spent lead-acid batteries that are managed under Subchapter G.
- (2) Batteries, as described in § 266.206 that are not yet wastes under 40 CFR 261.2, including those that do not meet the criteria for waste generation in subsection (c).
- (3) Batteries, as described in § 266.206, that are not hazardous waste. A battery is a hazardous waste if it exhibits one or more of the characteristics identified in Chapter 261, Subchapter C (relating to characteristics of hazardous waste).

(c) Generation of waste batteries shall be as follows:

- (1) A used battery becomes a waste on the date it is discarded (for example, when sent for reclamation).
- (2) An unused battery becomes a waste on the date the handler decides to discard it.

§ 266.203. Applicability—pesticides.

(a) The requirements of this subchapter and Subchapters K—P apply to persons managing pesticides, as described in § 266.206 (relating to definitions), meeting the following conditions, except those listed in subsection (b):

(1) Recalled pesticides that are either:

(i) Stocks of a suspended or cancelled pesticide that are part of a voluntary or mandatory recall under FIFRA section 19(b) (7 U.S.C.A. § 137(y)), including but not limited to those owned by the registrant responsible for conducting the recall.

(ii) Stocks of a suspended or cancelled pesticide, or a pesticide that is not in compliance with FIFRA that are part of a voluntary recall by the registrant.

(2) Stocks of other unused pesticide products that are collected and managed as part of a waste pesticide collection program.

(b) The requirements of this chapter do not apply to persons managing the following pesticides:

(1) Recalled pesticides described in subsection (a)(1), and unused pesticide products described in subsection (a)(2) that are managed by farmers in compliance with § 262.70 (relating to farmers). Section 262.70 refers to pesticides disposed of on the farmer's own farm in a manner consistent with the disposal instructions on the pesticide label, providing the container is triple rinsed in accordance with § 261.7 (relating to empty containers) (**Editor's Note: Section 261.7 was proposed to be added at 25 Pa.B. 4917 (November 11, 1995.)**)

(2) Pesticides not meeting the conditions set forth in subsection (a). These pesticides shall be managed in compliance with the hazardous waste regulations in the remainder of this article.

(3) Pesticides that are not wastes under 40 CFR Parts 260 and 261 (relating to definitions and requests for determination; and criteria, identification and listing of hazardous waste), including those that do not meet the criteria for waste generation in subsection (c) or those that are not wastes as described in subsection (d).

(4) Pesticides that are not hazardous waste. A pesticide is a hazardous waste if it is listed in 40 CFR Part 261 Subpart D as incorporated by reference in Chapter 261, Subchapter D (relating to lists of hazardous waste) or if it exhibits one or more of the characteristics identified in Chapter 261, Subchapter C (relating to characteristics of hazardous waste).

(c) When a pesticide becomes a waste:

(1) A recalled pesticide described in subsection (a)(1) becomes a waste on the first date on which both of the following conditions apply:

(i) The generator of the recalled pesticide agrees to participate in the recall.

(ii) The person conducting the recall decides to discard (for example, burn the pesticide for energy recovery).

(2) An unused pesticide product described in subsection (a)(2) becomes a waste on the date the generator decides to discard it.

(d) The following pesticides are not wastes:

(1) Recalled pesticides described in subsection (a)(1), provided that the person conducting the recall either:

(i) Has not made a decision to discard (for example, burn for energy recovery) the pesticide under 40 CFR 261.2 (relating to definition of solid waste). Until such a decision is made, the pesticide does not meet the definition of "solid waste" under 40 CFR 261.2. The pesticide is not a hazardous waste and is not subject to hazardous waste requirements, including this subchapter and Subchapters K—P. This pesticide remains subject to the requirements of FIFRA.

(ii) Has made a decision to use a management option that does not cause the pesticide to be a solid waste under 40 CFR 261.2. That is, the selected option is use (other than use constituting disposal) or reuse (other than burning for energy recovery), or reclamation. The pesticide is not a solid waste under 40 CFR 261.2. The pesticide is not a waste, and is not subject to the hazardous waste requirements including this chapter. This pesticide, including a recalled pesticide that is exported to a foreign destination for use or reuse, remains subject to the requirements of FIFRA.

(2) Unused pesticide products described in subsection (a)(2), if the generator of the unused pesticide product has not decided to discard (for example, burn for energy recovery) them. These pesticides remain subject to the requirements of FIFRA.

§ 266.204. Applicability—mercury thermostats.

(a) The requirements of this subchapter and Subchapters K—P apply to persons managing thermostats, as described in § 266.206 (relating to definitions), except those listed in subsection (b).

(b) The requirements of this chapter do not apply to persons managing the following thermostats:

(1) Thermostats that are not yet wastes under 40 CFR 261.2 (relating to definition of solid waste).

(2) Thermostats that are not hazardous waste. A thermostat is a hazardous waste if it exhibits one or more of the characteristics identified in Subchapter C (relating to characteristics of hazardous waste).

(c) Generation of waste thermostats is as follows:

(1) A used thermostat becomes a waste on the date it is discarded (for example, sent for reclamation).

(2) An unused thermostat becomes a waste on the date the handler decides to discard it.

§ 266.205. Applicability—household and conditionally exempt small quantity generator waste.

(a) Persons managing the wastes listed below may, at their option, manage them under the requirements of this section:

(1) Household wastes that are exempt under § 261.4(a)(6) (relating to exclusions) and are also of the same type as the universal wastes defined at § 266.206 (relating to definitions).

(2) Conditionally exempt small quantity generator wastes that are exempt under § 261.5 (relating to special requirements for hazardous waste generated by conditionally exempt small quantity generators) and are also of the same type as the universal wastes defined at § 266.206.

(b) Persons who commingle the wastes described in subsection (a) together with universal waste regulated under this chapter shall manage the commingled waste under the requirements of this chapter.

§ 266.206. Definitions.

