

# PENNSYLVANIA BULLETIN

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

**No. 273, August 1997**

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## **PENNSYLVANIA**

## **BULLETIN**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## *Pennsylvania Bulletin*

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

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

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

**SUBSCRIPTION INFORMATION: (717) 766-0211**  
**GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

### 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

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 1997.

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# THE GOVERNOR

## Title 4—ADMINISTRATION

### PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 7]

[EXECUTIVE ORDER NO. 1997-4]

### 21st Century Environment Commission

July 1, 1997

*Whereas*, the 21st Century presents us with exciting new opportunities and challenges in protecting and enhancing our environment, built on a 25-year foundation of environmental stewardship; and

*Whereas*, Article I, Section 27 of Pennsylvania's Constitution states "The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustees of these resources, the Commonwealth shall conserve and maintain them for the benefits of all people"; and

*Whereas*, there has been significant improvement in the quality of Pennsylvania's environment, resulting in a decrease in the risk of disease and harm to public health and the environment since the first Earth Day in 1970; and

*Whereas*, environmental science and engineering have made important advances in understanding the relationship between pollution and potential harm to the environment and public health; and

*Whereas*, there is a recognition that the role of government in promoting environmental improvement must change to one of preventing pollution, promoting community participation, educating all segments of the public and encouraging continuous improvement and innovation, if further progress is to be made; and

*Whereas*, there is a new emphasis on providing more effective public participation in permit decisions and the development of environmental policies, regulations, and legislation; and

*Whereas*, the revolution in the collection, analysis, and presentation of information gathered as part of environmental programs is providing greater opportunities for setting scientifically valid environmental priorities, determining the effectiveness of environmental protection programs, and providing the public with greater access to information; and

*Whereas*, there is a growing recognition that environmental problems and conflicts are related increasingly to the pattern of land use and economic and social development; and

*Whereas*, State and local governments now shoulder most of the responsibility for implementing environmental protection programs, particularly those mandated by the Federal government;

*Now, Therefore*, I, Thomas J. Ridge, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and the laws of the Commonwealth, do hereby establish the 21st Century Environment Commission, as hereinafter set forth:

## Annex A

## TITLE 4. ADMINISTRATION

## PART I. GOVERNOR'S OFFICE

## CHAPTER 7. MISCELLANEOUS PROVISIONS

## Subchapter SS. 21st CENTURY ENVIRONMENT COMMISSION

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**§ 7.661. Mission.**

To recommend methods and policies to improve the environmental quality of this Commonwealth and measure the results, while allowing for enhanced economic and social progress.

**§ 7.662. Functions.**

The functions of the 21st Century Environment Commission are to:

(1) Recommend environmental priorities as the Commonwealth enters the next century guided by the principle of providing a better environment for future generations without inhibiting their ability to prosper.

(2) Propose strategies to meet the environmental priorities. Strategies should incorporate the most cost effective approaches founded in good science, considering all levels of government, institutions and the private sector, including proposed Legislative and regulatory changes.

(3) Propose evaluation criteria by which to measure progress toward the established environmental goals. Initiate an annual environmental report card using scientifically valid environmental indicators.

(4) Involve the citizens of this Commonwealth during the completion of the tasks in paragraphs (1)—(4).

**§ 7.663. Composition of the Commission.**

(a) The Commission shall consist of no more than 40 members, including environmental, business, academic, elected officials, government and community leaders, who are appointed by and serve at the pleasure of the Governor. The Majority and Minority leaders of both chambers of the General Assembly shall each provide a list to the Governor of eight candidates and the Governor will appoint four members of the Commission one from each list.

(b) The Governor will designate two members to serve as co-chairpersons.

(c) Each Commissioner may designate a person to represent him on the Commission.

(d) Eleven of the members will serve ex officio. The ex officio members will be the Governor's Director of Policy, the Secretaries of Agriculture, Community and Economic Development, Conservation and Natural Resources, Environmental Protection, Health and Transportation, and four Legislative members.

**§ 7.664. Terms of membership.**

(a) Members shall be appointed for terms commensurate with the life of this subchapter. Members shall serve at the pleasure of the Governor.

(b) If a vacancy occurs on the Commission due to resignation, disability or death of a member, the Governor will appoint a successor as expeditiously as possible and the successor shall serve the duration of the unexpired term. A successor so appointed may thereafter be reappointed.

**§ 7.665. Compensation.**

Members of the Commission will not receive compensation for their service, except that the members may be reimbursed for actual travel and related expenses in accordance with Chapter 40 (relating to travel and subsistence).

**§ 7.666. Reports.**

The Commission will issue a final report which will be presented to the Governor on or before September 15, 1998, and will include environmental goals, recommended strategies for implementation and environmental indicators.

**§ 7.667. Meetings and communication.**

The Commissioners will meet on a regular basis during the life of the Commission. The Commission shall inform the public of the Commission's activities and solicit advice and direction by holding forums around this Commonwealth and through the use of the Internet. The Commission may appoint advisors or advisory committees, from within or outside the Commonwealth, as it deems necessary to accomplish its objective.

**§ 7.668. Executive agencies.**

Agencies under the Governor's jurisdiction shall cooperate with and provide assistance as needed by the Commission in performing its functions. The Commission will receive administrative services from the Department of Environmental Protection and will be served by an Executive Director employed by the Department of Environmental Protection.

**§ 7.669. Termination date.**

This subchapter will terminate on December 31, 1998, unless reestablished or sooner rescinded.



*Governor*

**Fiscal Note:** GOV 97-13. (1) General Fund; (2) Implementing Year 1997-98 is \$100,000; (3) 1st Succeeding Year 1998-99 is \$100,000; 2nd Succeeding Year 1999-00 is \$n/a; 3rd Succeeding Year 2000-01 is \$n/a; 4th Succeeding Year 2001-02 is \$n/a; 5th Succeeding year 2002-03 is \$n/a; (4) Fiscal Year 1996-97 \$n/a; Fiscal year 1995-96 \$n/a; Fiscal year 1995-95 \$n/a; (7) General Government Operations; (8) recommends adoption.

[Pa.B. Doc. No. 97-1206. Filed for public inspection August 1, 1997, 9:00 a.m.]

# THE COURTS

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated July 15, 1997, Kent Edward Conshafter has been disbarred from the Bar of this Commonwealth, retroactive to July 1, 1996.

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

[Pa.B. Doc. No. 97-1207. Filed for public inspection August 1, 1997, 9:00 a.m.]

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# RULES AND REGULATIONS

## Title 58—RECREATION

### 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 24, 1997 meeting, adopted the following changes:

Amend § 135.41 (relating to State game lands) by granting the Executive Director authority to restrict recreational or other uses of State game lands.

Amend § 141.25 (relating to early and late goose hunting seasons) by increasing the daily bag and possession limits and establishing new geographical boundaries for these seasons.

Amend § 143.51 (relating to application and issuance of bonus tags) by removing the dollar amount of the fee for antlerless deer licenses.

These amendments are adopted under the authority of 34 Pa.C.S. §§ 101—2965 (relating to the Game and Wildlife Code) (code).

#### *Amendment to § 135.41*

##### 1. *Introduction*

Section 722(a) of the code (relating to use of property) provides that lands or waters title to which has been acquired by the Commission "... may be used only to create and maintain public hunting and furtaking, game or wildlife propagation areas... or other uses incidental to hunting, furtaking and game or wildlife resource management." The Commission has had a policy of allowing bicycle riding and horseback riding on trails on game lands as an incidental public use. Unfortunately, intense use of some game lands for those purposes has led to erosion and habitat destruction.

Section 721(a) of the code (relating to control of property) places the administration of all lands and waters owned or controlled by the Commission under the sole control of the director (Executive Director) and authorizes the Commission to promulgate regulations "... for its use and protection as necessary to properly manage these lands or waters." Although the Executive Director has the authority to control the use of game lands under section 721 of the code, the Commission wishes to confirm that authority and establish guidelines for closure of game lands to uses by means of the change to § 135.41. The change was proposed by the Commission at its public meeting held on April 15, 1997, and finally adopted at a public meeting held on June 24, 1997. The change is adopted under authority contained in section 721 of the code.

##### 2. *Purpose and Authority*

The purpose and authority of the change are outlined in the Introduction of this Preamble. The change would confirm the Executive Director's authority to close all or part of State game lands to specified uses where those uses may or have become detrimental or where they conflict with the statutorily mandated uses of the lands.

##### 3. *Regulatory Requirements*

The change makes it unlawful to violate restrictions on and closure of State game lands. It is anticipated that this authority will be used only when necessary and will therefore be limited.

##### 4. *Persons Affected*

Individuals wishing to use State game lands for specified detrimental uses will be limited. Most affected will likely be trail bikers and horseback riders.

##### 5. *Comment and Response Summary*

No comments were received with regard to the amendment. There has been a great deal of discussion with regard to the use of trails on State game lands for horseback riding and trail biking but no comments were received specifically addressing the change.

##### 6. *Cost and Paperwork Requirements*

There will be additional cost to the Commission in posting closed or restricted areas. It is anticipated that the additional cost will be fairly small.

#### *Amendment to § 141.25*

##### 1. *Introduction*

To more effectively manage the wildlife resources of this Commonwealth, the Commission, at its April 15, 1997, meeting proposed, and at its June 24, 1997, meeting finally adopted, changing § 141.25(a)(3) to provide for an increased daily bag limit and possession limit in an area encompassing approximately the southeastern one-eighth of this Commonwealth. This change would be made under the authority contained in sections 322(c)(3) and 2102 of the code (relating to powers and duties of commission; and regulations).

##### 2. *Purpose and Authority*

Southeastern Pennsylvania continues to have a problem with damage caused by nuisance Canada geese. Since the United States Fish and Wildlife Service has not provided for a regular Canada goose hunting season in the area, the problem must be dealt with in the early and late seasons. The Federal framework allows the Commonwealth to have a daily bag limit of five and possession limit of ten. The late season already has those limits. The change would establish the same limits for the early season.

Section 322(c)(3) of the code authorizes the Commission to "increase or reduce bag limits or possession limits." Section 2102(b) of the code directs the Commission to promulgate regulations relating to bag limits. The change is being adopted under these provisions.

##### 3. *Regulatory Requirements*

The change would increase bag and possession limits during the early Canada goose season in the southeastern part of this Commonwealth.

##### 4. *Persons Affected*

Individuals wishing to hunt Canada geese in the southeastern part of this Commonwealth in the early season would be affected. Individuals suffering damage from nuisance Canada geese should benefit from the change.

##### 5. *Comment and Response Summary*

No comments were received with regard to the change.

6. *Cost and Paperwork Requirements*

The change will not result in any additional cost or paperwork requirements.

*Amendment to § 143.51*

1. *Introduction*

Section 143.51(e) requires the payment of a specific amount, \$5.75, to accompany an application for a bonus tag. There is currently a bill pending before the Legislature which would increase hunting license fees. To avoid confusion and the need to change this section with any changes in fees, the Commission at its April 15, 1997, meeting proposed, and at its June 24, 1997, meeting finally adopted, changing the regulation to require payment as specified in the code. This is being done under the authority of sections 2102 and 2721 of the code (relating to regulations; and license issuance supervision).

2. *Purpose and Authority*

As is outlined in the Introduction, the change is being made to eliminate mention of a specified dollar amount which would require modification with every license fee change. Section 2102 of the code authorizes the Commission to promulgate regulations "... permitting or prohibiting hunting or furtaking." Section 2721 of the code requires that the issuance of all hunting and furtaking licenses be "... in accordance with the regulations of the Commission."

3. *Regulatory Requirements*

The change does not involve any additional regulatory requirements.

4. *Persons Affected*

The change does not create any additional requirements. Hunters seeking "bonus" or "surplus" antlerless deer licenses would be affected.

5. *Comment and Response Summary*

No comments were received with regard to the change.

6. *Cost and Paperwork Requirements*

The change will not result in any additional cost or paperwork requirements.

*Effective Date*

The changes are effective on final publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

*Contact Person*

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

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 469, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 135, 141 and 143, are amended by amending §§ 135.41, 141.25 and 143.51 to read as set forth at 27 Pa.B. 2553 (May 24, 1997).

(b) The Executive Director of the Commission shall submit this order and 27 Pa.B. 2553 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order amending §§ 135.41, 141.25 and 143.51 shall become effective upon final publication in the *Pennsylvania Bulletin*.

DONALD C. MADL,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-99 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 97-1208. Filed for public inspection August 1, 1997, 9:00 a.m.]

# PROPOSED RULEMAKING

## DEPARTMENT OF REVENUE

[61 PA. CODE CHS. 71—73, 75—77, 79,  
83 AND 85]  
Cigarette Tax

### *Chapter 72. Cigarette Dealer Licenses*

Section 72.1 (relating to cigarette stamping agent licenses) describes the documentation required by an applicant for a stamping agent license or a renewal of license. Section 72.2 (relating to posting of license) explains that all dealers shall conspicuously display their licenses at the locations for which issued; this section also sets forth the fine provisions for violations thereof. Section 72.3 (relating to assignment of license) states that a dealer's license is not assignable and that any attempt to do so will result in the cancellation of the license. Section 72.4 (relating to timing of application for renewal of existing license) describes the deadlines for the renewal process.

The Department of Revenue (Department), under the authority contained in section 6 of The Fiscal Code (FC) (72 P.S. § 6); section 1291 of the Tax Reform Code of 1971 (TRC) (72 P.S. § 8291); and sections 209-A, 214-A, 215-A and 227-A of the act of April 9, 1929 (P.L. 343, No. 176) (72 P.S. §§ 209-A, 214-A, 215-A and 227-A(a)), proposes to delete §§ 71.1 and 71.3; Chapter 73, Subchapters A—C; Chapters 75, 77, 79, 83 and 85.

In addition, the Department is proposing to add §§ 71.4—71.11 and to add Chapters 72 and 76 (relating to cigarette dealer licenses; unfair sales of cigarettes) to read as set forth in Annex A.

#### *Purpose*

As a result of the act of July 2, 1993 (P.L. 250, No. 46) (Act 1993-46) known as The Cigarette Sales and Licensing Act (code), which amended the FC by adding Article II-A (relating to cigarette sales and licensing) and repealed various provisions of Article XII (relating to cigarette tax) in the TRC, the Department is proposing to delete the existing text of Article III (relating to cigarette and beverage taxes) and replace it with regulations that are consistent with the act. The Department is also proposing to delete provisions that were not helpful or that simply reiterated statutory provisions such as The Administrative Code of 1929.

#### *Explanation of Regulatory Requirements*

##### *Chapter 71. Cigarette Tax*

Section 71.4 (relating to definitions) defines terms used in Article III. Section 71.5 (relating to cigarette tax stamps) provides for the method of purchase of, payment for and affixation of cigarette tax stamps. Section 71.6 (relating to refunds or credits for cigarette tax stamps) describes the refund or credit process for affixed and unaffixed tax stamps. Section 71.7 (relating to exemptions from tax) describes when a stamping agent may sell cigarettes to purchasers who qualify for tax exempt status.

Section 71.8 (relating to sample cigarettes) specifies when a sample package of cigarettes may be unstamped and when it must have tax stamps affixed. Section 71.9 (relating to cigarette dealer report requirements) describes the reporting requirements for cigarette stamping agents, wholesalers and retailers. Section 71.10 (relating to cigarette dealer record requirements) describes the types of records that cigarette dealers are required to keep, the retention period of the records and the fine provisions for violation of the record requirements.

Section 71.11 (relating to examination of records, equipment and premises) provides that all dealers shall provide the Department the means, facilities and opportunity to examine books, records, cigarette inventory, premises and equipment to determine compliance with the FC and code. Section 71.11 also sets forth the fine provisions for any person who prevents or hinders the Department in its examinations.

When the Department denies a license application or request for renewal, § 72.5(a) (relating to denials, revocations and suspensions) describes where the notice will be mailed, what the notice will contain, the hearing process and the continued operation of the dealer after receiving the notice. Section 72.5(b) explains the process relating to the revocation or suspension of a license. Section 72.6 (relating to change in status of cigarette dealer's business) describes certain specific circumstances which require Department notification. Section 72.7 (relating to cigarette vending machines) details requirements for dealers who operate cigarette vending machines. Section 72.7 also describes the circumstances under which dealers may relocate vending machines and obtain extra vending machine decals.

##### *Chapter 73. Imposition, Method of Payment and Refunds of Tax*

The Department proposes to delete Subchapters A—C, and the heading for Subchapter D. However, the text of the subchapter, §§ 73.51—73.57, is retained.

##### *Chapter 76. Unfair Sales of Cigarettes*

Section 76.1 (relating to dealer's cost of doing business) describes the cost of doing business for a stamping agent, wholesaler and retailer. The section also provides for an application to lower a dealer's cost of doing business and what the application shall contain. The Department's review and determination regarding the dealer's application is explained along with an example which shows how the determination is made. Section 76.2 (relating to combination sales and inducements) places certain restrictions on the contemporaneous sale of cigarette and noncigarette items.

Section 76.3 (relating to promotional sales plans) provides that only cigarette manufacturers may sponsor or initiate a promotional sales plan that lowers the price of cigarettes below the cost of the dealer. The section also details promotional sales plans that involve the affixation of coupons to cigarettes and retailer redemption of manufacturer-issued coupons. Finally, the section provides that a dealer may sponsor or initiate a promotional sales plan if the plan does not result in the sale of cigarettes at a price below the cost of that dealer.