The following words and terms when used in this subchapter and Subchapters K—O, have the following meanings, unless the context clearly indicates otherwise:

Battery—A device consisting of one or more electrically connected electrochemical cells which is designed to receive, store and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode and an electrolyte, plus connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term also includes an intact, unbroken battery from which the electrolyte has been removed.

Destination facility—A facility that treats, disposes of, or recycles a particular category of universal waste, except management activities described in subsections (a) and (c) of §§ 266.213 and 266.233 (relating to waste management). A facility at which a particular category of universal waste is only accumulated is not a destination facility for purposes of managing that category of universal waste.

FIFRA—The Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.A. §§ 136—136(y)).

Generator—A person, by site, whose act or process produces hazardous waste identified or listed in Chapter 261 (relating to criteria, identification and listing of hazardous waste) or whose act first causes a hazardous waste to become subject to regulation.

Large quantity handler of universal waste—A universal waste handler (as defined in this section) who accumulates 5,000 kilograms or more total of universal waste (batteries, pesticides or thermostats, calculated collectively) at any time. This designation as a large quantity handler of universal waste is retained through the end of the calendar year in which 5,000 kilograms or more total of universal waste is accumulated.

Onsite—The same or geographically contiguous property which may be divided by public or private right-of-way, provided that the entrance and exit between the properties is at a cross-roads intersection, and access is by crossing as opposed to going along the right-of-way. The term includes noncontiguous properties owned by the same person but connected by a right-of-way which that person controls and to which the public does not have access.

Pesticide—A substance or mixture of substances intended for preventing, destroying, repelling or mitigating a pest, or intended for use as plant regulator, defoliant or desiccant, other than an article that:

(i) Is a new animal drug under section 201(w) of the Federal Food, Drug and Cosmetic Act (21 U.S.C.A. § 321(w)).

(ii) Is an animal drug that has been determined by regulation of the Secretary of Health and Human Services not to be a new animal drug.

(iii) Is an animal feed under section 201(x) of the Federal Food, Drug and Cosmetic Act (21 U.S.C.A. § 321(x)), that bears or contains substances described by subparagraph (i) or (ii).

Small quantity handler of universal waste—A universal waste handler (as defined in this section) who does not accumulate more than 5,000 kilograms total of universal waste (batteries, pesticides, or thermostats, calculated collectively) at any time.

Thermostat—A temperature control device that contains metallic mercury in an ampule attached to a bimetal sensing element, and mercury-containing ampules that have been removed from these temperature control devices in compliance with the requirements of § 266.213(c)(2) or § 266.233(c)(2) (relating to waste management).

Universal waste—Any of the following hazardous wastes that are subject to the universal waste requirements of this subchapter and Subchapters K—P:

- (i) Batteries as described in § 266.202 (relating to applicability—batteries).
- (ii) Pesticides as described in § 266.203 and (relating to applicability—pesticides).
- (iii) Thermostats as described in § 266.204 (relating to applicability—mercury thermostats).
- (iv) Other hazardous wastes or categories of hazardous wastes determined to be a universal waste by EPA under 40 CFR Part 273 (relating to standards for universal waste management).
- (v) Other hazardous wastes or categories of hazardous wastes determined by the Department in accordance with Subchapter P (relating to petitions to include other wastes under Chapter 266 as universal wastes) to be a universal waste.

Universal waste handler:

- (i) The term means either:
 - (A) A generator (as defined in this section) of universal waste.
 - (B) The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates universal waste and sends universal waste to another universal waste handler, to a destination facility or to a foreign destination.
- (ii) The term does not mean:
 - (A) A person who treats (except under the provisions of § 266.213(a) or (c) or § 266.233(a) or (c) (relating to waste management)), disposes of, or recycles universal waste.
 - (B) A person engaged in the offsite transportation of universal waste by air, rail, highway or water, including a universal waste transfer facility.

Universal waste transfer facility—Any transportation-related facility, including loading docks, parking areas, storage areas and other similar areas where shipments of universal waste are held during the normal course of transportation for 10 days or less.

Universal waste transporter—A person engaged in the offsite transportation of universal waste by air, rail, highway or water.

Subchapter K. STANDARDS FOR SMALL QUANTITY HANDLERS OF UNIVERSAL WASTE

Sec.

- 266.210. Applicability.
- 266.211. Prohibitions.
- 266.212. Notification.
- 266.213. Waste management.
- 266.214. Labeling/markings.
- 266.215. Accumulation time limits.
- 266.216. Employee training.
- 266.217. Response to releases.
- 266.218. Offsite shipments.
- 266.219. Tracking universal waste shipments.
- 266.220. Exports.

§ 266.210. Applicability.

(a) This subchapter applies to small quantity handlers of universal waste as defined in § 266.206 (relating to definitions).

(b) A small quantity handler of universal waste complying with the requirements of this subchapter is deemed to have a permit for the storage of universal wastes.

§ 266.211. Prohibitions.

A small quantity handler of universal waste is:

- (1) Prohibited from disposing of universal waste.
- (2) Prohibited from diluting or treating universal waste, except by responding to releases as provided in § 266.217 (relating to response to releases); or managing specific wastes as provided in § 266.213 (relating to waste management).

§ 266.212. Notification.

A small quantity handler of universal waste is not required to notify the Department or the EPA of universal waste handling activities.

§ 266.213. Waste management.

(a) *Universal waste batteries.* A small quantity handler of universal waste shall manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

(1) A small quantity handler of universal waste shall contain any universal waste battery that shows evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions in a container. The container shall be closed, structurally sound, compatible with the contents of the battery, and lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.

(2) A small quantity handler of universal waste may conduct the following activities as long as the casing of each individual battery cell is not breached and remains intact and closed (except that cells may be opened to remove electrolyte but shall be immediately closed after removal):

- (i) Sorting batteries by type.
- (ii) Mixing battery types in one container.
- (iii) Discharging batteries so as to remove the electric charge.
- (iv) Regenerating used batteries.
- (v) Disassembling batteries or battery packs, individual batteries or cells.
- (vi) Removing batteries from consumer products.
- (vii) Removing electrolyte from batteries.