To bring Article III into conformity with current statutory provisions, this proposed rulemaking proposes to delete the following: §§ 71.1 and 71.3; Chapter 75; Chapter 77; Chapter 79 and Chapter 83. With the proposal of comprehensive cigarette tax regulations, Chapter 85 (relating to cigarette tax pronouncements—statement of policy) is deemed unnecessary and is proposed to be deleted.



*Fiscal Impact*

The Department has determined that the proposed rulemaking will have no fiscal impact on the Commonwealth.

*Paperwork*

The proposed rulemaking will not generate additional paperwork for the public or the Commonwealth.

*Effectiveness/Sunset Date*

The rulemaking will become effective upon final publication in the *Pennsylvania Bulletin*. These regulations are scheduled for review within 5 years of final publication. No sunset date has been assigned.

*Contact Person*

Interested persons are invited to submit in writing any comments, suggestions or objections regarding the proposed rulemaking to Anita M. Doucette, Office of Chief Counsel, Department of Revenue, Dept. 281061, Harrisburg, PA 17128-1061, within 30 days of the date of the publication of this notice in the *Pennsylvania Bulletin*.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 23, 1997, the Department submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Committees on Finance. In addition to submitting the proposed rulemaking, 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 1996-1 "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

If IRRC has objections to any portion of the proposed rulemaking, 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 review of objections raised, prior to final-form publication of the regulations, by the Department, the General Assembly and the Governor.

ROBERT A. JUDGE, SR.  
*Secretary*

**Fiscal Note:** 15-349. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 61. REVENUE**

**PART I. DEPARTMENT OF REVENUE**

**Subpart B. GENERAL FUND REVENUES**

**ARTICLE III. CIGARETTE AND BEVERAGE TAXES**

**CHAPTER 71. CIGARETTE TAX**

*(Editor's Note:* The Department is proposing to delete §§ 71.1 and 71.3 as they currently appear in 61 Pa. Code, pages 9—12 (serial pages (188583)—(188584) (89251) and (89252).)

**§ 71.1. (Reserved).**

**§ 71.3. (Reserved).**

**§ 71.4. Definitions.**

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

*Act*—The Cigarette Tax Act, Article XII of the TRC (72 P. S. §§ 8201—8297).

*Basic cost of cigarettes*—The gross price of cigarettes from the manufacturer to a dealer in the quantities stated including freight and handling charges and the full face value of any tax which may be required by law.

*Code*—The Cigarette Sales and Licensing Act, Article II-A of the FC (72 P. S. §§ 201-A—203-A).

*Cost of doing business*—The dealer's aggregate costs for its previous 12-month reporting period, as determined by accounting principles regularly employed in the determination of costs for the purpose of Federal income tax reporting, including direct and indirect costs, such as product costs, freight charges, labor costs, costs of equipment, rental and maintenance expenses, cigarette licenses, preopening expenses, management fees, rents, depreciation, selling costs, maintenance expenses, interest expenses, delivery costs, all types of license fees, all types of taxes, insurance, advertising costs and any central and regional administrative expenses.

*Cost of the retailer*—The basic cost of cigarettes to a retailer, which includes the cost of the wholesaler and stamping agent, plus a markup to cover the retailer's cost of doing business, which cost of doing business, in the absence of satisfactory proof of a lesser cost, is presumed to be 6% of the basic cost of cigarettes to the retailer.

*Cost of the stamping agent*—The basic cost of cigarettes to a stamping agent.

*Cost of the wholesaler*—The basic cost of cigarettes to a wholesaler, which includes the cost of the stamping agent, plus a markup to cover the wholesaler's cost of doing business, which cost of doing business, in the absence of satisfactory proof of a lesser cost, is presumed to be 4% of the basic cost of cigarettes to the wholesaler.

*Dealer*—A Pennsylvania-licensed stamping agent, wholesaler or retailer.

*Operating expenses*—A dealer's cost of doing business decreased by the dealer's cost of goods sold.

*Promotional sales plan*—The placement upon the premises of a dealer of literature, premiums, displays, goods, wares, merchandise or other material designed to stimulate, encourage or induce the purchase of cigarettes by the consumer, or a marketing plan that involves a price reduction or gift offered in conjunction with the sale of cigarettes that causes a dealer to be in violation of the code or act.

*Stamping agent*—A person who is licensed as such by the Department for the purpose of affixing cigarette tax stamps to packages of cigarettes and transmitting the proper tax to the Commonwealth.

**§ 71.5. Cigarette tax stamps.**

(a) *Method of purchase.* A stamping agent shall purchase cigarette tax stamps by presenting to the Department or one of its authorized agents, Form REV-1043, Cigarette Stamping Agency Purchase Order, listing the

stamping agent's name, license number, address, telephone number and the amount of tax stamps desired for purchase.

(b) *Method of payment.* Stamping agents may pay for cigarette tax stamps in exchange for any combination of the following:

(1) Cash.

(2) Approved credit up to the face amount of the security filed with and approved by the Department as required by section 1215 of the act (72 P. S. § 8215).

(i) Payment for tax stamps purchased on credit is due by the 15th of the month following the month in which the stamping agent purchased the tax stamps.

(ii) If a licensed stamping agent who purchases cigarette tax stamps on credit fails to remit full payment for accumulated cigarette tax stamps purchased on credit by the due date, the credit privileges may be suspended or revoked by the Department.

(3) Cigarette tax credits issued by the Department, which shall be presented to the Department at the time the purchase order for cigarette tax stamps is placed.

(c) *Affixation of tax stamps.*

(1) Tax stamps shall be affixed to each individual pack of cigarettes in an aggregate denomination equal to the amount of tax imposed upon the number of cigarettes contained therein.

(2) Tax stamps shall be affixed to the bottom of each pack of cigarettes so that they are clearly visible to subsequent purchasers. Stamps shall be canceled in ink with the licensed stamping agent's identification number.

(3) Improperly stamped cigarettes shall be treated as unstamped cigarettes and shall be subject to confiscation and forfeiture under the act. The Department will dispose of cigarettes forfeited under the act by either selling the cigarettes to a licensed cigarette stamping agent or a cigarette manufacturer, or by destroying same.

**§ 71.6. Refunds or credits for cigarette tax stamps.**

(a) *Affixed tax stamps.* A refund or credit for cigarette tax stamps purchased by a stamping agent which have been affixed to packages of cigarettes will be made to the agent upon satisfactory proof presented to the Department that the tax-stamped cigarettes have been withdrawn from the market because they are unsaleable, sold to persons exempt from the tax under the act, or lost or destroyed by fire, casualty or Act of God. A refund will not be granted for cigarette tax paid upon stamped cigarettes that have been stolen.

(1) A stamping agent's refund or credit shall be based upon the face value of the stamps, less commissions allowed the stamping agent under the act.

(2) If the cigarettes are returned to the manufacturer, the stamping agent shall give to the Department a sworn statement by the manufacturer certifying receipt of the returned cigarettes.

(b) *Unaffixed tax stamps.* The Department may issue a refund or a credit to present or former stamping agents for previously-purchased, unaffixed tax stamps when the Department deems a refund or credit appropriate such as when a stamping agent is no longer qualified to affix tax stamps, when a stamping agent is in liquidation, when a stamping agent possesses damaged tax stamps that are unfit for use or when a stamping agent possesses stamps that have been superseded by stamps of a newer design or denomination.

(1) The Department will issue a refund or credit for unaffixed tax stamps for the actual amount of cigarette tax paid for the stamps if satisfactory proof is presented to the Department within the time permitted under section 1253 of the act (72 P. S. § 8253). A claim for a refund or credit may not be filed when cigarette tax stamps have not been paid for in full. The Department will determine whether the stamping agent is entitled to either a refund or credit and the method of payment.

(2) Unaffixed stamps shall accompany the claim, which shall be sent to the Department by registered mail or other method approved by the Department.

**§ 71.7. Exemptions from tax.**

A stamping agent may sell cigarettes to purchasers who qualify for tax exempt status as enumerated in section 1209 of the act (72 P. S. § 8209) if the Department approves the purchaser's request for an exemption certificate. To obtain an exemption certificate, a purchaser shall file an application that shall state the purchaser's basis for exemption. Upon receipt and approval of the application by the Department, the Department will issue an exemption certificate to the purchaser. An exemption certificate shall be valid until surrendered by the purchaser or revoked by the Department for violating a provision listed in the act or the code.

**§ 71.8. Sample cigarettes.**

(a) Packages of sample cigarettes containing five or fewer cigarettes, which are to be furnished to consumers free of charge as provided in the act, shall be unstamped and prominently identified as "Sample Cigarettes Not for Sale—All Applicable State Taxes Paid."

(b) Packages of sample cigarettes containing six or more cigarettes shall be affixed with Pennsylvania cigarette tax stamps in accordance with the act and code.

**§ 71.9. Cigarette dealer report requirements.**

(a) *Cigarette stamping agents.*

(1) Every licensed stamping agent shall establish a fiscal or calendar monthly reporting period. The stamping agent shall file with the Department on or before the 20th day following the end of each fiscal or calendar month a cigarette tax report covering the preceding month on a form prescribed by the Department which shall show:

(i) The number of unstamped and foreign-stamped cigarettes which were:

- (A) On hand on the first day of the preceding month.
- (B) Purchased or acquired during the preceding month.
- (C) On hand on the last day of the preceding month.
- (D) Sold, credited or disposed of during the preceding month.

(ii) The number of cigarette tax stamps which were:

- (A) On hand on the first day of the preceding month.
- (B) Purchased during the preceding month.
- (C) On hand on the last day of the preceding month.
- (D) Affixed to packages of cigarettes or otherwise disposed of during the preceding month.

(2) The stamping agent shall also submit other information the Department may require.

(b) *Wholesalers and retailers.* The Department may require reports from a wholesaler or retailer whose volume of business or number of vending machines make

it advisable that the dealer file the reports. The reports shall contain information the Department may require.

(c) *Penalties.* A dealer who violates this section shall be subject to a \$100 fine for the first offense, a \$200 fine for the second offense and a \$300 fine for the third and any further offense.

**§ 71.10. Cigarette dealer record requirements.**

- (a) Each dealer shall:
  - (1) Obtain invoices covering all purchases of cigarettes whether tax stamped or unstamped.
  - (2) Maintain receiving records of cigarettes which include the following:
    - (i) The date.
    - (ii) The invoice number.
    - (iii) The quantity.
    - (iv) The brand.
    - (v) The supplier name.
  - (3) Except for retailers, maintain records on the sale of cigarettes, including:
    - (i) The name and address of the purchaser.
    - (ii) The amount of cigarettes sold.
    - (iii) The charge for cigarettes sold.
  - (4) Retain invoices covering all purchases of Pennsylvania cigarette tax stamps.
  - (5) Except for retailers, maintain a record of names and addresses of all other cigarette dealers to whom cigarettes are sold.
  - (6) Prepare credit memoranda with the date the following transactions were completed:
    - (i) For wholesalers, transactions involving cigarettes returned by customers to a wholesaler's stock.
    - (ii) For stamping agents, transactions involving unstamped and stamped cigarettes returned to manufacturers.
  - (b) Dealers shall keep and maintain the records mentioned under subsection (a) for 4 years at the location for which the license is issued.
  - (c) A dealer who violates subsection (b) shall be subject to a \$100 fine for the first offense, a \$200 fine for the second offense and a \$300 fine for the third and any further offense.

**§ 71.11. Examination of records, equipment and premises.**

- (a) Dealers shall provide the Department and its authorized agents the means, facilities and opportunity to examine the dealers' books, records, cigarette inventory, premises and equipment to determine compliance with the act and code.
- (b) A person who prevents or hinders the Department or designated agent from examining the items stated in subsection (a) shall be subject to a \$100 fine for the first offense, a \$200 fine for the second offense and a \$300 fine for the third and any further offense.

**CHAPTER 72. CIGARETTE DEALER LICENSES**

- Sec.
- 72.1 Cigarette stamping agent licences.
- 72.2. Posting of license.
- 72.3 Assignment of license.
- 72.4. Timing of application for renewal of existing license.
- 72.5. Denials, revocation and suspensions.
- 72.6. Change in status of cigarette dealer's business.
- 72.7. Cigarette vending machines.

**§ 72.1. Cigarette stamping agent licenses.**

To satisfy section 204-A(a)(3) of the code (72 P. S. § 204-A(3)), an applicant for a stamping agent license or renewal of a stamping agent license shall provide the Department with the following documentation:

- (1) A detailed description of the applicant's business activities, including a history of the applicant's experience in the wholesale cigarette business. An applicant seeking a renewal of a license need not follow this requirement.
- (2) Current financial statements.

**§ 72.2. Posting of license.**

- (a) Dealers shall conspicuously display their licenses at the locations for which issued. Dealers operating vending machines shall post their licenses at their business headquarters as listed in their license application.
- (b) A dealer who violates subsection (a) shall be subject to a \$100 fine for the first offense, a \$200 fine for the second offense and a \$300 fine for the third and any further offense.

**§ 72.3. Assignment of license.**

A dealer's license is not assignable. An attempt to assign a dealer's license shall immediately result in the cancellation of the license.

**§ 72.4. Timing of application for renewal of existing license.**

- (a) A dealer shall apply for a renewal of its license by January 15 of the year in which its license expires.
- (b) A dealer who files an application for renewal of its license after January 15 of the year in which its license expires is not permitted to operate under the existing license after the last day of February of that same year. In this instance, the Department will treat the application for renewal as an application for a new license and the dealer shall be prohibited from stamping or selling cigarettes until its application is approved by the Department.

**§ 72.5. Denials, revocations and suspensions.**

- (a) *Denial of license application and requests for renewal.*
  - (1) Whenever the Department denies a license application or request for renewal, the Department will send a notice by registered or certified mail at the last known address of the applicant or dealer. The notice will set forth the basis of the Department's denial and inform the applicant or dealer that the Department's actions may be protested through a hearing process. To avail itself of the hearing process, the applicant or dealer shall file a complaint with the Department's Cigarette Licensing, Marketing and Control Board within 30 days after the mailing date set forth in the notice under section 207-A of the code (72 P. S. § 207-A).
  - (2) A dealer may continue to operate under its license for a 30-day period following the mailing date set forth in the denial notice. If the dealer files an appeal with the Cigarette Licensing, Marketing and Control Board, the

dealer may continue to operate under its license during the period of administrative appeal before the Board.

(b) *Revocation or suspension of license.* Whenever the Department determines that a dealer has committed a violation of the act or code that would result in the suspension or revocation of that dealer's license, the Department will file a complaint with the Cigarette Licensing, Marketing and Control Board under the procedures in section 207-A of the code. Within 30 days after the termination of a hearing, the Board shall recommend its decision to the Secretary. If the Secretary's decision results in the suspension or revocation of the dealer's license, the dealer shall immediately surrender its license to the Department, notwithstanding the dealer's right of further administrative or judicial appeal.

**§ 72.6. Change in status of cigarette dealer's business.**

A cigarette dealer shall immediately inform the Department, in writing, prior to or immediately after:

(1) Taking actions that would change any information on the dealer's license application or as last reported to the Department, including a change of name or, if the dealer is a corporation or partnership, a change in the dealer's officers, directors or partners.

(2) Filing a certificate of dissolution with the Pennsylvania Department of State or filing a similar document in another jurisdiction.

(3) Filing a voluntary petition in bankruptcy or receivership or receiving notice of an involuntary bankruptcy petition.

(4) Merging or consolidating with another business.

(5) Terminating business activities.

(6) If the dealer is a corporation, the acquisition by any person or entity of 10% or more of the number of shares of voting stock of the corporation.

**§ 72.7. Cigarette vending machines.**

(a) *Decal and location.* In addition to the requirements stated under the code, a dealer who operates a cigarette vending machine shall satisfy the following requirements:

(1) Each cigarette vending machine shall have a current decal issued by the Department which shall be affixed by its adhesive to and conspicuously displayed on each machine.

(2) Each dealer, at the time of the dealer's application for a license or request for renewal, shall provide the Department with a list identifying the location of each vending machine in this Commonwealth from which cigarettes will be sold, specifying the establishment, address and county.

(b) *Notification of business relocation.* A dealer that relocates vending machines shall notify the Department in writing within 10 days after the relocation. The notification to the Department shall include the dealer's name, its license number, the location of the vending machine, specifying the establishment, address and county, as well as other information that the Department may require.

(c) *Extra cigarette vending machine decals.* A dealer may subsequently request extra decals for new vending machines which will be placed in additional locations without identifying the actual locations. These requests for decals are limited to no more than ten or 10% of the listed locations previously on file with the Department, whichever is greater. Once the new vending machines are

placed in operation, the dealer shall, within 10 business days, notify the Department of the locations of the additional vending machines, specifying the establishment, address and county. The Department will revoke additional decals if the dealer fails to notify the Department of the locations of the additional vending machines.

(*Editor's Note:* The Department is proposing to delete Chapter 73, Subchapters A—C and Chapter 75 as they currently appear in 61 Pa. Code at pages 12—24 (serial pages (89252) and (83027)—(83040) and pages 75—1—75-12 (serial pages (105805)—(105808), (131529), (131530), (105811), (105812) and (131531)—(131534).)

**CHAPTER 73. IMPOSITION, METHOD OF PAYMENT AND REFUNDS OF TAX**

Subchapter A. **[IMPOSITION AND RATE OF TAX] (Reserved)**

§§ 73.1—73.8. (Reserved).

Subchapter B. **[METHOD OF PAYMENT OF TAX] (Reserved)**

§§ 73.21—73.31. (Reserved).

Subchapter C. **[REFUNDS AND ALLOWANCES] (Reserved)**

§§ 73.41—73.44. (Reserved).

Subchapter D. **[EMERGENCY AND LIMITED MALT BEVERAGE TAX CREDIT] (Reserved)**

**CHAPTER 75. (Reserved)**

**CHAPTER 76. UNFAIR SALES OF CIGARETTES**

Sec.

76.1. Dealer's cost of doing business.

76.2. Combination sales and inducements.

76.3. Promotional sales plans.

**§ 76.1. Dealer's cost of doing business.**

(a) *Stamping agent.*

(1) The cost of doing business for a stamping agent is presumed to be the basic cost of cigarettes to the stamping agent for sales to wholesalers.

(2) Except as provided in subsection (e), a stamping agent may not sell cigarettes to a wholesaler at less than the cost of the stamping agent.

(b) *Wholesaler.*

(1) The cost of doing business for a wholesaler is presumed to be 4% of the basic cost of cigarettes to the wholesaler for sales to retailers.

(2) Except as provided in subsection (e), a wholesaler may not sell cigarettes to a retailer at less than the cost of the wholesaler.

(c) *Retailer.*

(1) The cost of doing business for a retailer is presumed to be 6% of the basic cost of cigarettes to the retailer for sales to the ultimate consumer.

(2) Except as provided in subsection (e), a retailer may not sell cigarettes to the ultimate consumer at less than the cost of the retailer.

(d) *Application to lower dealer's cost of doing business.*

(1) A dealer who wishes to lower its cost of doing business shall submit an application to the Department.

(2) An application for permission to sell at less than a dealer's presumed cost of doing business shall contain:

(i) A copy of the dealer's most recently filed Federal and State Income Tax return forms, including all associated schedules and attachments.

(ii) A nonrefundable fee of \$200 to cover the Department's costs of administering the application, including the review and audit of the petitioning dealer's financial statements. If the Department determines that a field audit is necessary to approve or disapprove a request, an hourly rate, as established by the Department, will be charged to the dealer requesting approval for time spent in preparing the field audit. This amount will be in addition to the \$200 nonrefundable fee.

(iii) Other information requested by the Department or as may be necessary to review the application.

(e) *Review and determination.*

(1) The Department will review and evaluate the information provided by the cigarette dealer and will determine whether the dealer's cost of doing business is lower than the presumed cost of doing business in effect at that time.

(2) The Department's approval of a dealer's application to sell at less than the presumptive cost of doing business is valid for 12 months from the effective date of the approval or until the approval of a subsequent dealer's application, whichever occurs first.

(3) If a dealer with permission to sell at less than the presumptive cost of doing business fails to submit a new application that is approved by the Department by the expiration of the 12-month period, the permission previously given to the dealer will be automatically revoked on the last day of the 12-month period.

(4) The Department's approval of a petitioning stamping agent, wholesaler or retailer's lower cost of doing business will apply to all similarly-licensed dealers throughout this Commonwealth. For example, if the Department approves a particular retailer's request to lower the presumptive 6% cost of doing business to 5%, all Pennsylvania retailers would also be permitted to use 5% as their cost of doing business.

(5) In determining whether an applicant/dealer's cost of doing business is lower than the presumed cost of doing business for that particular type of dealer, the Department will divide the applicant's operating expenses for the applicable 12-month period by the applicant's total cost of doing business for that same period.

*Example.* Wholesaler is in the business of selling cigarettes, candy and various food items to retailers throughout the United States. In its application to sell cigarettes to retailers at a price lower than the 4% presumptive cost of doing business markup, Wholesaler provides the following financial information for the year ending 12/31/XX:

Total cost of goods sold	\$575 million
Total cost of doing business	\$650 million

The Wholesaler's operating expenses equal \$75 million, which is its total cost of doing business less its total cost of goods sold. This amount is then divided by Wholesaler's total cost of doing business (\$75 million/\$650 million), which equals approximately 11.53%. This percentage represents the applicant's actual percentage cost of doing business. Because this percentage is greater than the 4% presumptive cost of doing business markup, the Wholesaler is unable to show that it can sell its

cigarettes at a lower cost of doing business and the Department would deny its application.

(6) In determining a dealer's actual cost of doing business, the Department will determine the amount of the constructive cost of property or services upon which the dealer's actual cost of doing business is calculated when the Department determines that the dealer's financial records are not indicative of the true value of property or services received by the dealer.

(i) The constructive cost of the dealer's receipt of property or services shall be the cost which would be charged in an arms-length transaction.

(ii) When the purchase of property or services occurs between a parent and a subsidiary, affiliate or controlled corporation, there shall be a rebuttable presumption that because of the common interest the transaction was not at arms-length.

**§ 76.2. Combination sales and inducements.**

Except for the provisions mentioned under § 76.3 (relating to promotional sales plans), a dealer may not:

(1) Sell cigarettes in combination with other non-cigarette merchandise if the total sales price for the cigarettes and all other non-cigarette items included in the sale is less than the sum of the cost to the dealer of the cigarettes and non-cigarette items. The dealer's invoice shall contain a description of the cigarette and non-cigarette merchandise, including its selling price or its wholesale value.

(2) Give cigarettes free of charge, except in the case of specially-packaged manufacturers' samples that are designated on the package as not to be sold in accordance with § 71.6 (relating to sample cigarettes).

(3) Make a rebate, advertising allowance or other concession in connection with the sale of cigarettes whereby the cigarettes are in effect sold below their cost to the dealer.

(4) Make secret extensions to certain purchasers of special services or privileges in connection with the sale of cigarettes that are not extended to all purchasers upon like terms and conditions.

**§ 76.3. Promotional sales plans.**

(a) Only cigarette manufacturers may sponsor or initiate a promotional sales plan that lowers the price of cigarettes below the cost of the dealer.

(b) Every dealer on whose premises a manufacturer's promotional sales plan is being conducted shall obtain a written statement from the manufacturer which describes the promotional sales plan and indicates the plan's duration.

(c) When a manufacturer's promotional sales plan involves the affixation of coupons to a retailer's inventory of cigarettes, the retailer shall receive payment from the manufacturer representing the value of the coupons prior to the retailer's customers' purchase of the coupon-affixed cigarettes. The retailer shall also retain documentation showing the manufacturer's payment of the coupons' value. For example, if the cost of the retailer for a package of cigarettes is \$2 and a 50¢ coupon is affixed to the package, the retailer may accept the coupon, sell the package of cigarettes for \$1.50 and be in compliance with the act and code only if the retailer possesses evidence that the manufacturer prepaid the value of the 50¢ coupon to the retailer prior to the retailer's sale of the package of cigarettes.

(d) Retailers may redeem manufacturer-issued coupons issued to the general public that reduce the retail purchase price of cigarettes below the cost of the retailer as long as the manufacturer reimburses the retailer for the redeemed coupon and the retailer maintains documentation showing the sale of the cigarettes to its customers and the manufacturer's subsequent reimbursement. For example, if the cost of the retailer is \$18 per carton of cigarettes and the retailer sells the carton for \$18, the retailer may accept a \$1 coupon that reduces the cost of the retailer to \$17 and not be in violation of the code or act. However, the retailer may not sell the carton at \$17 unless the retail customer tenders a valid \$1 manufacturer coupon.

(e) A dealer participating in a manufacturer's promotional sales plan which is not evidenced by a coupon and which occurs subsequent to the dealer's purchase of cigarettes from that manufacturer is in violation of the code.

(f) A dealer may sponsor or initiate a promotional sales plan if the plan does not result in the sale of cigarettes at a price below the cost of that dealer.

**CHAPTER 77. (Reserved)**

**CHAPTER 79. (Reserved)**

**CHAPTER 83. (Reserved)**

**CHAPTER 85. (Reserved)**

*(Editor's Note: The Department is proposing to delete Chapters 77, 79, 83 and 85 as they currently appear in 61 Pa. Code at pages 77-1—77-4, 79-1, 79-2, 47—68, 85-1 and 85-2 (serial pages (105817)—(105826), (119453), (119454), (83073)—(83078), (35942)—(35945), (87097), (87098), (35948)—(35951), (83081), (83082) and (188585)—(188588).)*

[Pa.B. Doc. No. 97-1209. Filed for public inspection August 1, 1997, 9:00 a.m.]

## INSURANCE DEPARTMENT

[31 PA. CODE CHS. 71 AND 73]

### Credit Life Insurance, Credit Accident and Health Insurance and Credit Unemployment Insurance

The Insurance Department (Department), Office of Rate and Policy Regulation, proposes to delete Chapter 71 (relating to general provisions) and amend Chapter 73 (relating to credit life insurance and credit accident and health insurance) to read as set forth in Annex A. The proposed rulemaking provides a system of rate, contract and operating standards for the transaction of credit life, accident and health and unemployment insurance in this Commonwealth.

The proposed amendments to Chapter 73 are proposed under the authority established by sections 206, 506, 1501 and 1502 of The Administrative Code of 1929 (71 P. S. §§ 66, 186, 411 and 412). The proposed additions to Chapter 72 are made under section 12 of the Model Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance (act) (40 P. S. § 1007.12). Additional authority is found under sections 641(b) and (b.1) of The Insurance Department Act of 1921 (40 P. S. § 281(b) and (b.1)).

#### *Purpose*

The object of this proposed rulemaking is to interpret and implement the provisions of the act and section 641 of The Insurance Department Act of 1921, as the latter relates to credit insurance, both of which authorize the Department to promulgate regulations.

Credit life insurance and credit accident and health insurance are presently regulated under Chapters 71 and 73. As the nature and type of credit transactions and resulting credit insurance coverages have evolved, Chapters 71 and 73 have become outdated and incomplete. Numerous notices and directives have been developed by the Department in an effort to keep credit insurance regulations current and to provide direction to the credit insurance industry. The proposed rulemaking will incorporate and codify these notices and directives. In addition, section 641 of The Insurance Department Act of 1921 was amended in 1994 to provide for the regulation of credit unemployment insurance under the act. The proposed rulemaking would expand credit insurance regulations to now cover credit involuntary unemployment insurance and credit voluntary unemployment insurance.

The credit insurance industry has expressed a desire that the credit insurance premium rates provide for adequate expense and profit margins and that the prima facie premiums be periodically reviewed and updated, if necessary, based on claim experience. To ensure that prima facie rates continue to be based on current claim experience, the proposed rulemaking makes the Department responsible for periodically reviewing loss experience and insurer expenses, and making appropriate adjustments in prima facie rates and loss ratio standards.

In developing the proposed rulemaking, Department staff worked with an industry advisory group comprised of Pennsylvania credit insurers that write all types of credit insurance.

#### *Explanation of Regulatory Requirements*

The following is a description of the significant features of and changes contained in the proposed rulemaking.

*§§ 73.104, 73.107 and 73.110 (relating to life insurance and life insurance with TPD benefit; A and H insurance benefits; and involuntary unemployment insurance benefits).*

These sections provide for plans of credit life insurance, credit life insurance with TPD benefit, credit accident and health (A and H) insurance and credit involuntary unemployment insurance for which premium rates cannot exceed the prima facie premium rates which are set forth in the *Pennsylvania Bulletin*. Established features of these plans cover single or joint coverage, benefit amounts, coverage periods and definitions of insured occurrences. Insurers will be afforded the opportunity to offer alternative insurance plans provided the benefits of any plan comply with the credit insurance law and the premium rates do not exceed premium rates that are actuarially consistent with the prima facie premium rates.

One of the significant plan features establishes that the coverage period may now be shorter than the term of the indebtedness remaining when the coverage is elected.

*§§ 73.105, 73.108 and 73.111 (relating to life insurance and life insurance with TPD benefit requirements; A and H insurance requirements; and involuntary and voluntary unemployment insurance requirements).*

These sections establish benefit and contract requirements applicable to plans of credit life insurance, credit

life insurance with TPD benefit, credit A and H insurance, and credit voluntary and involuntary unemployment insurance. These benefit and contract requirements concern compliance with applicable laws, joint debtor coverage, voiding or termination of coverage, reduction of excess coverage, single premium coverage, coordination of coverages, treatment of renewed or refinanced indebtedness, truncated coverage and coverage disclosures.

*§§ 73.106, 73.109 and 73.113 (relating to life insurance rate standards; A and H insurance rate standards; and voluntary unemployment insurance rate standards).*

These sections establish prima facie premium rate standards for credit life insurance, credit life insurance with TPD benefit, credit A and H insurance and credit involuntary unemployment insurance; they further set forth formulas and principles used to calculate prima facie rates. The premium rates charged for standard credit insurance benefit plans are not permitted to exceed the prima facie premium rates unless higher rates are approved by the Department or unless the premium rates charged for other than standard plans do not exceed premium rates that are actuarially consistent with the prima facie rates.

Significantly, standards are now provided for the Department to review, at least once every 3 years, the credit insurance loss experience, and if indicated, propose revised prima facie rates and, if applicable, revised loss ratio standards.

In addition, standards are now provided for the Department to review, at least once every 9 years, the expenses and profit of insurers writing credit insurance in this Commonwealth, and if indicated, revise the prima facie premium rates and the loss ratio standards.

*§ 73.113 (Voluntary unemployment rate standards).*

Standards are provided for the development and filing of voluntary unemployment rates and for the future adoption of prima facie rates. The Department will review insurer expenses and propose appropriate amendments to the voluntary unemployment loss ratio standard, when appropriate.

*§ 73.119 (relating to combination coverage rate).*

This section provides for a premium discount of 5%, when credit insurance coverages are sold as packages and not independently of each other.

*§ 73.120 (relating to composite term premium rate).*

This significant new section provides for the use of composite term premium rates upon a demonstration that the expected collected total premium will not exceed the total premium collected if term specific rates are used. Further, composite term premium rates cannot exceed any term specific rates by more than 5% within the composite term period.

*§ 73.121 (relating to maximum rates).*

This section allows an insurer to use a rate lower than that filed with the Department.

*§ 73.122 (relating to deviated rates).*

Under this significant new section, insurers are not required to file for the approval of premium rates that are lower than the prima facie premium rates. Insurers are permitted to file for approval for use of premium rates that are higher than the prima facie rates if an insurer shows that its expected loss ratio at the higher rate will not be less than the loss ratio standards set forth in this rulemaking. Approved deviated rates may be applied to

an insurer's accounts in the following ways: (1) uniformly to all of the insurer's accounts; (2) on an equitable basis to one or more accounts for which the actual prima facie loss ratio was higher than the applicable loss ratio standards; or (3) on an equitable basis in accordance with an account rating procedure filed by the insurer with the Department.

*§ 73.123 (relating to loss ratio standards).*

This section establishes loss ratios for each of the credit insurance coverages. The loss ratio standards used in calculating prima facie premium rates for credit life insurance and credit life insurance with total and permanent disability benefit have been reduced from 60% to 55%. The accident and health loss ratio standards were determined to be appropriate and remain the same.

*§ 73.124 (relating to duration of deviation).*

This section provides that an approved deviated rate may not remain in effect for more than 3 years and that insurers may file for a new rate during the 3-year period.

*§ 73.133 (relating to claims and examination procedures).*

This section requires that insurers be responsible for claims and maintenance of adequate claim files. Under the rulemaking, insurers will be required to make annual examinations of creditors' credit insurance business and to maintain records of individual debtors' credit insurance coverage.

*§ 73.134 (relating to compensation of producers and creditors).*

This section regulates the compensation that may be paid to creditors and producers involved with credit insurance transactions and defines compensation.

Of significant note, when an insurer charges less than the prima facie premium rates, the maximum allowable compensation must be based on the prima facie premium rates; not on the rate actually charged. Accordingly, since compensation will not be affected by the premium rates charged by the insurer, creditors and producers may be more likely to select, for their debtors, insurers offering lower credit insurance rates.

*§ 73.138 (relating to financial statement reserves).*

This section establishes reserve requirements for insurers doing credit life insurance or credit A and H insurance business in this Commonwealth.

Significantly, with respect to credit life insurance, the proposed rulemaking will establish the 1980 Commissioners Extended Term Mortality Table as the minimum mortality reserve standards, in lieu of the currently utilized 1958 Commissioners Extended Term Mortality Table. This change in the standard mortality table reduces the reserve requirement. The reserve standards for life insurance policies, with the exception of credit insurance, have already been based on 1980 Tables for several years.

*§ 73.140 (relating to credit insurance on closed end variable interest loans).*

This section establishes special requirements for credit insurance designed for open end loans. These requirements concern benefit amount, premium rate calculation, assumption of coverage and premium refunds.

A significant change is found in subsection (g)(2) which provides for alternative A and H and involuntary unemployment plans, and specifies the information that must be filed with the Department for alternative plan pre-

mium rate approval. Currently, the Department considers for approval only A and H and involuntary unemployment plans with a monthly benefit amount equal to the minimum loan payment.

#### *Fiscal Impact*

##### *State Government*

The Department anticipates that there will be a substantial reduction in Department staff time which is presently devoted to the regulation of credit insurance due to the amendments of the rate adjustment procedure in the proposed rulemaking. Insurers will no longer be required to file annually for rate adjustments for each of their creditor accounts. Last year alone, for example, rate adjustment filings numbered 8,000. Under the proposed rulemaking, the only rate filings that the Department will review are those that insurers choose to file for upward deviations. As part of the proposed change in the rate adjustment procedures, Department personnel will no longer need to review experience reports for each creditor account. The proposed rulemaking will result in an estimated annual savings of \$50,000.

##### *General Public*

As a result of the proposed rulemaking, the Department anticipates that a greater number of insurers will be inclined to enter the marketplace in this Commonwealth due to the elimination of compliance with the previously imposed burdensome rate adjustment system. A greater number of insurers should result in increased competition and resulting lower credit insurance rates and improved benefits.

Creditors' compensation will not be affected by the premium rates charged by the insurer. Therefore, creditors may be more likely to select, for their debtors, insurers offering lower credit insurance rates.