(3) A small quantity handler of universal waste who removes electrolyte from batteries, or who generates other solid waste (such as, battery pack materials, discarded consumer products) as a result of the activities listed in paragraph (2) shall determine whether the electrolyte or other solid waste exhibits a characteristics of hazardous waste identified in Chapter 261, Subchapter C (relating to characteristics of hazardous waste).

(i) If the electrolyte or other solid waste exhibits a characteristic of hazardous waste, it is subject to all applicable requirements of this article. The handler is considered the generator of the hazardous electrolyte or

other waste and is subject to Chapter 262 (relating to generators of hazardous waste).

(ii) If the electrolyte or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with the applicable municipal or residual waste regulations.

(b) *Universal waste pesticides.* A small quantity handler of universal waste shall manage universal waste pesticides in a way that prevents releases of any universal waste or component of a universal waste to the environment. The universal waste pesticides shall be contained in one or more of the following:

(1) A container that remains closed, structurally sound, compatible with the pesticide and that lacks evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.

(2) A container that does not meet the requirements of paragraph (1), provided that the unacceptable container is overpacked in a container that does meet the requirements of paragraph (1).

(3) A tank that meets the requirements of Chapter 265, Subchapter J (relating to tanks), except for § 265.197(c) (relating to closure and postclosure care).

(4) A transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide and that lacks evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.

(c) *Universal waste thermostats.* A small quantity handler of universal waste shall manage universal waste thermostats in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

(1) A small quantity handler of universal waste shall contain any universal waste thermostat that shows evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions in a container. The container shall be closed, structurally sound, compatible with the contents of the thermostat and lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.

(2) A small quantity handler of universal waste may remove mercury-containing ampules from universal waste thermostats if the handler:

(i) Removes the ampules in a manner designed to prevent breakage of the ampules.

(ii) Removes ampules only over or in a containment device (for example, a tray or pan sufficient to collect and contain mercury released from an ampule in case of breakage).

(iii) Ensures that a mercury clean-up system is readily available to immediately transfer mercury resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of § 262.34 (relating to accumulation).

(iv) Immediately transfers mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets the requirements of § 262.34.

(v) Ensures that the area in which ampules are removed is well ventilated and monitored to ensure compliance with applicable occupational safety and health administration exposure levels for mercury.

(vi) Ensures that employes removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of mercury from containment devices to appropriate containers.

(vii) Stores removed ampules in closed, nonleaking containers that are in good condition.

(viii) Packs removed ampules in the container with packing materials adequate to prevent breakage during storage, handling and transportation.

(3) A small quantity handler of universal waste who removes mercury-containing ampules from thermostats shall determine whether:

(i) The following exhibit a characteristic of hazardous waste identified in Chapter 261, Subchapter C:

(A) Mercury or clean-up residues resulting from spills or leaks.

(B) Other solid waste generated as a result of the removal of mercury-containing ampules (for example, remaining thermostat units).

(ii) If the mercury, residues, or other solid waste exhibit a characteristic of hazardous waste, it shall be managed in compliance with all applicable requirements of this article. The handler is considered the generator of the mercury, residues or other waste and is subject to Chapter 262 (relating to generators of hazardous waste).

(iii) If the mercury, residues or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with the applicable municipal or residual waste regulations.

(d) *Department determination.* A small quantity handler of universal waste shall manage other universal wastes determined by the Department to be universal wastes under Subchapter P (relating to petitions to include other wastes under Chapter 266 as universal waste) according to the applicable requirements set by the Department in the determination.

(e) *EPA determination.* A small quantity handler of universal waste shall manage other universal wastes determined by EPA to be universal wastes managed under 40 CFR Part 273 (relating to standard universal waste management) according to the applicable requirements of 40 CFR Part 273.

§ 266.214. Labeling/markings.

A small quantity handler of universal waste shall label or mark the universal waste to identify the type of universal waste as specified as follows:

(1) Universal waste batteries (that is, each battery), or a container in which the batteries are contained, shall be labeled or marked clearly with one of the following phrases: "universal waste—battery(ies), or "waste battery(ies)," or "user battery(ies)."

(2) A container (or multiple container package unit), tank, transport vehicle or vessel in which recalled universal waste pesticides as described in § 266.203(a)(1) (relating to applicability—pesticides) are contained shall be labeled or marked clearly with the following:

(i) The label that was on or accompanied the product as sold or distributed.

(ii) The words "universal waste—pesticide(s)" or "waste—pesticide(s)."

(3) A container, tank or transport vehicle or vessel in which unused pesticide products as described in § 266.203(a)(2) are contained shall be labeled or marked clearly with:

(i) The label that was on the product when purchased, if still legible.

(ii) The appropriate label as required under the United States Department of Transportation regulation 49 CFR Part 172 (relating to hazardous materials table, special provisions, hazardous materials communications, emergency response information, and training requirements), if using the labels described in paragraph (1) is not feasible.

(iii) Another label prescribed or designated by the waste pesticide collection program administered or recognized by the Department of Agriculture or collection program of another state, if using the labels described in paragraphs (1) and (2) is not feasible.

(iv) The words "universal waste—pesticide(s)" or "waste—pesticide(s)."

(4) Universal waste thermostats (that is, each thermostat), or a container in which the thermostats are contained, shall be labeled or marked clearly with one of the following phrases: "universal waste—mercury thermostat(s)," or "waste mercury thermostat(s)," or "user mercury thermostat(s)."

(5) A small quantity handler of universal waste shall label or mark other universal wastes determined by the Department to be universal wastes under Subchapter P (relating to petitions to include other wastes under Chapter 266 as universal waste) according to the applicable requirements set by the Department in the determination.

(6) A small quantity handler of universal waste shall label or mark other universal wastes determined by EPA to be universal wastes managed under 40 CFR Part 273 (relating to standard universal waste management) according to the applicable requirements of 40 CFR Part 273.

§ 266.215. Accumulation time limits.