##### *Political Subdivisions*

Implementation of this proposed rulemaking will not impose additional costs on political subdivisions. However, because insurers and creditors may need to employ fewer individuals to administer their credit insurance programs, there could be a slight increase in unemployment and a slight decrease in the income tax base for certain subdivisions. If a greater number of insurers and creditors offer credit insurance coverage, those effects could be offset.

##### *Private Sector*

The proposed rulemaking is anticipated to have a positive fiscal impact on insurers. Once implemented, it will be less costly under the proposed rulemaking for insurers to perform the administrative functions necessary to provide credit insurance coverage in this Commonwealth. There will be a substantial reduction in the number of deviation filings that insurers will need to prepare. It is estimated that the total cost savings will be \$300,000.

The proposed rulemaking should have the effect of opening a new market for insurers who have not previously participated in the credit insurance market in this Commonwealth due primarily to the administrative difficulties connected with the Department's current credit insurance regulations.

The proposed rulemaking will have a fiscal impact on creditors in that they will have to implement in their premium calculation systems a substantially fewer number of rate changes. It is estimated that the total cost savings will be \$100,000.

#### *Affected Parties*

This proposed rulemaking will apply to life insurance companies and casualty insurance companies marketing credit life, accident and health, and unemployment insurance in this Commonwealth.

#### *Paperwork*

The adoption of this rulemaking will reduce the amount of paperwork that insurers will have to maintain and file with the Department. Insurers will no longer need to submit to the Department annual rate adjustment filings for their accounts, or to notify the Department when changes of insurers occur. Insurers will be able to use an NAIC experience report, thereby reducing the need to prepare special reports for Pennsylvania. Additionally, the reduction in insurers' filings with the Department will result in the Department experiencing a substantial reduction in the paperwork that it will have to process and maintain.

#### *Effectiveness/Sunset Date*

The proposed rulemaking will become effective 90 days after final adoption and publication in the *Pennsylvania Bulletin* as final rulemaking. No sunset date assigned.

#### *Contact Person*

Questions or comments concerning the proposed rulemaking should be addressed to Sally Engle, Director, Life Bureau, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, (717)783-2100, within 30 days of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 23, 1997, the Department submitted a copy of the proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Insurance and the Senate Committee on Banking and Insurance. In addition to submitting the proposed rulemaking, 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 1996-1. A copy of this material is available to the public upon request.

If IRRC has objections to any portion of the proposed rulemaking, 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 review, prior to final publication of the regulations, by the Department, the General Assembly and the Governor of objections raised.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

**Fiscal Note:** 11-148. No fiscal impact; (8) recommends adoption.

#### **Annex A**

#### **TITLE 31. INSURANCE**

#### **PART III. CREDIT INSURANCE**

#### **CHAPTER 71. [ GENERAL PROVISIONS ] (Reserved)**

*(Editor's Note:* As part of this proposal, the Department is proposing to delete §§ 71.1—71.4 which appears at 31 Pa. Code pages 71-1 and 71-2, serial pages (109875) to (109876).)



**§§ 71.1—71.4. [ Reserved ].****CHAPTER 73. CREDIT LIFE INSURANCE [ AND ],  
CREDIT ACCIDENT AND HEALTH INSURANCE AND  
CREDIT UNEMPLOYMENT INSURANCE**

(*Editor's Note:* As part of this proposal, the Department is proposing to delete §§ 73.1—73.5, 73.11—73.13, 73.21—73.29, 73.31—73.43, 73.51 and Appendices A—D which appear at 31 Pa. Code pages 195—214.9, serial pages (36522) to (36523), (45414) to (45419), (39715) to (39718), (96323) to (96326), (98339) to (98340), (96327) to (96330), (45422) to (45423), (39727) to (39738), (31968) to (31973), (19972) to (19973), (31974) to (31975), (39739) to (39750) and (109879).)

## Sec.

73.1—73.5.	[Reserved].
73.11—73.13.	[Reserved].
73.21—73.29.	[Reserved].
73.31—73.43.	[Reserved].
73.51.	[Reserved].
73.101.	Purpose.
73.102.	Applicability.
73.103.	Definitions.
73.104.	Life insurance and life insurance with TPD benefit.
73.105.	Life insurance and life insurance with TPD benefit requirements.
73.106.	Life insurance rate standards.
73.107.	A and H insurance benefits.
73.108.	A and H insurance requirements.
73.109.	A and H insurance rate standards.
73.110.	Involuntary unemployment insurance benefits.
73.111.	Involuntary and voluntary unemployment insurance requirements.
73.112.	Involuntary unemployment insurance rate standards.
73.113.	Voluntary unemployment insurance rate standards.
73.114.	Insurability requirements.
73.115.	Benefit exclusions.
73.116.	Age requirements
73.117.	Employment eligibility requirements.
73.118.	Initial eligibility requirements.
73.119.	Combination coverage rate.
73.120.	Composite term premium rate.
73.121.	Maximum rates.
73.122.	Deviated rates.
73.123.	Loss ratio standards.
73.124.	Duration of deviation.
73.125.	Portability of rates.
73.126.	Voluntary unemployment experience reports.
73.127.	Refunds.
73.128.	Terminations.
73.129.	Dividends.
73.130.	Election of coverage and disclosure requirements.
73.131.	Choice of insurer.
73.132.	Collection of premiums.
73.133.	Claims and examination procedures
73.134.	Compensation of producers and creditors.
73.135.	Licensed producers.
73.136.	Filing of forms and rates.
73.137.	Compensating balances or special deposits.
73.138.	Financial statement reserves.
73.139.	Credit insurance on open end loans.
73.140.	Credit insurance on closed end variable interest loans.
73.141.	Credit insurance on lease transactions.
73.142.	Credit insurance on fixed residual loans.
73.143.	Credit insurance on balloon loans.

**§ 73.101. Purpose.**

The purpose of this chapter is to interpret and implement the act and section 641 of The Insurance Department Act of 1921 (40 P. S. § 281). This chapter is intended to protect the interests of debtors and the public in this Commonwealth by providing a system of rate, contract form and operating standards for the transaction of credit life, credit accident and health and credit unemployment insurance. This chapter is not intended to prohibit or discourage reasonable competition.

**§ 73.102. Applicability.**

This chapter applies to the following:

- (1) An individual or group credit insurance policy.
- (2) Certificates issued under a group credit insurance policy and applications or other forms used in connection with the policy or certificate.
- (3) A premium rate charged for credit insurance.
- (4) Practices followed in providing credit insurance.

**§ 73.103. Definitions.**

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

*A and H*—Accident and health insurance.

*Account*—The coverage for a single line of insurance offered to a single type of business by one creditor. The term includes coverage written on a group or individual policy.

*Act*—The Model Act for the Regulation of Credit Life Insurance and Credit Accident and Health Insurance (40 P. S. §§ 1007.1—1007.15).

*Agent*—A person defined in section 601 of The Insurance Department Act of 1921 (40 P. S. § 231).

*Amount financed*—The amount on which interest charges are calculated.

*Amount of level lease insurance*—In connection with a lease transaction, the amount of death benefit equal to the residual payment, plus any applicable taxes on the residual payment.

*Balloon amount*—The excess of the final payment on a balloon loan over the amount of one periodic installment payment.

*Balloon loan*—A loan which provides for periodic installment payments of a stated amount during the term of the indebtedness and for a final payment at the end of the term of the indebtedness which is substantially more than the amount of one periodic installment payment and less than the initial net unpaid indebtedness.

*Broker*—A person defined in section 621 of The Insurance Department Act of 1921 (40 P. S. § 251).

*Closed end loan*—Indebtedness which is not an open end loan or a lease.

*Commissioner*—The Insurance Commissioner of the Commonwealth.

*Composite term period*—The installment periods for which composite term premium rates will be charged.

*Composite term premium rate*—Premium rates which do not vary based on the number of monthly installments and which meet the requirements of § 73.121 (relating to maximum rates).

*Contributory insurance*—Insurance for which the debtor is charged an identifiable charge.

*Credit accident and health insurance*—Insurance as defined in section 2(b)(2) of the act (40 P. S. § 1007.2(b)(2)).

*Credit instrument*—A loan or sales instrument or agreement.

*Credit insurance*—Insurance subject to the act and section 641 of The Insurance Department Act of 1921 (40 P. S. § 281).

*Credit involuntary unemployment insurance*—Credit unemployment insurance paid in the event of the debtor's unemployment due to no choice of the debtor.

*Credit life insurance*—Insurance as defined in section 2(b)(1) of the act.

*Credit life insurance with TPD*—Insurance on the life of a debtor paid under or in connection with a specific loan or other credit transaction in the event of the debtor's death or total and permanent disability.

*Credit unemployment insurance*—Insurance on a debtor to provide indemnity for payments becoming due on a specific loan or other credit transaction while the debtor is unemployed as defined in the group certificate or individual policy.

*Credit voluntary unemployment insurance*—Credit unemployment insurance paid in the event of the debtor's unemployment due to a choice made by the debtor.

*Creditor*—As defined in section 2(b)(3) of the act.

*Debtor*—As defined in section 2(b)(4) of the act.

*Decreasing term lease insurance amount*—The amount required to liquidate the lease obligation excluding the amount of any monthly lease payments paid at the beginning of a lease and excluding the residual value.

*Department*—The Insurance Department of the Commonwealth.

*Electronic rate book*—An electronic data system programmed and used solely for the calculation and computation of installment loans and calculation and computation of insurance amount, premium rates and refunds.

*Fixed residual value financing*—The manner of financing a motor vehicle purchase whereby a buyer, who is listed as the owner on the title of a motor vehicle, agrees to select and perform one of the following options, at the conclusion of a predetermined schedule of installment payments made in substantially equal periods and in substantially equal amounts:

(i) Satisfying the balance of the contractual amount owing.

(ii) Refinancing any balance owing on the terms previously agreed upon at the original execution of the installment sales contract.

(iii) Surrendering the motor vehicle as agreed upon at the original execution of the installment sale contract.

*Full benefit period coverage*—Insurance coverage which provides protection for a benefit period equal to the shorter of the duration of disability or unemployment minus any elimination period and the full term of coverage remaining when the disability or unemployment benefits first become payable.

*Full term insurance coverage*—Insurance coverage for a benefit period equal to the term of the indebtedness remaining at the time coverage is elected.

*Grace period*—The period during which a premium may be paid after the premium due date.

*Identifiable charge*—The amount a creditor charges a debtor specifically for credit insurance. A differential in finance, interest, service or similar charges made to debtors who are in like circumstances, except for their insured or noninsured status, is considered an identifiable charge.

*Indebtedness*—The total amount payable by a debtor to a creditor in connection with a loan or other credit transaction.

(i) *Actual gross unpaid indebtedness*. The scheduled gross unpaid indebtedness plus any past-due installment payments and minus any prepaid installment payments.

(ii) *Actual net unpaid indebtedness*. The amount necessary to liquidate the actual unpaid indebtedness in a single sum excluding unearned interest, but including any prepayment penalty.

(iii) *Initial insured indebtedness*.

(A) If coverage is provided on a gross indebtedness basis, the sum of the installment payments under the contract of indebtedness as of the date the indebtedness is incurred.

(B) If coverage is provided on a net indebtedness basis, the amount of the indebtedness excluding the unearned interest under the contract of indebtedness as of the date the indebtedness is incurred.

(iv) *Scheduled gross unpaid indebtedness*. The sum of the scheduled remaining installment payments under the contract of indebtedness, including unearned interest.

(v) *Scheduled net unpaid indebtedness*. The amount necessary to liquidate the scheduled unpaid indebtedness in a single sum excluding unearned interest but including any prepayment penalty.

*Initial amount of decreasing lease insurance*—The excess of the amount of death benefit payable in the event of death of the lessee during the first month of the lease, over the amount of level lease insurance, as defined in this section. The term does not include the amount of the monthly lease payment paid at the beginning of the lease.

*Joint coverage*—Credit insurance coverage on any two or more persons who are jointly liable for repayment of an indebtedness or fulfillment of a lease obligation.

*Limited benefit period coverage*—Insurance coverage which provides protection for a benefit period equal to the shorter of the duration of disability or unemployment minus any elimination period and a period less than the full term of coverage remaining when the disability or unemployment benefits first become payable.

*Limited term insurance coverage*—Insurance coverage for a benefit period less than the term of the indebtedness remaining at the time coverage is elected. Insurance coverage terminates at the insured debtor's attained age as set forth in the group certificate or individual policy or when the truncated coverage terminates.

*Lockout*—The discharge of employees by their employer due to a labor dispute, including discharge as a result of an employer's dislike of employees' activities as a union, or the temporary closing of the place of employment by an employer without formally discharging the employees in an effort to discourage union activities, gain acceptance of the employer's view or effect a labor compromise which is more favorable to the employer in comparison to the demands made by the employees.

*Loss ratio*—The incurred claims during the experience period divided by the actual earned premium during the experience period.

*Open end loan*—A credit plan which may be drawn upon by a debtor without renegotiating with the creditor.

*Prima facie premium rates*—The premium rates established by the Department and published in the *Pennsylvania Bulletin*. Prima facie premium rates shall be

published in the *Pennsylvania Bulletin* by \_\_\_\_ (Editor's Note: The blank refers to a date 30 days after the adoption of this proposal.) and thereafter as established by and referenced in §§ 73.106, 73.109 and 73.112 (relating to life insurance rate standards; accident and health insurance rate standards; and involuntary unemployment insurance rate standards).

*Prominent type*—Font or formatting techniques which differentiate selected text from other text. The term includes, for example, capital letters, contrasting color and underscoring.

*Producer*—An agent or broker.

*Residual payment*—The amount that shall be paid by the lessee at the end of the lease term if the lessee elects to purchase the property that is the subject of the lease.

*Simple interest loan*—A loan where interest accrues and is earned on a daily basis.

*Single coverage*—Credit insurance coverage on one person who is liable for repayment of an indebtedness or fulfillment of a lease obligation.

*TPD*—Total and permanent disability.

*Term of insurance coverage*—The period during which a group certificate or individual policy is effective.

*Truncated coverage*—Credit insurance coverage as defined in this section that meets the requirements specified in §§ 73.106(11), 73.109(10) and 73.112(10), and provides a term of insurance coverage for a period that is shorter than the full term of the indebtedness remaining at the time the insurance coverage is elected. The term does not include credit insurance coverage which terminates on attainment of a specific age.

*Variable interest loan*—A loan which has an interest rate that may change during the term of the loan which causes a change in either the amount of the installment payment or the term of the loan.

#### **§ 73.104. Life insurance and life insurance with TPD benefit.**

(a) *Life benefit plan.* The prima facie premium rate standards referenced in § 73.106 (relating to life insurance rate standards) apply to a plan of credit life insurance benefits, if the plan provides the features in paragraphs (1)–(4). This plan shall be described in a group policy and group certificate or in an individual policy.

(1) Single life coverage or joint life coverage for all eligible debtors.

(2) A benefit payable upon death or upon TPD, if TPD coverage applies, subject to any maximum dollar amount of coverage specified in the group policy and group certificate or individual policy, equal to any of the following:

(i) The actual gross or net unpaid indebtedness at the time of death or commencement of TPD, in the case of a closed end loan for a group policy of credit life insurance or credit life insurance with a TPD benefit.

(ii) The greater of the scheduled gross or net unpaid indebtedness, or the actual gross or net unpaid indebtedness, at the time of death or commencement of TPD, in the case of a closed end loan for an individual policy of credit life insurance or credit life insurance with a TPD benefit.

(iii) The actual net unpaid indebtedness at the time of death or commencement of TPD, in the case of an open end loan.

(3) A coverage period equal to the lesser of the following:

(i) The term of the indebtedness remaining at the time coverage is elected.

(ii) The term of the indebtedness remaining at the time coverage is elected to the time the insured debtor attains an age at which the group policy and group certificate or individual policy provides for coverage to terminate.

(iii) The term of the indebtedness remaining at the time coverage is elected until truncated coverage terminates.

(4) If TPD coverage is provided, a definition of TPD requiring that the debtor be totally and permanently and continuously unable to engage in any occupation, employment or activity for compensation or profit, for which the debtor is suited by education, training or experience, according to the certification of a medical doctor. The medical doctor's certification may be waived by the insurer if the debtor has suffered the permanent loss of sight of both eyes, or the severance of both hands, both feet or of one hand and one foot.

(b) *Alternate benefit plans.* Insurers may offer credit life insurance benefit plans and credit life insurance with TPD benefit plans that differ from the plan described in subsection (a). An alternate plan shall be described in a group policy and group certificate, or in an individual policy, and shall conform to the standards of section 7(b) of the act (40 P.S. § 1007.7(b)) and the applicable standards of section 6 of the Group Life Insurance Law (40 P.S. § 532.6). The premium rate standards of § 73.106 apply to alternate benefit plans.

#### **§ 73.105. Life insurance and life insurance with TPD benefit requirements.**

A plan of credit life insurance or credit life insurance with TPD benefit and a group policy and group certificate or an individual policy describing the plan, shall comply with the following:

(1) *Joint coverage.*

(i) If joint life coverage with or without TPD benefit is provided, a group certificate or individual policy providing joint life coverage with or without TPD coverage shall be issued. Insurers may not issue two single life coverage group certificates or two single life individual policies.

(ii) The benefit payable in the case of simultaneous death or TPD of both insureds may not exceed the benefit that would be payable if coverage were provided on only one debtor.

(iii) The group policy and group certificate or individual policy shall make provision for whom any excess benefit will be paid in the event of the simultaneous death of the joint insureds.

(2) *Continuation of coverage.* If joint life coverage with or without TPD benefit is provided, and coverage on one of the insured debtors is terminated or voided, or a death claim is denied, for any reason other than for the termination of the indebtedness, any remaining eligible debtor's coverage shall continue and an equitable adjustment of premium shall be made. The remaining eligible debtor's coverage shall continue under a single life coverage group certificate or individual policy.

(3) *Voiding coverage for ineligible age.* If a debtor exceeds the eligibility age for coverage and has correctly stated age information in an application signed by the debtor, and if a group certificate or individual policy is issued, the insurer has the right during the debtor's

lifetime to void coverage on the debtor, but only within 60 days from the date of issue of the group certificate or individual policy.

(4) *Terminating coverage for ineligible age.* When premiums are payable monthly based on the actual monthly outstanding balance, if a debtor who exceeds the age at which coverage is to terminate under a group certificate or individual policy has correctly stated age information in an application signed by the debtor, and premiums continue to be erroneously charged to the debtor, the insurer has the right to terminate coverage as of the next billing date.

(5) *Reducing excess coverage.* If an identifiable charge is erroneously made to a debtor for an amount of coverage that exceeds the maximum dollar amount of coverage specified in the group policy and group certificate or individual policy, the insurer has the right to reduce the amount of coverage to the appropriate amount specified in the group policy and group certificate or individual policy during the debtor's lifetime but only within 60 days from the date the identifiable charge is made to the debtor. If coverage is reduced, a refund shall be made of the difference between the actual amount charged and the appropriate amount that should have been charged.

(6) *Contestability.* A contestability provision may not be more restrictive than to provide that coverage on a debtor shall be incontestable after the group certificate or individual policy has been in force during the lifetime of the debtor for 2 years from the date of issue. Coverage shall be contested based only upon information contained in an insurance application signed by the debtor, a copy of which is furnished, not later than when coverage is contested, to the debtor, a secondary beneficiary, or other claimant.

(7) *Equitable premium or benefit adjustment.* A provision specifying an adjustment of premiums or of benefits, or of both, to be made if information relating to the age of a debtor has been fraudulently misstated shall be considered to be equitable if it places the debtor and the insurer in the position they would have been in had the age information been correctly stated. Adjustment may not be made unless the age information is contained in an application signed by the debtor, a copy of which is furnished, not later than the time the adjustment is made, to the debtor, a secondary beneficiary or other claimant.

(8) *Premium payment basis.*

(i) Premiums shall be payable by the debtor either on a monthly outstanding balance basis or on a single premium basis at issue. Single premium coverage may be written on closed end loans only if at least one of the following conditions applies:

(A) The term of the coverage is 75 months or less. However coverage written on lease transactions may exceed 75 months.

(B) The coverage is provided on a net unpaid indebtedness basis.

(ii) A group certificate or individual policy providing credit life insurance or credit life insurance with TPD benefit on a net unpaid indebtedness basis shall contain a disclosure of the annual percentage rate used in the calculation of the insured indebtedness.

(9) *Renewal or refinancing.* With respect to the renewal or refinancing of an existing insured indebtedness, the effective date of coverage on the renewed or refinanced indebtedness shall be the date on which the insurer

originally insured the debtor with respect to the indebtedness that is renewed or refinanced.

(10) *Truncated life coverage.*

(i) Truncated credit life insurance and truncated credit life insurance with TPD benefit may be provided only in connection with loans or credit transactions that are for a term greater than 60 months.

(ii) The truncated coverage period shall be at least 60 months.

(iii) If truncated coverage is elected by a debtor, at the time of election of the insurance coverage the debtor shall be informed in writing of the term of the insurance coverage and that the coverage will terminate prior to the scheduled maturity date of the indebtedness.

(iv) A group certificate or individual policy providing truncated credit insurance coverage shall disclose both the term of the truncated insurance coverage and that the term of insurance coverage will terminate prior to the scheduled maturity date of the indebtedness. The termination disclosure shall appear in prominent print on the first page of the group certificate or individual policy.

(11) *Preexisting exclusion disclosure.* A group certificate or individual policy providing for a preexisting condition exclusion shall disclose the exclusion and its effects upon benefit payments. The preexisting condition exclusion disclosure shall appear in prominent type on the first page of the group certificate or individual policy.

**§ 73.106. Life insurance rate standards.**

(a) *Prima facie rates.* Premium rates for credit life insurance and credit life insurance with TPD benefit, as described in § 73.104(a) (relating to life insurance and life insurance with TPD benefit), may not exceed the prima facie premium rates referenced in this section and published in the *Pennsylvania Bulletin*, unless higher premium rates are approved under § 73.122 (relating to deviated rates). Premium rates for benefits that differ from those benefits described in § 73.104(a) may not exceed premium rates that are actuarially consistent with the prima facie premium rates referenced in this section and published in the *Pennsylvania Bulletin*.

(b) *Symbols.* The symbols used in this section have the following meanings:

(1)  $E_t$  = amount at risk in month  $t$  per \$1 of initial insured indebtedness.

(2)  $i$  = 4.5%, consisting of an interest discount of 4% and a mortality discount of .5%.

(3)  $LSP_n$  = single premium prima facie premium rate per \$100 of a level amount of insured indebtedness.

(4)  $n$  = coverage period in months.

(5)  $Op$  = monthly outstanding balance prima facie premium rate per \$1,000 of outstanding balance.

(6)  $SP_n$  = single premium prima facie premium rate per \$100 of initial insured gross indebtedness, as defined in § 73.103 (relating to definitions), repayable in  $n$  equal monthly installments.

(7)  $NSP_n$  = single premium prima facie premium rate per \$100 of initial insured net indebtedness, as defined in § 73.103, repayable in  $n$  equal monthly installments.

(c) *Debtor insurance charge.* The amount charged a debtor by a creditor for credit life insurance or credit life with TPD benefit may not exceed the premium amount charged by the insurer, as computed at the time the charge to the debtor is determined.

(d) *Monthly outstanding balance rates.* If premiums are payable on a monthly outstanding balance basis, the monthly prima facie premium rate for credit life insurance on a single life shall be \$.705 per \$1,000 of outstanding balance, and shall be \$.844 per \$1,000 of outstanding balance for credit life insurance with TPD benefit on a single life.

(e) *Gross single premium rates for full term coverage period.*

(1) If premiums for decreasing insurance on the gross unpaid indebtedness for a full term coverage period are payable on a single premium basis, the single premium prima facie premium rates for credit life insurance on a single life and for credit life insurance with TPD benefit on a single life shall be calculated, except as provided in subsection (i), in accordance with the following formula:

$$SP_n = \frac{n + 1}{20 \left( 1 + \frac{.032n}{24} \right)} Op$$

(2) Gross single premium rates for full term coverage period calculated in accordance with the formula in paragraph (1) are published in the *Pennsylvania Bulletin*, for single life coverage and for single life coverage with TPD benefit.

(f) *Gross single premium rates for limited term coverage period.* If premiums for decreasing insurance on the gross unpaid indebtedness for a limited term coverage period are payable on a single premium basis, the single premium rates for credit life insurance on a single life and for credit life insurance with TPD benefit on a single life may not exceed premium rates that are actuarially consistent with the single premium prima facie premium rates published in the *Pennsylvania Bulletin*, except as provided in subsection (i).

(g) *Net single premium rates.* If premiums for decreasing insurance on the net unpaid indebtedness for a full term or limited period coverage period are payable on a single premium basis, the single premium prima facie premium rates for credit life insurance on a single life and for credit life insurance with TPD benefit on a single life shall be calculated, except as provided in subsection (i), in accordance with the following formula:

$$NSP_n = \frac{1}{10 \left( 1 + \frac{.032n}{24} \right)} Op \sum_{t=1}^n E_t$$

(h) *Level single premium rates.* If premiums are payable on a single premium basis for level term insurance, the single premium prima facie premium rates for credit life insurance on a single life shall be calculated, except as provided in subsection (i), in accordance with the following formula:

$$LSP_n = \frac{1}{10 \left( 1 + \frac{.048n}{24} \right)} Op$$

(i) *Alternative single premium formula.* Prima facie premium rates may be calculated for credit life insurance

and credit life insurance with TPD benefit in accordance with the following formula:

$$SP_n = Op(1/10) \sum_{t=1}^{t=n} \left( \frac{1.0}{1 + \frac{i}{12}} \right)^{t-1} (E_t)$$

(j) *Joint rates.* Prima facie premium rates for credit life insurance on a joint life with or without TPD benefit shall equal 175% of the prima facie premium rates for a single life benefit plan which is identical to the joint life benefit plan.

(k) *Actuarially consistent rates.* For credit life insurance or credit life insurance with TPD benefit offered on any other basis, prima facie premium rates shall be actuarially consistent with the rate standards of subsections (d)—(i).

(l) *Adjustment of prima facie rates and loss ratio standards.* By \_\_\_\_\_ (Editor's Note: Blank refers to a date 3 years from adoption of this proposal) and at least every 3 years thereafter, the Department review the appropriateness of the prima facie premium rates referenced in this section based upon Commonwealth experience data for the preceding 3 calendar years. The nonclaim element of the prima facie premium rates will not be adjusted unless an adjustment is necessary under subsection (m). An adjustment to the prima facie premium rates will not be made if the change in prima facie premium rates so determined would be less than 5%. If an adjustment to the prima facie premium rates is indicated, the Department will publish the new prima facie premium rates in the *Pennsylvania Bulletin*. If an adjustment to the loss ratio standards is indicated, the Department will propose appropriate amendments to § 73.123 (relating to loss ratio standards) to reflect the change.

(m) *Review of nonclaim elements.* By \_\_\_\_\_ (Editor's Note: The blank refers to a date 9 years after the effective date of adoption of this proposal), and at least every 9 years thereafter, the Department will review the changes in the average term and amount of coverage, the changes in the fixed and variable expenses and the reasonable profit margin for insurance companies writing credit life insurance in this Commonwealth. If this review indicates that a change in the nonclaim elements of the premium rates is necessary, the Department will propose amendments to the loss ratio standards in § 73.123 and thereafter publish new prima facie premium rates in the *Pennsylvania Bulletin*.

**§ 73.107. Accident and health insurance benefits.**

(a) *A and H benefit plans.* The prima facie premium rate standards referenced in § 73.109 (relating to A and H insurance rate standards) apply to a plan of credit A and H insurance benefits, if the plan provides the features listed in paragraphs (1)—(7). This plan shall be described in a group policy and group certificate or in an individual policy.

(1) Single A and H coverage or joint A and H coverage for all eligible debtors.

(2) A monthly benefit payable upon the debtor's disability, subject to any maximum dollar amount of coverage specified in the group policy and group certificate or individual policy, equal to any of the following:

(i) The monthly installment payment required under the contract of indebtedness, for closed end loans.

(ii) The benefit amount provided in § 73.139(f) (relating to credit insurance on open end loans), for open end loans.

(iii) The benefit amount provided in § 73.140(d) (relating to credit insurance on closed end variable interest loans), for closed end variable interest loans.

(iv) The benefit amount as provided in § 73.141(f) (relating to credit insurance on lease transactions), for lease transactions.

(3) A coverage period equal to the lesser of the following:

(i) The term of the indebtedness remaining at the time coverage is elected.

(ii) The term of the indebtedness remaining at the time coverage is elected to the time the insured debtor attains an age at which the group policy and group certificate or individual policy provides for coverage to terminate.

(iii) The term of the indebtedness remaining at the time coverage is elected until truncated coverage terminates.

(4) An elimination period as provided by the policy or certificate of either 14 days or 30 days following the commencement of disability, with benefits becoming payable on either a retroactive or nonretroactive basis.

(5) A requirement for proof of disability in the form of one or both of the following:

(i) During the first 12 months of disability, proof that the insured debtor is unable to perform all of the important or significant occupational duties at the time the disability commences. After 12 months of disability, proof that the debtor is unable to perform the duties required of any gainful occupation for which the debtor is reasonably suited by education, training or experience.

(ii) A medical determination of the insured debtor's total disability.

(6) A preexisting condition exclusion for disability that commences within 6 months after the effective date of coverage and is the result of an illness, disease or physical condition for which the debtor received medical advice, consultation or treatment within 6 months prior to the effective date of coverage. The effective date of coverage for each portion of the insurance attributable to a different advance under an open end loan is the date on which the advance occurs, or the date on which coverage is elected, if later.

(7) The payment of an A and H benefit shall cease at the scheduled expiration date of the group certificate or individual policy, or when the indebtedness is prepaid.

(b) *Alternate benefit plans.* Insurers may offer credit A and H insurance benefit plans that differ from the plan described in subsection (a). An alternate plan shall be described in a group policy and group certificate, or in an individual policy, and shall conform to the standards of section 7(b) of the act (40 P.S. § 1007.7(b)) and the applicable standards of section 618 of The Insurance Company Law of 1929 (40 P.S. § 753). The premium rate standards of § 73.109 apply to alternate benefit plans.

### § 73.108. A and H insurance requirements.

A plan of credit A and H insurance and a group policy and group certificate or an individual policy describing the plan, shall comply with the following:

(1) *Joint coverage basis.* If joint A and H coverage is provided, it shall be provided either on the basis of each

debtor being insured for 100% of the monthly disability payment, or on the basis of each debtor being insured for a specified portion of the amount of the monthly disability payment, with the total of these portions equal to 100% of the monthly disability payment.

(2) *Joint contract.*

(i) If joint A and H coverage is provided, a group certificate or individual policy providing joint A and H coverage shall be issued. Insurers may not issue two single A and H coverage group certificates or two single individual policies.

(ii) The benefit payable in the case of simultaneous disability of both insureds may not exceed the benefit that would be payable if coverage were provided on only one debtor.

(3) *Continuation of coverage.* If joint A and H coverage is provided, and coverage on one of the insured debtors is terminated or voided for any reason other than for termination of the indebtedness, any remaining eligible debtor's coverage shall continue and an equitable adjustment of premium shall be made. The remaining eligible debtor's coverage shall continue under a single A and H coverage group certificate or individual policy.

(4) *Voiding coverage for ineligible employment.* If a gainful employment requirement is applicable, and a debtor who is not gainfully employed correctly stated employment status information in an application signed by the debtor, and if a group certificate or individual policy is issued, the insurer has the right to void coverage on the debtor, but only within 60 days from the date of issue of the group certificate or individual policy. This action shall be without prejudice to any claim for a disability that commenced before the termination date.

(5) *Voiding coverage for ineligible age.* If a debtor exceeds the eligibility age for coverage and has correctly stated age information in an application signed by the debtor, and if a group certificate or individual policy is issued, the insurer has the right to void coverage on the debtor, but only within 60 days from the date of issue of the group certificate or individual policy. This action shall be without prejudice to any claim for a disability that commenced before the termination date.

(6) *Terminating coverage for ineligible age.* When premiums are payable monthly based on the actual monthly outstanding balance, if a debtor who exceeds the age at which coverage is to terminate under a group certificate or individual policy has correctly stated age information in an application signed by the debtor, and premiums continue to be erroneously charged to the debtor, the insurer has the right to terminate coverage as of the next billing date. This action shall be without prejudice to any claim for a disability that commenced before the termination date.

(7) *Reducing excess coverage.* If an identifiable charge is erroneously made to a debtor for an amount of coverage that exceeds the maximum dollar amount of coverage specified in the group policy and group certificate or individual policy, the insurer has the right to reduce the amount of coverage to the appropriate amount specified in the group policy and group certificate or individual policy, but only within 60 days from the date the identifiable charge is made to the debtor. If coverage is reduced, a refund shall be made of the difference between the actual amount charged and the appropriate amount that should have been charged.

(8) *Contestability.* A contestability provision may not be more restrictive than to provide that coverage on a debtor

shall be incontestable after the group certificate or individual policy has been in force during the lifetime of the debtor for 2 years from the date of issue. Coverage shall be contested only based upon information contained in an insurance application signed by the debtor, a copy of which is furnished, not later than when coverage is contested, to the debtor, a secondary beneficiary, or other claimant.

(9) *Equitable premium or benefit adjustment.* A provision specifying an adjustment of premiums or of benefits, or of both, to be made if information relating to the age of a debtor has been fraudulently misstated shall be considered to be equitable if it places the debtor and the insurer in the position they would have been in had the age information been correctly stated. An adjustment may not be made unless the age information is contained in an application signed by the debtor, a copy of which is furnished, not later than the time the adjustment is made, to the debtor, a secondary beneficiary or other claimant.

(10) *Renewal or refinancing.* With respect to the renewal or refinancing of an existing insured indebtedness, the effective date of coverage on the renewed or refinanced indebtedness shall be the date on which the insurer originally insured the debtor with respect to the indebtedness that is renewed or refinanced.

(11) *Truncated A and H coverage.*

(i) Truncated credit A and H insurance may be provided only in connection with loans or credit transactions that are for a term greater than 60 months.

(ii) The truncated coverage period shall be at least 60 months.

(iii) If truncated coverage is elected by a debtor, at the time of the election of the insurance coverage the debtor shall be informed in writing of the term of the insurance coverage and that the coverage will terminate prior to the scheduled maturity date of the indebtedness.

(iv) A group certificate or individual policy providing truncated credit insurance coverage shall disclose both the term of the truncated insurance coverage and that the term of insurance coverage will terminate prior to the scheduled maturity date of the indebtedness. The termination disclosure shall appear in prominent type on the first page of the group certificate or individual policy.

(12) *Preexisting exclusion disclosure.* A group certificate or individual policy providing for a preexisting condition exclusion shall disclose the exclusion and its effects upon benefit payments. The preexisting condition exclusion disclosure shall appear in prominent type on the first page of the group certificate or individual policy.