(a) A small quantity handler of universal waste may accumulate universal waste for no longer than 1 year from the date the universal waste is generated or received from another handler unless the requirements of subsection (b) are met.

(b) A small quantity handler of universal waste may accumulate universal waste for longer than 1 year from the date the universal waste is generated or received from another handler if the activity is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment or disposal. The handler bears the burden of proving that the activity is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment or disposal.

(c) A small quantity handler of universal waste who accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration by either:

(1) Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received.

(2) Marking or labeling each individual item of universal waste (for example, each battery or thermostat) with the date it became a waste or was received.

(3) Maintaining an inventory system onsite that identifies the date each universal waste became a waste or was received.

(4) Maintaining an inventory system onsite that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received.

(5) Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received.

(6) Another method which clearly demonstrates the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

§ 266.216. Employee training.

A small quantity handler of universal waste shall inform employes who handle or have responsibility for managing universal waste. The information shall describe proper handling and emergency procedures appropriate to the type of universal waste handled at the facility.

§ 266.217. Response to releases.

(a) A small quantity handler of universal waste shall immediately contain all releases of universal wastes and other residues from universal wastes.

(b) A small quantity handler of universal waste shall determine whether material resulting from the release is hazardous waste, and if so, shall manage the hazardous waste in compliance with all applicable requirements of this article. The handler is considered the generator of the material resulting from the release, and shall manage it in compliance with Chapter 262 (relating to generators of hazardous waste).

§ 266.218. Offsite shipments.

(a) A small quantity handler of universal waste is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility or a foreign destination.

(b) If a small quantity handler of universal waste self-transportes universal waste offsite, the handler becomes a universal waste transporter for those self-transportation activities and shall comply with the transporter requirements of Subchapter M (relating to standards for universal waste transporters) while transporting the universal waste.

(c) If a universal waste being offered for offsite transportation meets the definition of hazardous materials under 49 CFR Parts 171—180 (relating to hazardous materials regulations), a small quantity handler of universal waste shall package, label, mark and placard the shipment, and prepare the proper shipping papers in accordance with the applicable United States Department of Transportation regulations under 49 CFR Parts 172—180.

(d) Prior to sending a shipment of universal waste to another universal waste handler, the originating handler shall ensure that the receiving handler agrees to receive the shipment.

(e) If a small quantity handler of universal waste sends a shipment of universal waste to another handler or to a destination facility and the shipment is rejected by the receiving handler or destination facility, the originating handler shall either:

(1) Receive the waste back when notified that the shipment has been rejected.

(2) Agree with the receiving handler on a destination facility to which the shipment will be sent.

(f) A small quantity handler of universal waste may reject a shipment containing universal waste, or a portion of a shipment containing universal waste that he has received from another handler. If a handler rejects a shipment or a portion of a shipment, the handler shall contact the originating handler to notify him of the rejection and to discuss reshipment of the load. The handler shall either:

(1) Send the shipment back to the originating handler.

(2) If agreed to by both the originating and receiving handler, send the shipment to a destination facility.

(g) If a small quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler shall immediately notify the appropriate regional Department office of the illegal shipment, and provide the name, address and phone number of the originating shipper. The regional office will provide instructions for managing the hazardous waste.

(h) If a small quantity handler of universal waste receives a shipment of nonhazardous, nonuniversal waste, the handler may manage the waste in any way that is in compliance with the applicable municipal or residual waste regulation.

§ 266.219. Tracking universal waste shipments.

A small quantity handler of universal waste is not required to keep records of shipments of universal waste.

§ 266.220. Exports.

A small quantity handler of universal waste who sends universal waste to a foreign destination shall:

(1) Comply with Chapter 262, Subchapter E (relating to exports of hazardous waste) and also the requirements applicable to a primary exporter in 40 CFR 262.53, 262.56(a)(1)—(4), (6) and (b) and 262.57.

(2) Export the universal waste only upon consent of the receiving country and in conformance with Chapter 262, Subchapter E.

(3) Provide to the Department a copy of the EPA acknowledgement of consent for the shipment to the transporter transporting the shipment for export.

Subchapter L. STANDARDS FOR LARGE QUANTITY HANDLERS OF UNIVERSAL WASTE

Sec.	
266.230.	Applicability.
266.231.	Prohibitions.
266.232.	Notification.
266.233.	Waste management.
266.234.	Labeling/markings.
266.235.	Accumulation time limits.
266.236.	Employee training.
266.237.	Response to releases.
266.238.	Offsite shipments.
266.239.	Tracking universal waste shipments.
266.240.	Exports.

§ 266.230. Applicability.

(a) This subchapter applies to large quantity handlers of universal waste as defined in § 266.206 (relating to definitions).

(b) A large quantity handler of universal waste complying with this subchapter is deemed to have a permit for the storage of universal wastes.

§ 266.231. Prohibitions.

A large quantity handler of universal waste is:

(1) Prohibited from disposing of universal waste.

(2) Prohibited from diluting or treating universal waste, except by responding to releases as provided in § 266.237 (relating to response to releases) or by managing specific wastes as provided in § 266.233 (relating to waste management).

§ 266.232. Notification.

(a) Notification requirements include:

(1) Except as provided in paragraphs (2) and (3), a large quantity handler of universal waste shall have sent written notification of universal waste management to the regional administrator of the EPA, and received an EPA identification number, before meeting or exceeding the 5,000 kilogram storage limit.

(2) A large quantity handler of universal waste who has already notified EPA of hazardous waste management activities and has received an EPA identification number is not required to renotify EPA under this section.

(3) A large quantity handler of universal waste who manages recalled universal waste pesticides as described in § 266.203(a)(1) (relating to applicability—pesticides) and who has sent notification to EPA as required by 40 CFR Part 165 (relating to pesticide management and disposal: standards for pesticide containers and containment) is not required to notify EPA for those recalled universal waste pesticides under this section.

(b) This notification shall include:

(1) The universal waste handler's name and mailing address.

(2) The name and business telephone number of the person at the universal waste handler's site who should be contacted regarding universal waste management activities.