**§ 73.109. A and H insurance rate standards.**

(a) *Prima facie A and H rates.* Premium rates for credit A and H insurance benefits, as described in § 73.107(a) (relating to A and H insurance benefits), may not exceed the prima facie premium rates referenced in this section and published in the *Pennsylvania Bulletin*, unless higher premium rates are approved under § 73.122 (relating to deviated rates). Premium rates for benefits that differ from those benefits described in § 73.107(a) may not exceed premium rates that are actuarially consistent with the prima facie premiums rates referenced in this section and published in the *Pennsylvania Bulletin*.

(b) *Symbols.* The symbols used in this section shall have the following meanings:

(1) n = coverage period in months.

(2)  $Op_n$  = monthly outstanding balance prima facie premium rate per \$1,000 of outstanding balance.

(3)  $SP_n$  = single premium prima facie premium rate per \$100 of initial insured gross indebtedness, as defined in § 73.103 (relating to definitions), repayable in n equal monthly installments.

(c) *Debtor insurance charge.* The amount charged a debtor by a creditor for credit A and H insurance may not exceed the premium amount charged by the insurer, as computed at the time the charge to the debtor is determined.

(d) *Single premium rates for full benefit and full term periods.* If premiums are payable on a single premium basis for insurance with a full benefit period and a full term coverage period, the single premium prima facie premium rates for credit A and H insurance on a single life shall be as published in the *Pennsylvania Bulletin*.

(e) *Single premium rates for limited benefit and limited term periods.* If premiums are payable on a single premium basis for insurance with a limited term coverage period and a benefit period equal to the limited term coverage period, the prima facie premium rates shall be as published in the *Pennsylvania Bulletin*, for an installment period equal to the number of monthly installment payments in the limited term coverage period. The premium shall be determined by multiplying the prima facie premium rate by the monthly installment payment, by the number of months in the limited term coverage period, divided by 100.

(f) *Single premium rates for limited benefit and full or limited term periods.* If premiums are payable on a single premium basis for insurance with a limited benefit period for a full term or limited term coverage period, the single premium rates for credit A and H insurance on a single life may not exceed premium rates that are actuarially consistent with the single premium prima facie premium rates published in the *Pennsylvania Bulletin*.

(g) *Monthly outstanding balance rates for full benefit and full term periods.* If premiums are payable on a monthly outstanding balance basis for insurance with a full balance benefit period for a full term coverage period, the monthly prima facie premium rates for credit A and H insurance on a single life shall be as published in the *Pennsylvania Bulletin*. The monthly prima facie premium rates shall be calculated in accordance with the following formula:

$$Op_n = \frac{20 \left( 1 + \frac{.032n}{24} \right)}{n + 1} SP_n$$

(h) *Monthly outstanding balance rates for limited benefit period and limited term periods.* If premiums are payable on a monthly outstanding balance basis for insurance with a limited term coverage period and a benefit period equal to the limited term coverage period, the monthly prima facie premium rates shall be as published in the *Pennsylvania Bulletin* for an installment period equal to the number of monthly installment payments in the limited term coverage period. The monthly premium shall be determined by multiplying the prima facie premium rate by the monthly loan payment, by the remaining number of months in the limited term coverage period, divided by 1,000.

(i) *Monthly outstanding balance rates for limited benefit and full or limited term periods.* If premiums are

payable on a monthly outstanding balance basis for insurance with a limited benefit period for a full term or limited term coverage period, the monthly premium rates for credit A and H insurance on a single life may not exceed premium rates that are actuarially consistent with the monthly prima facie premium rates published in the *Pennsylvania Bulletin*.

(j) *Joint rates.*

(1) When each debtor is insured for 100% of the monthly A and H payment, the prima facie premium rates for joint credit A and H insurance shall equal 180% of the prima facie premium rates for single A and H coverage.

(2) When each debtor is insured for a specific portion of the monthly disability payment, the prima facie premium rates for joint credit A and H insurance shall equal 100% of the prima facie premium rates for single A and H coverage.

(k) *Actuarially consistent rates.* For credit A and H insurance offered on any other basis, prima facie premium rates shall be actuarially consistent with the rate standards of subsections (d)—(i).

(l) *Adjustment of prima facie rates and loss ratio standards.* By \_\_\_\_ (*Editor's Note:* The blank refers to a date 3 years after the effective date of adoption of this proposal.) and at least every 3 years thereafter, the Department will review the appropriateness of the prima facie premium rates referenced in this section based upon Commonwealth experience data for the preceding 3-calendar years. The nonclaim element of the prima facie premium rates may not be adjusted unless an adjustment is necessary under subsection (m). An adjustment to the prima facie premium rates will not be made if the change in prima facie premium rates so determined would be less than 5%. If an adjustment to the prima facie premium rates is indicated, the Department will publish the new prima facie premium rates in the *Pennsylvania Bulletin*. If an adjustment to the loss ratio standards is indicated, the Department will propose appropriate amendments to § 73.123 (relating to loss ratio standards) to reflect this change.

(m) *Review of nonclaim elements.* By \_\_\_\_ (*Editor's Note:* The blank refers to a date 9 years after the effective date of adoption of this proposal), and at least every 9 years thereafter, the Department will review the changes in the average term and amount of coverage, the changes in fixed and variable expenses and the reasonable profit margin for insurance companies writing credit A and H insurance in this Commonwealth. If this review indicates that a change in the nonclaim elements of the premium rates is necessary, the Department will propose amendments to the loss ratio standards in § 73.123 and thereafter publish new prima facie premium rates in the *Pennsylvania Bulletin*.

**§ 73.110. Involuntary unemployment insurance benefits.**

(a) *Involuntary unemployment benefits plans.* The prima facie premium rate standards referenced in § 73.112 (relating to involuntary unemployment insurance rate standards) apply to a plan of credit involuntary unemployment insurance benefits, if the plan provides the features of paragraphs (1)—(6). This plan shall be described in a group policy and group certificate or in an individual policy.

(1) Single involuntary unemployment coverage or joint involuntary unemployment coverage for all eligible debtors.

(2) A monthly benefit payable upon involuntary unemployment, subject to any maximum dollar amount of coverage specified in the group policy and group certificate or individual policy, equal to any of the following:

(i) The monthly installment payments required under the contract of indebtedness, for closed end loans.

(ii) The benefit amount as provided in § 73.139(f) (relating to credit insurance on open end loans), for open end loans.

(iii) The benefit amount as provided in § 73.140(d) (relating to credit insurance on closed end variable interest loans), for closed end variable interest loans.

(iv) The benefit amount as provided in § 73.141(f) (relating to credit insurance on lease transactions), for lease transactions.

(3) A coverage period equal to the lesser of the following:

(i) The term of the indebtedness remaining at the time coverage is elected.

(ii) The term of the indebtedness remaining at the time coverage is elected to the time the insured debtor attains an age at which the group policy or group certificate or individual policy provides for coverage to terminate.

(iii) The term of the indebtedness remaining at the time coverage is elected until truncated coverage terminates.

(4) An elimination period as provided by the policy or certificate of 30 days following the commencement of involuntary unemployment, with benefits becoming payable on either a retroactive or nonretroactive basis.

(5) A definition of involuntary unemployment requiring that the debtor be unemployed as a result of nonvoluntary termination from a single job at which the debtor worked for a salary or wages for 30 or more hours a week for at least the 12 months prior to the effective date of insurance coverage. Unemployment due to a lockout as defined in § 73.103 (relating to definitions) will be considered to be involuntary unemployment.

(6) A requirement that the payment of an involuntary unemployment benefit shall cease at the scheduled expiration date of the group certificate or individual policy, or at such time as the indebtedness is prepaid.

(b) *Alternate benefit plans.* Insurers may offer credit involuntary unemployment insurance benefit plans that differ from the plan described in subsection (a). Any alternate plan shall be described in a group policy and group certificate, or in an individual policy, and shall conform to the standards of section 7(b) of the act (40 P. S. § 1007.7(b)). The premium rate standards of § 73.112 apply to alternate benefit plans.

**§ 73.111. Involuntary and voluntary unemployment insurance requirements.**

A plan of credit involuntary unemployment insurance and a group policy and group certificate or an individual policy describing the plan shall comply with the following:

(1) *Joint coverage basis.* If joint unemployment coverage is provided, it shall be provided either on the basis of each debtor being insured for 100% of the monthly unemployment payment or on the basis of each debtor being insured for a specified portion of the monthly unemployment payment, with the total of these portions equal to 100% of the monthly unemployment payment.



(2) *Joint contract.*

(i) If joint unemployment coverage is provided, a group certificate or individual policy providing joint unemployment coverage shall be issued. Insurers may not issue two single unemployment coverage group certificates or two single individual policies.

(ii) The benefit payable in the case of simultaneous unemployment of both insureds may not exceed the benefit that would be payable if coverage were provided on only one debtor.

(3) *Continuation of coverage.* If joint unemployment coverage is provided and coverage on one of the insured debtors is terminated or voided for any reason other than for termination of the indebtedness, any remaining eligible debtor's coverage shall continue and an equitable adjustment of premium shall be made. The remaining eligible debtor's coverage shall continue under a single unemployment coverage group certificate or individual policy.

(4) *Voiding coverage for ineligible employment.* If a debtor who is not gainfully employed correctly stated employment status information in an application signed by the debtor, and if a group certificate or individual policy is issued, the insurer has the right to void coverage on the debtor, but only within 60 days from the date of issue of the group certificate or individual policy. This action shall be without prejudice to any claim for unemployment that commenced before the termination date.

(5) *Voiding coverage for ineligible age.* If a debtor exceeds the eligibility age for coverage and has correctly stated age information in an application signed by the debtor, and if a group certificate or individual policy is issued, the insurer has the right to void coverage on the debtor, but only within 60 days from the date of issue of the group certificate or individual policy. This action shall be without prejudice to any claim for unemployment that commenced before the termination date.

(6) *Terminating coverage for ineligible age.* When premiums are payable monthly based on the actual monthly outstanding balance, if a debtor who exceeds the age at which coverage is to terminate under a group certificate or individual policy has correctly stated age information in an application signed by the debtor, and premiums continue to be erroneously charged to the debtor, the insurer has the right to terminate coverage as of the next billing date. This action shall be without prejudice to any claim for unemployment that commenced before the termination date.

(7) *Reducing excess coverage.* If an identifiable charge is erroneously made to a debtor for an amount of coverage that exceeds the maximum dollar amount of coverage specified in the group policy and group certificate or individual policy, the insurer has the right to reduce the amount of coverage to the appropriate amount specified in the group policy and group certificate or individual policy, but only within 60 days from the date the identifiable charge is made to the debtor. If coverage is reduced, a refund shall be made of the difference between the actual amount charged and the appropriate amount that should have been charged.

(8) *Contestability.* A contestability provision may not be more restrictive than to provide that coverage on a debtor shall be incontestable after the group certificate or individual policy has been in force during the lifetime of the debtor for 2 years from the date of issue. Coverage shall be contested only based upon information contained in an insurance application signed by the debtor, a copy of

which is furnished, not later than when coverage is contested, to the debtor, a secondary beneficiary or other claimant.

(9) *Equitable premium or benefit adjustment.* A provision specifying an adjustment of premiums or of benefits or of both to be made if information relating to the age of a debtor has been fraudulently misstated shall be considered to be equitable if it places the debtor and the insurer in the position they would have been in had the age information been correctly stated. An adjustment may not be made unless the age information is contained in an application signed by the debtor, a copy of which is furnished, not later than the time the adjustment is made, to the debtor, a secondary beneficiary or other claimant.

(10) *Renewal or refinancing.* With respect to the renewal or refinancing of an existing insured indebtedness, the effective date of coverage on the renewed or refinanced indebtedness shall be the date on which the insurer originally insured the debtor with respect to the indebtedness that is renewed or refinanced.

(11) *Truncated unemployment coverage.*

(i) Truncated credit unemployment insurance may be provided only in connection with loans or credit transactions that are for a term greater than 60 months.

(ii) The truncated coverage period shall be at least 60 months.

(iii) If truncated coverage is elected by a debtor, at the time of the election of the insurance coverage the debtor shall be informed in writing of the term of the insurance coverage and that the coverage will terminate prior to the scheduled maturity date of the indebtedness.

(iv) A group certificate or individual policy providing truncated credit insurance coverage shall disclose both the term of the truncated insurance coverage and that the term of insurance coverage will terminate prior to the scheduled maturity date of the indebtedness. The termination disclosure shall appear in prominent type on the first page of the group certificate or individual policy.

(12) *Cancellation notice.* A group certificate or individual policy providing involuntary unemployment or voluntary unemployment insurance shall contain a disclosure that the benefit provided by the group certificate or individual policy is related to unemployment and that if the insured debtor retires or no longer plans to work, the insured debtor has the right to contact the insurer or creditor to cancel the insurance coverage. This disclosure shall appear in prominent type on the first page of the group certificate or individual policy.

(13) *Proof of unemployment.* For involuntary unemployment coverage, proof of involuntary unemployment may not be limited to eligibility for unemployment compensation benefits.

**§ 73.112. Involuntary unemployment insurance rate standards.**

(a) *Prima facie involuntary unemployment rates.* Premium rates for credit involuntary unemployment insurance benefits, as described in § 73.110(a) (relating to involuntary unemployment insurance benefits), may not exceed the prima facie premium rates referenced in this section and published in the *Pennsylvania Bulletin*, unless higher premium rates are approved under § 73.122 (relating to deviated rates). Premium rates for benefits that differ from those benefits described in § 73.110(a) may not exceed premium rates that are actuarially

consistent with the prima facie premium rates referenced in this section and published in the *Pennsylvania Bulletin*.

(b) *Debtor insurance charge.* The amount charged a debtor by a creditor for credit involuntary unemployment insurance may not exceed the premium amount charged by the insurer, as computed at the time the charge to the debtor is determined.

(c) *Single premium rates for a 12-month benefit period and a full term coverage period.* If premiums are payable on a single premium basis for insurance with a 12-month benefit period for a full term coverage period, the single premium prima facie premium rates for credit involuntary unemployment insurance on a single life shall be as published in the *Pennsylvania Bulletin*.

(d) *Single premium rates for a 12-month benefit period and a limited term coverage period.* For insurance with a limited term coverage period and a 12-month benefit period, the single premium prima facie premium rates shall be the prima facie premium rates published in the *Pennsylvania Bulletin*, for an installment period equal to the number of monthly installment payments in the limited term coverage period. The single premium shall be determined by multiplying the prima facie rate by the monthly installment payment, by the number of months in the limited term coverage period, divided by 100.

(e) *Monthly outstanding balance rates for a 12-month benefit period and a full term coverage period.* If premiums are payable on a monthly outstanding balance basis for insurance with a 12-month benefit period for a full term coverage period, the monthly prima facie premium rates for credit involuntary unemployment insurance on a single life shall be as published in the *Pennsylvania Bulletin*.

(f) *Monthly outstanding balance rates for a 12-month benefit period and a limited term coverage period.* For insurance with a limited term coverage period and a 12-month benefit period, the monthly prima facie premium rates shall be as published in the *Pennsylvania Bulletin*, for an installment period equal to the number of monthly installment payments in the limited term coverage period. The monthly premium shall be determined by multiplying the prima facie rate by the monthly installment payment, by the remaining number of months in the limited term period, divided by 1,000.

(g) *Joint rates.*

(1) When each debtor is insured for 100% of the monthly unemployment payment, the prima facie premium rates for joint credit involuntary unemployment insurance shall equal 180% of the prima facie premium rates for single involuntary unemployment coverage.

(2) When each debtor is insured for a specific portion of the monthly unemployment payment, the prima facie premium rates for joint credit involuntary unemployment insurance shall equal 100% of the prima facie premium rates for single involuntary unemployment coverage.

(h) *Actuarially consistent rates.* For credit involuntary unemployment insurance on any other basis, prima facie premium rates shall be actuarially consistent with the rate standards of subsections (c)—(f).

(i) *Adjustment of prima facie rates and loss ratio standards.* By \_\_\_\_ (Editor's Note: The blank refers to a date 3 years after the effective date of the adoption of this proposal) and at least every 3 years thereafter, the Department will review the appropriateness of the prima facie premium rates referenced in this section based upon

Commonwealth experience data for the preceding 3-calendar years. The nonclaim element of the prima facie premium rates may not be adjusted unless an adjustment is necessary under subsection (j). No adjustment to the prima facie premium rates will be made if the change in prima facie premium rates so determined would be less than 5%. If an adjustment to the prima facie premium rates is indicated, the Department will publish the new prima facie premium rates in the *Pennsylvania Bulletin*. If an adjustment to the loss ratio standards is indicated, the Department will propose appropriate amendments to § 73.123 (relating to loss ratio standards) to reflect the change.

(j) *Review of nonclaim elements.* By \_\_\_\_ (Editor's Note: The blank refers to a date 9 years after the effective date of adoption of this proposal) and at least every 9 years thereafter, the Department will review the changes in the average term and amount of coverage, the changes in fixed and variable expenses, and the reasonable profit margin for insurance companies writing credit involuntary unemployment insurance in this Commonwealth. If this review indicates that a change in the nonclaim elements of the premium rates is necessary, the Department will propose amendments to the loss ratio standards in § 73.123 and thereafter publish new prima facie premium rates in the *Pennsylvania Bulletin*.

**§ 73.113. Voluntary unemployment insurance rate standards.**

(a) *Debtor insurance charge.* The amount charged a debtor by a creditor for credit voluntary unemployment insurance may not exceed the premiums charged by the insurer, as computed at the time the charge to the debtor is determined.

(b) *Premium rates based on loss ratio.* The premium rates shall be based on a loss ratio not less than the loss ratio standard in § 73.123 (relating to loss ratio standards).

(c) *Actuarial memorandum filing.* The insurer shall include, with the rate filing made under § 73.136(a) (relating to filing of forms and rates), an actuarial memorandum which contains the basis of the claim costs used in computing the premium rates.

(d) *Joint rates.*

(1) When each debtor is insured for 100% of the monthly unemployment benefit, the premium rates for joint credit voluntary unemployment insurance shall equal 180% of the premium rates for single voluntary unemployment coverage.

(2) When each debtor is insured for a specific portion of the monthly unemployment benefit, the premium rates for joint credit voluntary unemployment insurance shall equal 100% of the premium rates for single voluntary unemployment coverage.

(e) *Adoption of prima facie rates.* If, in the opinion of the Commissioner, there is sufficient credit voluntary unemployment insurance experience data in this Commonwealth, the Commissioner may establish and adopt prima facie premium rates for voluntary unemployment and procedures for adjusting the prima facie premium rates.

(f) *Review of nonclaim elements.* By \_\_\_\_ (Editor's Note: The blank refers to a date 9 years after the effective date of adoption of this proposal) and at least every 9 years thereafter, the Department will review the changes in the average term and amount of coverage, changes in fixed and variable expenses, and the reasonable profit

margin for insurers writing credit voluntary unemployment insurance in this Commonwealth. If this review indicates that a change in the loss ratio standard is necessary, the Department will propose appropriate amendments to § 73.123 to reflect the change.

**§ 73.114. Insurability requirements.**

Plans of credit insurance as provided in §§ 73.104(a), 73.107(a) and 73.110(a) (relating to life insurance and life insurance with TPD benefit; A and H insurance benefits; and involuntary unemployment insurance benefits) may provide for either:

- (1) An evidence of insurability requirement.
- (2) No evidence of insurability requirement.

**§ 73.115. Benefit exclusions.**

Exclusions may be contained in a credit insurance plan as provided in §§ 73.104(a), 73.107(a) and 73.110(a) (relating to life insurance and life insurance with TPD benefit; A and H insurance benefits; and involuntary unemployment insurance benefits).

(1) The following exclusions may be contained in a life insurance plan or a life insurance with TPD benefit plan:

- (i) Death due to suicide within 1 year of the effective date of coverage.
- (ii) TPD due to intentionally self-inflicted injury.
- (iii) A preexisting conditions exclusion due to a condition for which the insured debtor received medical advice, consultation, diagnosis or treatment from a physician within 6 months before the effective date of coverage and due to which death occurs or TPD commences within 6 months after the effective date of coverage. This exclusion applies only if and to the extent that the total amount of all insurance that would otherwise be subject to the preexisting conditions exclusion exceeds \$1,000.
- (iv) For the application of the exclusions contained in subparagraphs (i)—(iii), the effective date of coverage for each portion of the insurance attributable to a different advance under an open end loan, is the date on which the advance or charge occurs, or if later, the date on which coverage is elected.

(2) The following exclusions may be contained in an A and H insurance plan:

- (i) Normal pregnancy.
  - (ii) Intentionally self-inflicted injury.
  - (iii) Nonscheduled aircraft flight.
- (3) The following exclusions may be contained in an involuntary unemployment insurance plan:
- (i) Voluntary resignation of employment.
  - (ii) Voluntary leave of absence.
  - (iii) Voluntary forfeiture of salary, wages or income.
  - (iv) Retirement.
  - (v) Injury or disease.
  - (vi) Disability.
  - (vii) Strike or unionized labor dispute.
  - (viii) Discharge by employer for cause.
  - (ix) Involuntary unemployment for which severance pay is received by the debtor.

**§ 73.116. Age requirements.**

(a) *Debtor age provisions.* Plans of credit insurance as provided in §§ 73.104(a), 73.107(a) and 73.110(a) (relating

to life insurance and life insurance with TPD benefit; A and H insurance benefits; involuntary unemployment insurance benefits) may provide for debtor age provisions not less favorable than any of the following:

(1) An age restriction making the debtor ineligible for coverage when one of the following applies:

- (i) The debtor will have attained 65 years of age at the time the indebtedness is incurred.
- (ii) The debtor will have attained 66 years of age on the scheduled maturity date of the indebtedness.

(2) A provision for coverage to terminate when the debtor attains a specified age not less than 66 years. If coverage is written on a single premium basis, the term of the insurance coverage on which the premium is based may not extend beyond the termination age.

(i) A debtor electing coverage that terminates when a specified age is attained shall be provided, at the time of election of insurance coverage, with a written disclosure specifying both the term of insurance coverage and whether the coverage will terminate prior to the scheduled maturity date of the indebtedness.

(ii) A group certificate or individual policy providing coverage that terminates when a specified age is attained shall disclose the term of insurance coverage and shall contain a disclosure whether the term of insurance coverage will terminate prior to the scheduled maturity date of the indebtedness. The termination disclosure shall appear in prominent print on the first page of the group certificate or individual policy.

(b) *Eligibility determination using age.* An age restriction shall be used only to determine initial eligibility for coverage and may not be used as a basis for denying claims or terminating existing coverage, except as provided in subsection (a)(2) and in § 73.105(3) and (4), § 73.108(5) and (6) or § 73.111(5) and (6) (relating to life insurance and life insurance with TPD benefits requirements; A and H insurance requirements; and involuntary and voluntary unemployment insurance requirements).

**§ 73.117. Employment eligibility requirements.**

Plans of credit accident and health insurance as provided in § 73.107(a) (relating to accident and health insurance benefits) may provide for either:

- (1) Any evidence of gainful employment requirement.
- (2) No evidence of gainful employment requirement.

**§ 73.118. Initial eligibility requirements.**

Plans of credit involuntary unemployment insurance as provided in § 73.110 (a) (relating involuntary unemployment insurance benefits) may provide for initial eligibility requirements, whereby an insurer may choose to exclude from credit involuntary unemployment coverage, one or more of the following:

- (1) Unemployed individuals.
- (2) Self-employed individuals.
- (3) Military personnel.
- (4) Workers in seasonal or temporary jobs which are designed to last 6 consecutive months or less.

(5) Debtors who have been notified of a layoff or of employment termination occurring within 60 days of the termination notification.

**§ 73.119. Combination coverage rate.**

If an insurer combines two or more insurance coverages which are provided under separate and distinct policy

forms, and if the debtor may purchase only a package of insurance coverages, the premium rate for the package shall be the sum of the separate approved premium rates for the applicable insurance coverages less a discount of 5% of the sum of the separate approved premium rates.

**§ 73.120. Composite term premium rate.**

Composite term premium rates may be used under the following conditions:

(1) The insurer shall include in the filing of the composite term premium rates a demonstration that the expected total premium to be collected by the insurer will not exceed the total premium that would be collected if term specific rates were charged.

(2) The composite term premium rates may not exceed by more than 5% any term specific rates within the composite term period.

**§ 73.121. Maximum rates.**

An insurer may use a rate for an account that is lower than the filed rate applicable to that account without notice to the Department.

**§ 73.122. Deviated rates**

An insurer may file for approval of and upon approval may use rates that are higher than the prima facie premium rates if the use of the higher rates will result in a loss ratio which is not less than the loss ratio standard in § 73.123 (relating to loss ratio standards). If rates higher than the prima facie rates are filed, the filing shall specify the account to which the rates apply. These rates may be:

- (1) Applied uniformly to all accounts of the insurer.
- (2) Applied on an equitable basis to only one or more accounts of the insurer for which the actual prima facie loss ratio was higher than the applicable loss ratio standard.
- (3) Applied on an equitable basis in accordance with an account rating procedure. The account rating procedure shall be filed with and approved by the Department prior to use.

**§ 73.123. Loss ratio standards.**

Unless revised loss ratio standards are adopted, the loss ratio standards for the coverages specified shall be as follows:

	<i>Loss Ratio Standard</i>
Credit Life	55%
Credit Life with TPD	55%
Credit Accident and Health	
14-Day Retroactive	65%
14-Day Nonretroactive	65%
30-Day Retroactive	60%
30-Day Nonretroactive	60%
Credit Involuntary Unemployment	
30-Day Retroactive	60%
30-Day Nonretroactive	60%
Credit Voluntary Unemployment	60%

**§ 73.124. Duration of deviation.**

Deviated rates may not be in effect for a period longer than 3 years. An insurer may file for a new rate before the end of the 3 years, but not more often than once during any 12 month period.

**§ 73.125. Portability of rates.**

If an account for which a higher (deviated) rate is approved changes insurers, the rate approved for use for

that account by the prior insurer shall be the maximum rate that may be used by any succeeding insurer for the remainder of the applicable rate period, applicable to the prior insurer, or until a new rate is filed for use in connection with the account, if sooner.

**§ 73.126. Voluntary unemployment experience reports.**

The Commissioner may require on advance notice that each insurer doing credit voluntary unemployment insurance business in this Commonwealth file a report of credit voluntary unemployment insurance written on a calendar year basis. The report shall follow the format specified for credit unemployment insurance of the Credit Insurance Experience Exhibit as required by the annual statement instructions and shall contain separate specific data for this Commonwealth, rather than an allocation of the company's countrywide experience.

**§ 73.127. Refunds.**

(a) *Refund provision.* If insurance terminates prior to the scheduled maturity date of the indebtedness, a refund of any unearned premium shall be made as follows:

(1) If the indebtedness is discharged due to prepayment, renewal or refinancing prior to the scheduled maturity date, credit insurance shall be terminated and a refund of the unearned premium shall be made.

(2) A refund of any unearned credit A and H insurance premium, credit involuntary unemployment insurance premium or credit voluntary unemployment insurance premium shall be made if the indebtedness is prepaid by the proceeds of credit life insurance or credit life insurance with TPD benefit. The refund of the unearned credit insurance premium shall be in addition to any credit life insurance or TPD benefit proceeds.

(3) A refund of the total premium charged for credit insurance coverage shall be made if coverage is voided ab initio for any reason other than termination of the indebtedness.

(4) If joint coverage on one of the debtors is voided ab initio, a refund of the difference between the premium actually charged for the joint coverage, and the premium that would have been charged if only single coverage had been provided shall be made.

(b) *Refund time frame.* Refunds of premiums paid by or charged to the debtor shall be remitted to the debtor or credited to the debtor's outstanding indebtedness within 10 working days after the agent or group policyholder receives the refund from the insurer.

(c) *Refund notice.* A refund payment shall be accompanied by an explanation that the payment is a refund of premium. If the refund amount has been deducted from the debtor's outstanding indebtedness, the debtor shall be notified in writing that the refund was applied toward the outstanding indebtedness.

(d) *Refund formulas.* Insurers shall file for approval all refund formulas intended for use. A reference to the Rule of 78 shall be acceptable, in lieu of filing the actual formula.

(1) The refund of premiums on a single premium basis shall be calculated by multiplying the original single premium charged, by the appropriate refund factor.

(i) In determining the refund, if fewer than 15 days of insurance coverage has been provided during the loan month, no charge shall be made for that month. If 15 or more days of coverage have been provided during the loan month, a full month may be charged.

(ii) For gross decreasing credit life insurance with or without TPD benefits, the refund shall be computed based on the Rule of 78.

(iii) For level term credit life insurance with or without TPD benefits, the refund shall be computed based on a pro rata basis.

(iv) For full benefit period credit A and H insurance and full benefit period credit involuntary unemployment insurance, the refund shall be computed based on the Rule of 78.

(v) For any coverage not listed in subparagraphs (ii)—(iv), the refund factor shall equal the sum of remaining insured balances divided by the sum of the original insured balances.

(2) Except as provided in § 73.139 (j) (relating to credit insurance on open end loans), the refund of any unearned premiums calculated and remitted to the insured on a monthly outstanding balance basis shall be equal to the monthly premium charged if fewer than 15 days of insurance coverage has been provided during that loan month. If coverage has been provided for 15 or more days of the loan month, no refund of premium is required.

(e) *Minimum refund.* Insurers need not issue refunds for less than \$10.

(f) *Termination and refund disclosures.* The group policy and group certificate or individual policy issued to provide insurance coverage shall disclose the conditions under which the coverage will terminate and under which a premium refund is required. This refund disclosure shall also describe the method used to calculate the premium refund.

#### § 73.128. Terminations.

(a) *Individual policy termination.* An individual policy of credit insurance may not be terminated by an insurer, except for nonpayment of premium, prior to the scheduled expiration date of the policy, unless the indebtedness is sooner discharged due to renewal, refinancing or prepayment.

(b) *Continuation of coverage.* If a debtor is insured under a single premium group credit insurance policy, the insurer shall provide that in the event of termination of the policy, insurance coverage with respect to the debtor shall continue with either the original insurer or a new insurer for the entire period for which the single premium has been paid.

(c) *Notice of termination.* If a debtor is insured under a group credit insurance policy providing for the payment of premiums to the insurer on a monthly premium basis, the insurer shall, in the event of termination of the policy, cause a notice of termination to be provided to the insured debtor at least 30 days prior to the effective date of termination. A termination notice is not required if replacement coverage, of at least equal value, takes effect on the effective date of termination. The terminating insurer shall be responsible for assuring that any required termination notice is provided.

(d) *Assumption of coverage.* If an existing group policy is assumed by another insurer, the assuming insurer shall issue to the group policyholder a certificate of assumption for attachment to the group policy. If the entity to which the insured debtor is indebted is other than the group policyholder, the assuming insurer shall make reasonable efforts to notify the entity of the assumption.

#### § 73.129. Dividends.

(a) *Dividend payment.* Dividends on participating individual policies of credit insurance may be payable to the owners of the individual policies. Payment of dividends may be deferred until the policy is terminated.

(b) *Nonparticipating policies.* Experience refunds or retrospective premium rate adjustments may not be applied to nonparticipating individual credit insurance policies.

(c) *Dividends or retrospective rate credits as compensation.* Dividends or retrospective rate credits on group policies may be paid or credited to the group policyholder. Dividends or retrospective rate credits, less the policyholder's own contributions, if any, and less any amounts of the dividends or retrospective rate credits paid or credited to the benefit of debtors insured under the group policy, shall be considered compensation for the purpose of § 73.134 (relating to compensation of producers or creditors).

#### § 73.130. Election of coverage and disclosure requirements.

(a) *Separate purchase of coverages.* If more than one type of credit insurance coverage is offered for purchase in connection with an indebtedness and each coverage is provided under separate and distinct policy forms, the debtor shall be allowed to separately purchase each credit insurance coverage, unless the premium rate for a package policy is provided under to § 73.119 (relating to combination coverage rate).

(b) *Election of coverage.* If an identifiable charge is made to the debtor for credit insurance coverage, no coverage may be provided unless the debtor is liable under the credit agreement and the coverage is elected and signed for by the proposed insured debtor in the insurance application. If joint life, joint life with TPD benefit, joint A and H, joint involuntary unemployment, or joint voluntary unemployment coverage is offered, and an identifiable charge is made for the joint coverage, each proposed insured debtor shall be liable under the credit agreement, and shall elect the coverage by signing the insurance application. An insurer may require that only one of the joint debtors elect the credit insurance coverage if the following exist:

(1) The insurance application is mailed or electronically transmitted to the debtor and returned to the insurer or creditor by mail or electronically.

(2) The insurance application credit is completed after the application for the indebtedness is completed.

(c) *Single life designation.* In situations where two debtors are each liable for repayment of an indebtedness and insurance coverage on only one life is offered, both debtors shall be provided with the option to elect the coverage, if there is an identifiable charge to the debtor for the coverage. Only one of the debtors must be provided with the opportunity to elect the single coverage if the following exist:

(1) The insurance application is mailed or electronically transmitted to the debtor and returned to the insurer or creditor by mail or electronically.

(2) The credit insurance election is completed after the application for the indebtedness is completed.

(d) *Notice of proposed insurance.* With respect to section 6(4) of the act (40 P. S. § 1007.6(4)), the application and notice of proposed insurance shall be deemed to be prominently set forth in the financial instrument if set

forth in a separate provision on the face or reverse side of the financial instrument in type at least equal in size and prominence to the type used for other provisions of the financial instrument.

**§ 73.131. Choice of insurer.**

If insurance is required as additional security for an indebtedness, the debtor shall be informed by the creditor prior to completion of an application for credit insurance of the right to provide alternative insurance coverage through existing policies or by procuring and purchasing insurance coverage through an authorized insurer.

**§ 73.132. Collection of premiums.**

(a) *Collecting premiums as a representative.* If the creditor or its representative collects premiums or an identifiable charge for credit insurance from a debtor, it does so as a representative of the insurer and the moneys so collected shall be deemed received by the insurer for purposes of this chapter.

(b) *Remittance of premiums.* Premiums collected by the creditor from the debtor shall be remitted by the creditor to the insurer on a timely basis. For premiums collected on a single premium basis, premiums shall be remitted not later than 60 days from the last day of the month in which the insurance coverage was purchased. For premiums collected on a monthly outstanding premium basis, premiums shall be remitted not later than 60 days after the last day of the month or billing cycle in which the premiums from the debtor were charged or collected.

**§ 73.133. Claims and examination procedures.**

(a) *Claim procedures.* Every insurer shall be responsible for the settlement, adjustment and payment of all claims and shall establish and maintain adequate claim files.

(b) *Claim reporting.*

(1) Claims shall be promptly reported by the group policyholder or its representatives to the insurer or its designated claim representative, and all claims shall be settled as soon as practical and in accordance with the terms of the insurance contract.