(3) The address or physical location of the universal waste management activities.

(4) A list of all of the types of universal waste managed by the handler (for example, batteries, pesticides, thermostats).

(5) A statement indicating that the handler is accumulating more than 5,000 kilograms of universal waste at one time and the types of universal waste (for example, batteries, pesticides, thermostats) the handler is accumulating above this quantity.

§ 266.233. Waste management.

(a) A large quantity handler of universal waste shall manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

(1) A large quantity handler of universal waste shall contain a universal waste battery that shows evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions in a container. The container shall be closed, structurally sound, compatible with the contents of the battery, and lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.

(2) A large quantity handler of universal waste may conduct the following activities as long as the casing of each individual battery cell is not breached and remains intact and closed (except that cells may be opened to remove electrolyte but shall be immediately closed after removal):

(i) Sorting batteries by type.

- (ii) Mixing battery types in one container.
- (iii) Discharging batteries so as to remove the electric charge.
- (iv) Regenerating used batteries.
- (v) Disassembling batteries or battery packs into individual batteries or cells.
- (vi) Removing batteries from consumer products.
- (vii) Removing electrolyte from batteries.

(3) A large quantity handler of universal waste who removes electrolyte from batteries, or who generates other solid waste (such as battery pack materials, discarded consumer products) as a result of the activities listed in paragraph (2) shall determine whether the electrolyte or other solid waste exhibits a characteristic of hazardous waste identified in Chapter 261, Subchapter C (relating to characteristics of hazardous waste).

(i) If the electrolyte or other solid waste exhibits a characteristic of hazardous waste, it shall be managed in compliance with applicable requirements of Chapters 260—265, 267, 269 and 270. The handler is considered the generator of the hazardous electrolyte or other waste and is subject to Chapter 262 (relating to generators of hazardous waste).

(ii) If the electrolyte or other solid waste is not hazardous, the handler shall manage the waste in compliance with the applicable municipal or residual waste regulations.

(b) A large quantity handler of universal waste shall manage universal waste pesticides in a way that prevents releases of any universal waste or component of a universal waste to the environment. The universal waste pesticides shall be contained in one or more of the following:

(1) A container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.

(2) A container that does not meet the requirements of paragraph (1), provided that the unacceptable container is overpacked in a container that does meet the requirements of paragraph (1).

(3) A tank that meets the requirements of Chapter 265, Subchapter J (relating to tanks), except for § 265.197(c) (relating to closure and postclosure care).

(4) A transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.

(c) A large quantity handler of universal waste shall manage universal waste thermostats in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

(1) A large quantity handler of universal waste shall contain a universal waste thermostat that shows evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions in a container. The container shall be closed, structurally sound, compatible with the contents of the thermostat, and lack evidence of leakage, spillage or damage that could cause leakage under reasonably foreseeable conditions.

(2) A large quantity handler of universal waste may remove mercury-containing ampules from universal waste thermostats if the handler:

(i) Removes the ampules in a manner designed to prevent breakage of the ampules.

(ii) Removes ampules only over or in a containment device (for example, a tray or pan sufficient to contain mercury released from an ampule in case of breakage).

(iii) Ensures that a mercury clean-up system is readily available to immediately transfer mercury resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of § 262.34 (relating to accumulation).

(iv) Immediately transfers mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets the requirements of § 262.34.

(v) Ensures that the area in which ampules are removed is well ventilated and monitored to ensure compliance with applicable Occupation Safety and Health Administration exposure levels for mercury.

(vi) Ensures that employes removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of mercury from containment devices to appropriate containers.

(vii) Stores removed ampules in closed, nonleaking containers that are in good condition.

(viii) Packs removed ampules in the container with packing materials adequate to prevent breakage during storage, handling and transportation.

(3) A large quantity handler of universal waste who removes mercury-containing ampules from thermostats shall determine:

(i) Whether the following exhibit a characteristic of hazardous waste identified in Chapter 261, Subchapter C (relating to characteristics of hazardous waste):

(A) Mercury or clean-up residues resulting from spills or leaks.

(B) Other solid waste generated as a result of the removal of mercury-containing ampules (for example, remaining thermostat units).

(ii) If the mercury, residues, or other solid waste exhibits a characteristic of hazardous waste, it shall be managed in compliance with applicable requirements of this article. The handler is considered the generator of the mercury, residues, or other waste and is subject to Chapter 262 (relating to generators of hazardous waste).

(iii) If the mercury, residues, or other solid waste is not hazardous, the handler shall manage the waste in compliance with applicable municipal or residual waste regulations.

(d) A large quantity handler of universal waste shall manage other universal wastes determined by the Department to be universal wastes under Subchapter P (relating to petitions to include other wastes under Chapter 266 as universal waste) according to the applicable requirements set by the Department in the determination.

(e) A large quantity handler of universal waste shall manage other universal wastes determined by EPA to be universal wastes managed under 40 CFR Part 273 (relating to standards for universal waste management) according to the applicable requirements of 40 CFR Part 273.

§ 266.234. Labeling/markings.

A large quantity handler of universal waste shall label or mark the universal waste to identify the type of universal waste as specified as follows:

(1) Universal waste batteries (that is, each battery), or a container or tank in which the batteries are contained, shall be labeled or marked clearly with one of the following phrases: "universal waste—battery(ies)," or "waste battery(ies)" or "user battery(ies)."

(2) A container (or multiple container package unit), tank, transport vehicle or vessel in which recalled universal waste pesticides as described in § 266.203(a)(1) (relating to applicability—pesticides) are contained shall be labeled or marked clearly with:

(i) The label that was on or accompanied the product as sold or distributed.

(ii) The words "universal waste—pesticide(s)" or "waste—pesticide(s)."

(3) A container, tank or transport vehicle or vessel in which unused pesticide products as described in § 266.203(a)(2) are contained shall be labeled or marked clearly with:

(i) The label that was on the product when purchased, if still legible.

(ii) If not feasible, the appropriate label as required under the United States Department of Transportation regulations at 49 CFR Part 172 (relating to hazardous materials table, special provisions, hazardous materials communications, emergency response information, and training requirements), if using the labels described in subparagraph (i) is not feasible.

(iii) Another label prescribed or designated by the pesticide collection program approved by the Department of Agriculture or collection program of another state, if using the labels described in subparagraphs (i) and (ii) is not feasible.

(iv) The words "universal waste—pesticide(s)" or "waste—pesticide(s)."

(4) Universal waste thermostats (that is, each thermostat), or a container or tank in which the thermostats are contained, shall be labeled or marked clearly with one of the following phrases: "universal waste—mercury thermostat(s)," or "waste mercury thermostat(s)" or "used mercury thermostat(s)."

(5) A large quantity handler of universal waste shall label or mark other universal wastes determined by the Department to be universal wastes under Subchapter P (relating to petitions to include other wastes under Chapter 266 as universal waste) according to the applicable requirements set by the Department in the determination.

(6) A large quantity handler of universal waste shall label or mark other universal wastes determined by EPA to be universal wastes managed under 40 CFR Part 273 (relating to standard universal waste management) according to the applicable requirements of 40 CFR Part 273.

§ 266.235. Accumulation time limits.

(a) A large quantity handler of universal waste may accumulate universal waste for no longer than 1 year from the date the universal waste is generated, or received from another handler, unless the requirements of subsection (b) are met.

(b) A large quantity handler of universal waste may accumulate universal waste for longer than 1 year from the date the universal waste is generated, or received from another handler, if the activity is solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment or disposal. The handler bears the burden of proving that the activity was solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment or disposal.

(c) A large quantity handler of universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration by:

(1) Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received.

(2) Marking or labeling the individual item of universal waste (for example, each battery or thermostat) with the date it became a waste or was received.

(3) Maintaining an inventory system onsite that identifies the date the universal waste being accumulated became a waste or was received.

(4) Maintaining an inventory system onsite that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received.

(5) Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received.

(6) Another method which clearly demonstrates the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

§ 266.236. Employee training.

A large quantity handler of universal waste shall ensure that employees are thoroughly familiar with proper waste handling and emergency procedures, relative to their responsibilities during normal facility operations and emergencies.

§ 266.237. Response to releases.

(a) A large quantity handler of universal waste shall immediately contain all releases of universal wastes and other residues from universal wastes.

(b) A large quantity handler of universal waste shall determine whether any material resulting from the release is hazardous waste, and if so, shall manage the hazardous waste in compliance with applicable requirements of this article. The handler is considered the generator of the material resulting from the release, and is subject to Chapter 262 (relating to generators of hazardous waste).

§ 266.238. Offsite shipments.

(a) A large quantity handler of universal waste is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility or a foreign destination.

(b) If a large quantity handler of universal waste self-transport universal waste offsite, the handler becomes a universal waste transporter for those self-transportation activities and shall comply with the trans-

porter requirements of Subchapter M (relating to standards for universal waste transporters) while transporting the universal waste.

(c) If a universal waste being offered for offsite transportation meets the definition of hazardous materials under 49 CFR Parts 171—180 (relating to hazardous materials regulations), a large quantity handler of universal waste shall package, label, mark and placard the shipment, and prepare the proper shipping papers in accordance with the applicable Department of Transportation regulations under 49 CFR Parts 172—180.

(d) Prior to sending a shipment of universal waste to another universal waste handler, the originating handler shall ensure that the receiving handler agrees to receive the shipment.

(e) If a large quantity handler of universal waste sends a shipment of universal waste to another handler or to a destination facility and the shipment is rejected by the receiving handler or destination facility, the originating handler shall either:

(1) Receive the waste back when notified that the shipment has been rejected.

(2) Agree with the receiving handler on a destination facility to which the shipment will be sent.

(f) A large quantity handler of universal waste may reject a shipment containing universal waste, or a portion of a shipment containing universal waste that he has received from another handler. If a handler rejects a shipment or a portion of a shipment, the handler shall contact the originating handler to notify him of the rejection and to discuss reshipment of the load. The handler shall:

(1) Send the shipment back to the originating handler.

(2) Send the shipment to a destination facility, if agreed to by both the originating and receiving handler.

(g) If a large quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler shall immediately notify the Department of the illegal shipment, and provide the name, address and phone number of the originating shipper. The Department will provide instructions for managing the hazardous waste.

(h) If a large quantity handler of universal waste receives a shipment of nonhazardous, nonuniversal waste, the handler shall manage the waste in accordance with the applicable municipal or residual waste regulations.

§ 266.239. Tracking universal waste shipments.

(a) A large quantity handler of universal waste shall keep a record of each shipment of universal waste received at the facility. The record may take the form of a log, invoice, manifest, bill of lading or other shipping document. The record for each shipment of universal waste received shall include the following information:

(1) The name and address of the originating universal waste handler or foreign shipper from whom the universal waste was sent.

(2) The quantity of each type of universal waste received (for example, batteries, pesticides, thermostats).

(3) The date of receipt of the shipment of universal waste.

(b) A large quantity handler of universal waste shall keep a record of each shipment of universal waste sent from the handler to other facilities. The record may take

the form of a log, invoice, manifest, bill of lading or other shipping document. The record for each shipment of universal waste sent shall include the following information:

(1) The name and address of the universal waste handler, destination facility or foreign destination to whom the universal waste was sent.

(2) The quantity of each type of universal waste sent (for example, batteries, pesticides, thermostats).

(3) The date the shipment of universal waste left the facility.

(c) Record retention is as follows:

(1) A large quantity handler of universal waste shall retain the records described in subsection (a) for at least 3 years from the date of receipt of a shipment of universal waste.

(2) A large quantity handler of universal waste shall retain the records described in subsection (b) for at least 3 years from the date a shipment of universal waste left the facility.

§ 266.240. Exports.

A large quantity handler of universal waste who sends universal waste to a foreign destination shall:

(1) Comply with §§ 262.53 and 262.55 (relating to notification of intent to export; and exception report) and the requirements applicable to primary exporters in 40 CFR 262.53, 262.56(a)(1)—(4), (6) and (b) and 262.57.

(2) Export the universal waste only upon consent of the receiving country and in conformance with the EPA acknowledgement of consent as defined in 40 CFR Part 262, Subpart E.

(3) Provide a copy of the EPA acknowledgment of consent for the shipment to the transporter transporting the shipment for export.

Subchapter M. STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS

Sec.
 266.250. Applicability.
 266.251. Prohibitions.
 266.252. Waste management.
 266.253. Storage time limits.
 266.254. Response to releases.
 266.255. Offsite shipments.
 266.256. Exports.

§ 266.250. Applicability.

(a) This subchapter applies to universal waste management transporters as defined in § 266.206 (relating to definitions).

(b) A universal waste transporter complying with the requirements of this subchapter is deemed to have a license for the transportation of universal wastes.

§ 266.251. Prohibitions.

A universal waste transporter is:

(1) Prohibited from disposing of universal waste.

(2) Prohibited from diluting or treating universal waste, except by responding to releases as provided in § 266.254 (relating to response to releases).

§ 266.252. Waste management.

(a) A universal waste transporter shall comply with applicable United States Department of Transportation regulations in 49 CFR Parts 171—180 (relating to hazardous materials regulations) for transport of universal

waste that meets the definition of hazardous material in 49 CFR 171.8 (relating to definitions and abbreviations). For purposes of the Department of Transportation regulations, a material is considered a hazardous waste if it is subject to the hazardous waste manifest requirements of the EPA specified in 40 CFR Part 262 (relating to standards applicable to generators of hazardous waste). Because universal waste does not require a hazardous waste manifest, it is not considered hazardous waste under the United States Department of Transportation regulations.

(b) Some universal waste materials are regulated by the United States Department of Transportation as hazardous materials because they meet the criteria for one or more hazard classes specified in 49 CFR 173.2 (relating to general requirements for shipments and packaging). As universal waste shipments do not require a manifest under 40 CFR Part 262, they may not be described by the Department of Transportation proper shipping name "Hazardous Waste, (L) or (S), N.O.S.," nor may the hazardous material's proper shipping name be modified by adding the word "waste."

§ 266.253. Storage time limits.

(a) A universal waste transporter may only store the universal waste at a universal waste transfer facility for 10 days or less.

(b) If a universal waste transporter stores universal waste for more than 10 days, the transporter becomes a universal waste handler and shall comply with the applicable requirements of Subchapters K or L (relating to standards for small quantity handlers of universal waste; and standards for large quantity handlers of universal waste) while storing the universal waste.

§ 266.254. Response to releases.

(a) A universal waste transporter shall immediately contain releases of universal wastes and other residues from universal wastes.

(b) A universal waste transporter shall determine whether any material resulting from the release is hazardous waste, and if so, it is subject to all applicable requirements of this article. If the waste is determined to be a hazardous waste, the transporter is subject to Chapter 262 (relating to generators of hazardous waste).

§ 266.255. Offsite shipments.

(a) A universal waste transporter is prohibited from transporting the universal waste to a place other than a universal waste handler, a destination facility or a foreign destination.

(b) If the universal waste being shipped offsite meets the United States Department of Transportation's definition of hazardous materials under 49 CFR 171.8 (relating to definitions and abbreviations), the shipment shall be properly described on a shipping paper in accordance with the applicable Department of Transportation regulations under 49 CFR Part 172 (relating to hazardous materials table, special provisions, hazardous materials communications, emergency response information, and training requirements).

§ 266.256. Exports.

A universal waste transporter transporting a shipment of universal waste to a foreign destination may not accept a shipment if the transporter knows the shipment does not conform to the EPA acknowledgment of consent. The transporter shall ensure that:

(1) A copy of the EPA acknowledgement of consent accompanies the shipment.

(2) The shipment is delivered to the facility designated by the person initiating the shipment.

Subchapter N. STANDARDS FOR DESTINATION FACILITIES

Sec.

266.260. Applicability.

266.261. Offsite shipments.

266.262. Tracking universal waste shipments.

§ 266.260. Applicability.

The owner or operator of a destination facility, as defined in § 266.206 (relating to definitions) is subject to all applicable requirements of Chapters 264—266, Subchapters C—I, and 269 and 270, as well as § 261.6 (relating to requirements for hazardous wastes that are recycled), and the notification requirements of § 261.41 (relating to notification of hazardous waste activities).

§ 266.261. Offsite shipments.

(a) The owner or operator of a destination facility is prohibited from sending or taking universal waste to a place other than a universal waste handler, another destination facility or foreign destination.

(b) The owner or operator of a destination facility may reject a shipment containing universal waste, or a portion of a shipment containing universal waste. If the owner or operator of the destination facility rejects a shipment or a portion of a shipment, the owner or operator shall contact the shipper to notify the shipper of the rejection and to discuss reshipment of the load. The owner or operator of the destination facility shall either:

(1) Send the shipment back to the original shipper.

(2) If agreed to by both the shipper and the owner or operator of the destination facility, send the shipment to another destination facility.

(c) If the owner or operator of a destination facility receives a shipment containing hazardous waste that is not a universal waste, the owner or operator of the destination facility shall immediately notify the appropriate Department regional office of the illegal shipment, and provide the name, address and phone number of the shipper. The Department regional office will provide instructions for managing the hazardous waste.

(d) If the owner or operator of a destination facility receives a shipment of nonhazardous, nonuniversal waste, the owner or operator shall manage the waste in any way that is in compliance with the applicable municipal or residual waste regulations.

§ 266.262. Tracking universal waste shipments.

(a) The owner or operator of a destination facility shall keep a record of each shipment of universal waste received at the facility. The record may take the form of a log, invoice, manifest, bill of lading or other shipping document. The record for each shipment of universal waste received shall include the following information:

(1) The name and address of the universal waste handler, destination facility or foreign shipper from whom the universal waste was sent.

(2) The quantity of each type of universal waste received (for example, batteries, pesticides, thermostats).

(3) The date of receipt of the shipment of universal waste.

(b) The owner or operator of a destination facility shall retain the records described in subsection (a) for at least 3 years from the date of receipt of a shipment of universal waste.

Subchapter O. IMPORT REQUIREMENTS

Sec.
266.270. Imports.

§ 266.270. Imports.

Persons managing universal waste that is imported from a foreign country into the United States are subject to the applicable requirements of this chapter, immediately after the waste enters this Commonwealth, as indicated below:

(1) A universal waste transporter is subject to the universal waste transporter requirements of Subchapter M (relating to standards for universal waste transporters).

(2) A universal waste handler is subject to the small or large quantity handler of universal waste requirements of Subchapter K or L (relating to standards for small quantity handlers of universal waste; and standards for large quantity handlers of universal waste), as applicable.

(3) An owner or operator of a destination facility is subject to the destination facility requirements of Subchapter N (relating to standards for destination facilities).

Subchapter P. PETITIONS TO INCLUDE OTHER WASTES UNDER CHAPTER 266 AS UNIVERSAL WASTE

Sec.
266.280. General.
266.281. Factors for petitions to include other wastes under Chapter 266, Subchapters J—O.
266.282. Public notice and review of petitions.
266.283. Incorporation by reference.

§ 266.280. General

(a) A person seeking to add a hazardous waste or a category of hazardous waste to Subchapters J—O and this subchapter may petition the Department for a universal waste determination under this subchapter.

(b) To be successful, the petitioner shall demonstrate to the satisfaction of the Department that regulation as a universal waste under this chapter is: appropriate for the waste or category of waste; will improve management practices for the waste or category of waste; and will improve implementation of the hazardous waste program.

(c) The petition shall include the following information:

- (1) The petitioner's name and address.
- (2) A statement of the petitioner's interest in the proposed action.
- (3) A description of the proposed action, including proposed waste management practices.
- (4) A statement of the need and justification for the proposed action, including supportive tests, studies or other information.

(5) The petition should also address as many of the factors listed in Subchapters J—O and this subchapter as are appropriate for the waste or waste category addressed in the petition.

(d) The petition will be processed and reviewed in accordance with § 266.282 (relating to public notice and review of petitions).

(e) The Department will evaluate petitions using the factors listed in § 266.281 (relating to factors for petitions to include other waste under Chapter 266, Subchapters J—O). The decision will be based on the weight of evidence showing that regulation under Chapter 266, Subchapters J—O is appropriate for the waste or category of waste, will improve management practices for the waste or category of waste and will improve implementation of the hazardous waste program.

(f) The Department may on its own initiative determine that additional hazardous wastes or categories of hazardous wastes may be managed as universal wastes subject to particular management standards specified by the Department in a universal waste determination. The Department will use the same factors and criteria applicable to a petition when including an additional waste on its own initiative. The Department will provide public notice which meets the requirements of § 266.282 when deciding to include an additional waste.

§ 266.281. Factors for petitions to include other waste under Chapter 266, Subchapters J—O.

The following factors shall be considered in petitions:

(1) The waste or category of waste, as generated by a wide variety of generators, as listed in Chapter 261, Subchapter D (relating to lists of hazardous waste), or if not listed a proportion of the waste stream exhibits one or more characteristics of hazardous waste identified in Chapter 261, Subchapter C (relating to characteristics of hazardous waste). When a characteristic waste is added to the universal waste regulations by using a generic name to identify the waste category (for example, batteries), the definition of "universal waste" in § 266.206 (relating to definitions) includes only the hazardous waste portion of the waste category (for example, hazardous waste batteries). Thus, only the portion of the waste stream that does exhibit one or more characteristics (that is, is hazardous waste) is subject to the universal waste regulations of this chapter.

(2) The waste or category of waste is not exclusive to a specific industry or group of industries and is commonly generated by a wide variety of types of establishments (including, for example, households, retail and commercial businesses, office complexes, conditionally exempt small quantity generators, small businesses, government organizations, as well as large industrial facilities).

(3) The waste or category of waste is generated by a large number of generators (for example, more than 1,000 nationally) and is frequently generated in relatively small quantities by each generator.

(4) Systems to be used for collecting the waste or category of waste (including packaging, marking and labeling practices) would ensure close stewardship of the waste.

(5) The risk posed by the waste or category of waste during accumulation and transport is relatively low compared to other hazardous wastes, and specific management standards proposed or referenced by the petitioner or applicable United States Department of Transportation requirements would be protective of human health and the environment during accumulation and transport.

(6) Regulation of the waste or category of waste under this chapter will increase the likelihood that the waste will be diverted from nonhazardous waste management systems (for example, the municipal waste stream, residual waste stream, municipal sewer or stormwater

systems) to hazardous waste recycling, treatment or disposal facilities in compliance with this article.

(7) Regulation of the waste or category of waste under this chapter will improve implementation of and compliance with the hazardous waste regulatory program.

(8) Other factors as may be appropriate.

§ 266.282. Public notice and review of petitions.

(a) The Department will publish notice of receipt of a petition for a universal waste determination in the *Pennsylvania Bulletin* when the Department determines that the application is administratively complete.

(b) The Department will publish notice when it initiates the process to include an additional waste under § 266.281(f) (relating to factors for petitions to include other waste under Chapter 266, Subchapters J—O) without a petition.

(c) Interested persons may submit comments to the Department within 60 days of publication and may recommend conditions upon, revisions to, approval of or disapproval of the universal waste determination.

(d) The Department will publish notice in the *Pennsylvania Bulletin* of its decision on a petition or when it initiates the process to include an additional waste under § 266.281(f).

§ 266.283. Incorporation by reference.

Any modification to the EPA universal waste rule, 40 CFR Part 273 (relating to standard universal waste management) is incorporated into this chapter and is effective on the date established by the Federal regulations, unless otherwise established by this chapter.

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