(2) In the case where both A and H insurance benefit and life insurance with TPD benefit coverages are provided in connection with the same indebtedness, the group policyholder shall report the claim to the insurer for the appropriate coverage prior to or at the end of any applicable elimination period, subject to the group policyholder having received appropriate claim information from the insured debtor.

(c) *Payment of claims.* In addition to the payment of a claim by a draft drawn upon the insurer or by a check of the insurer, claims may also be paid by electronic transfer drawn by the insurer to the order of the claimant to whom payment of the claim is due. If the amount of the insurance payable exceeds the balance which the debtor is obligated to pay to the creditor, the creditor shall pay the excess directly to the beneficiary designated by the debtor or the estate entitled to the excess.

(d) *Settlement of claims.* If a group policyholder has made arrangements with an insurer to draw drafts or checks or make electronic transfers for payment of claims due to the group policyholder, the parties making the draws or electronic transfers may not be directly involved in making loans for the policyholder.

(e) *Creditor examination.* An insurer shall be responsible for conducting a thorough examination of creditors with respect to its credit insurance business during the

first policy year and at least annually thereafter to assure compliance with this chapter and other applicable insurance laws and regulations of the Commonwealth. The examination shall verify the accuracy of premiums or other identifiable insurance charges, premium refunds, claim payments which have been reported to the insurer and any other pertinent information necessary for the insurer to determine that debtors are being afforded proper coverage. Examinations performed by an insurer shall be subject to review by the Department. The group policy shall contain a provision explaining that the account will be examined annually.

(f) *Inspection of examination procedures.* Each insurer shall make available for Department inspection upon request its creditor examination procedures.

(g) *Record of examination.* The insurer shall establish and maintain a written record of each creditor examination. This record shall be maintained for at least 3 years from the date of examination or until the conclusion of the next succeeding regular examination by the Department of its domicile, whichever is later.

(h) *Record of coverage.* An insurer or, at the option of the insurer, the creditor shall establish and maintain adequate credit insurance records for at least 2 years after the termination of an individual debtor's insurance coverage. The records shall identify each individual debtor, the amount insured, the term of the insurance, the charge for the insurance and any refunds of unearned premiums. The records shall be made available for Department review upon request.

**§ 73.134. Compensation of producers and creditors.**

(a) *Compensation limits.* Premium rates shall be presumed to be excessive if the compensation for writing and handling credit insurance paid to a creditor, producer, or an affiliate, associate, subsidiary, director, officer, employee or other representative of the creditor or producer, exceeds:

(1) For credit life insurance and credit life insurance with TPD benefit, 27% of the prima facie premium rates referenced in § 73.106 (relating to life insurance rate standards) or 27% of the actuarially consistent premium rates for insurance for which prima facie rates are not published in the *Pennsylvania Bulletin*.

(2) For credit A and H insurance or involuntary unemployment insurance, 21% of the prima facie premium rates referenced in §§ 73.109 and 73.112 (relating to A and H insurance rate standards; and involuntary unemployment insurance rates standards) or 21% of the actuarially consistent premium rates for insurance for which prima facie rates are not published in the *Pennsylvania Bulletin*.

(b) *Additional compensation.* When a licensed producer, general producer, general agency or home office producer, having no direct or indirect affiliation or connection with the creditor, is involved in the solicitation of a credit insurance policy, the compensation of 27% as provided in subsection (a) shall be increased to 30% and the compensation of 21% as provided by subsection (b) shall be increased to 25% provided that the entire amount or any part of the additional compensation shall be used solely as commission for the licensed producer, general producer, general agency or home office producer involved in the solicitation. The creditor is prohibited from receiving indirectly or directly all or any portion of the additional 3% or 4% commission.

(c) *Compensation defined.* For purposes of this chapter, "compensation" means money or anything else of value

paid or credited to or on behalf of a group policyholder, producer, or general producer or withheld by a group policyholder, producer, broker or general producer within or outside this Commonwealth in relation to business produced or to be produced or written or to be written in this Commonwealth and paid or credited by or on behalf of the insurer or by any affiliate of the insurer or by another person. Compensation includes, but is not limited to, the following:

- (1) Commissions.
- (2) Fees, including administrative fees, service fees, consulting fees and expense fees.
- (3) Electronic data processing equipment used for purposes other than electronic rate books.
- (4) Electronic data processing services other than the programming of existing electronic data processing equipment used in lieu of rate books or charts.
- (5) Supplies, other than forms approved by the Commissioner and usual and customary claims and reporting forms and envelopes.
- (6) Rental equipment of any type provided by an insurer, its agent or any related person without charge of actual cost or at a charge less than the usual cost.
- (7) Advertising provided by an insurer, its agent or a related person without charge of actual cost or at a charge less than the usual cost.
- (8) Communication devices provided by an insurer, its agent or a related person without charge of actual cost or at a charge less than the usual cost.
- (9) Profit sharing plans.
- (10) Experience rating refunds and credits.
- (11) Dividends as provided in § 73.129 (relating to dividends).
- (12) Dividends received by a producer of credit insurance business who owns in part or whole a reinsurance company which assumes the credit insurance business from the direct insurer, if any of the following criteria are not met:
  - (i) The dividend payment on each share of stock represents no more than a reasonable return on the producer's capital investment.
  - (ii) The direct insurer has not contractually guaranteed to reassume any losses sustained by the reinsurer on the ceded business.
- (13) Expense allowances or reimbursement.
- (14) Stock plans and bonuses.
- (15) Extension of credit.
- (16) Reimbursement for expenditures.

#### § 73.135. Licensed producers.

(a) *Individual policy.* All individual policies of credit life insurance, credit A and H insurance or credit involuntary or voluntary unemployment insurance shall be issued only through a producer licensed in this Commonwealth. A person performing in connection with an individual policy a conduct which would fall within the definition of a producer shall be licensed as a producer.

(b) *Employes of creditor or insurer.* If a group policy is issued to a creditor, bona fide employes of the creditor or insurer may issue certificates and perform functions related to the issuance of certificates and administration of the group policy without being licensed as producers.

(c) *Receipt of compensation without licensing.* If a group policy is issued to a creditor, the creditor may, without being licensed as a producer, receive compensation for the issuance of certificates and performance of functions related to the issuance of certificates, subject to the limitation on compensation as provided in § 73.134 (relating to compensation of producers or creditors).

(d) *Licensed agent.* A licensed agent of the insurer who is not employed by the group policyholder may assist the group policyholder with the enrollment of persons in the program and with the issuance of certificates, but may not receive a commission from the group policyholder.

#### § 73.136. Filing of forms and rates.

(a) *Approval of forms and rates.* Individual policies, group policies, group certificates, notices of proposed insurance, applications for insurance, endorsements and riders delivered or issued for delivery in this Commonwealth and premium rates and formulas used in this Commonwealth shall be filed with the Commissioner for approval in accordance with section 7 of the act (40 P. S. § 1007.7).

(b) *Identification of filing.* Each filing of an individual or group policy or group certificate shall be accompanied by a filing letter describing the specific type of credit instruments with which the form will be used. If the coverage is equal to the net unpaid indebtedness, the filing letter shall describe the method used to determine how the interest is earned. If an approved form is to be used with a type of credit instrument other than that stated in the original filing letter, or the method for earning interest is other than that as stated in the original filing letter, a new filing letter describing the specific type of loan and the interest charge calculation shall be filed.

(c) *Readability.*

(1) Forms shall be written in understandable language, which is not confusing or misleading to a person of average intelligence. Forms shall contain a definition or explanation of terminology that would not be ordinarily understood by a person of average intelligence.

(2) Forms may not contain inconsistent or contradictory language or provisions.

(3) Policies and group certificates shall accurately and completely explain the coverage and conditions of coverage. Group certificates shall be consistent with the group policies and contain provisions applicable only to insured debtors.

(d) *Combination forms.* Insurers may provide life coverage, life coverage with TPD benefit, A and H coverage (any and all benefit plans), or unemployment coverage (any and all benefit plans) on either a single coverage or joint coverage basis within the same policy or certificate. Every individual policy or group certificate shall provide a means of identifying which debtor is insured under which coverage.

(e) *Identity of insurer.*

(1) Forms shall disclose the identity of the insurer.

(2) If more than one insurer provides credit insurance coverages, a multicompany insurance application, policy or group certificate may be used, as long as the form clearly discloses which insurer provides which coverage.

(f) *Credit instrument application.*

(1) If an insurer relies on the credit insurance election portion of a credit instrument as the application for

insurance, the credit insurance election portion shall be filed with the Department for approval. Once approved, the identical credit insurance election portion of the form may be incorporated into other credit instruments without the necessity of refiling the credit insurance election form.

(2) If an insurer relies on the credit election portion of a credit instrument as the application for insurance, the credit insurance election portion shall be clearly differentiated in appearance from the rest of the credit instrument.

(g) *Identification.* No credit insurance rate book, rate chart, rate card, rate table, or refund table may be used or distributed in this Commonwealth, unless the premium payment, gross or net coverage basis and plan of benefits appear therein.

(h) *Out-of-State coverage.* If a group policy of credit insurance has been issued in another state, the insurer shall:

(1) File for approval the group certificate and notice of proposed insurance to be delivered or issued for delivery in this Commonwealth.

(2) Certify that the rates to be charged do not exceed the rates of the insurer on file with the Department.

(3) Identify the applicable rates on file with the Department. If no applicable rates are on file, file for approval the premium rates and formulas in accordance with § 73.106, § 73.109, § 73.112 and § 73.113.

(4) File the group policy with the Department for information purposes only.

**§ 73.137. Compensating balances or special deposits.**

(a) *Definition.* Compensating balances or special deposit accounts shall include the following:

(1) The deposit of premiums or money to the account of the insurer or an affiliate of the insurer when the account is either noninterest bearing or bearing interest at a rate less than the current market rate. The rate of interest will be considered less than usual if a higher rate of interest could be earned by combining the account with one or more other accounts, unless there is a business reason unrelated to the credit insurance program for maintaining separate accounts.

(2) The remittance of premiums to the insurer after the expiration of the grace period, except as provided in § 73.132(b) (relating to collection of premiums), on a regular basis thereby resulting in an arrearage period which is constant.

(3) The retention of premiums by a producer to whom the financial institution remits premiums beyond a reasonable period of time needed for the producer to remit premiums to an insurer, if the delay is a continuing practice in the premium paying process.

(4) Any other practice which unduly delays receipt of premiums by the insurer on a regular basis, or which involves the use of the financial resources of an insurer for the benefit of a financial institution.

(b) *Illegal inducement.* The use of compensating balances or special deposit accounts in connection with a credit insurance program violates section 635 of The Insurance Department Act of 1921 (40 P. S. § 271), section 346 of The Insurance Company Law of 1921 (40 P. S. § 471) and section 5(a)(4) of the Unfair Insurance Practices Act (40 P. S. § 1171.5(a)(4)).

(c) *Premium basis.* The prohibition on compensating balances and special deposits applies regardless of whether premiums are due the insurer on the single premium basis or on the monthly outstanding balance premium basis.

(d) *Nonapplicability.* This section does not prevent an insurer from making deposits in a financial institution which deposits are not related to a credit insurance program.

**§ 73.138. Financial statement reserves.**

The following reserves for credit insurance policies shall be maintained by insurers doing credit life insurance or credit A and H insurance business in this Commonwealth.

(1) The reserves for credit life insurance may not be less than the reserves as computed using the Commissioners 1980 Extended Term Mortality Table, using mortality rates applicable to male lives for insurance issued prior to or on or after \_\_\_\_\_. (*Editor's Note:* The blank refers to the effective date of adoption of this proposal) with interest at the rate specified in section 301(c) of the Insurance Department Act of 1921 (40 P. S. § 71).

(2) The reserves for single premium credit A and H insurance or TPD benefits may not be less than the mean of the amounts of unearned premium calculated from gross premiums in force on the following bases:

(i) The pro rata basis.

(ii) Rule of 78 basis.

(3) The reserves for monthly premium credit A and H insurance and TPD benefits may not be less than the amount of unearned premium calculated from gross premiums in force on the pro rata basis.

(4) The claim reserves for credit A and H insurance shall be calculated using a generally accepted actuarial method or other reasonable method acceptable to the Commissioner.

**§ 73.139. Credit insurance on open end loans.**

(a) *General requirements.* Credit insurance may be provided in connection with open end loans. This insurance is provided on the outstanding balance of the indebtedness, subject to any maximum dollar amount of coverage or limited benefit period specified in the group certificate or individual policy. If no indebtedness exists, the insurance amount shall be zero and shall remain so until an advance or charge occurs under the plan. This section supersedes other provisions of this chapter as they relate to credit insurance on open end loans, to the extent that they are inconsistent.

(b) *Identification.* A credit insurance program designed for use with open end loans shall be identified as such when filed with the Department in accordance with § 73.136 (relating to filing of forms and rates).

(c) *Symbols.* The symbols used in this section shall have the following meaning:

(1)  $i$  = actual monthly interest rate (APR/12).

(2)  $i'$  =  $(i + .0025)$ .

(3)  $n$  =  $\log(z/(z-i))/\log(1+i)$  rounded up to an integer.

(4)  $NFC$  = gross/net conversion rate for an open end loan with the monthly benefit equal to a minimum monthly payment that is based on a percentage of the current month's balance.



(5)  $z$  = minimum monthly payment expressed as a decimal fraction.

(d) *Life benefit.* The credit life insurance benefit shall be equal to the lesser of:

(1) The amount of the outstanding balance of the indebtedness at the time of death.

(2) The maximum dollar amount of coverage specified in the group certificate or individual policy.

(e) *TPD benefit.* The TPD benefit shall be equal to the lesser of:

(1) The amount of the outstanding balance of the indebtedness at the commencement of the total and permanent disability plus the amount any monthly interest accruing on the net unpaid indebtedness from the date TPD commences until the date the TPD benefit is paid.

(2) The maximum dollar amount of coverage specified in the group certificate or individual policy.

(f) *A and H and involuntary unemployment benefit.* The minimum monthly insurance benefit for A and H insurance and involuntary unemployment insurance shall be equal to the lesser of:

(1) The minimum loan payment for the month in which disability or unemployment commences, excluding indebtedness incurred after the disability or unemployment commences and repayments made during the month in which disability or unemployment commences. The minimum loan payment shall be based on a percentage of the current month's balance.

(2) The maximum monthly dollar amount of coverage specified in the group certificate or individual policy.

(g) A and H and involuntary unemployment premium rates. If the A and H and involuntary unemployment premium rates are based on the net outstanding balance, the premium rates shall be determined as follows:

(1) If the benefit amount is equal to the minimum monthly loan payment and the benefit is paid until the indebtedness existing at the time of disability or involuntary unemployment, including accrued interest, is repaid, the following adjustment shall be made:

(i) For open end loans where the minimum monthly payment is based on a percentage of the current month's balance, the monthly outstanding balance *prima facie* rates published in the *Pennsylvania Bulletin* shall be converted from rates to be applied to gross monthly outstanding balance, to rates to be applied to the net monthly outstanding balance. The following formula may be used:

$$NFC = (n/a_n i) (Op_n)$$

(ii) Each creditor shall have its A and H and involuntary unemployment rate based on the creditor's minimum repayment schedule and current annual percentage rate. The insurer shall review the minimum monthly installment and annual percentage rate of each creditor at least annually. If there is a change in the minimum repayment percentage or the annual percentage rate, and the resulting premium rate is greater than the current premium rate, the insurer may adjust the rate. If the resulting rate is lower than the current premium rate, the insurer shall adjust the rate where the change results in a rate reduction of greater than 5%.

(iii) Either the actual interest rate used in calculating the loan or interest rate intervals may be used when converting the gross premium *prima facie* rates published

in the *Pennsylvania Bulletin* in accordance with subparagraphs (i) and (ii). When interest intervals are used, the monthly interest rate "i" shall be set equal to the midpoint of the range. The interest rate intervals shall be set so as to include all interest rates that produce the same loan duration for a specified payback percentage. The insurer shall include with the premium rate filing, required by § 73.136, a complete description of the method and formulas used to determine the interest rate intervals.

(2) For a benefit plan that is different than the plan described in paragraph (1), the insurer shall include with the premium rate filing, a description of the method and formulas used to determine the coverage period and benefit period, and a description of the method and formulas used to adjust the gross outstanding balance rates for a full coverage period and a full benefit period to net outstanding balance rates for the appropriate coverage period and benefit period. The insurer shall include the actuarial justification of the method.

(h) *Furnishing of forms.* Forms required to be furnished to a debtor as evidence of coverage need be furnished only once for each open end loan and may remain in force until terminated.

(i) *Assumption of coverage.* If an existing group policy providing insurance coverage in connection with open end loans is assumed by another insurer, the assuming insurer shall issue a replacement certificate to each existing certificate holder.

(j) *Premium refund.* Refund of premiums is not required in the event of termination of the coverage, except with respect to the termination of credit A and H, credit involuntary unemployment, or credit voluntary unemployment insurance as provided in § 73.127(a)(2) (relating to refunds).

**§ 73.140. Credit insurance on closed end variable interest loans.**

(a) *General requirements.* Credit insurance may be provided in connection with closed end variable interest loans. This section supersedes other provisions of this chapter as they relate to credit insurance on closed end variable interest loans to the extent that they are inconsistent.

(b) *Identification.* A credit insurance program designed for use with closed end variable interest loans shall be identified as such when filed with the Department in accordance with § 73.136 (relating to filing of forms and rates).

(c) *Disclosure.* If premiums are payable on a single premium basis and life insurance coverage is provided, the individual policy or group certificate shall contain a disclosure that the insurance benefit may end prior to the maturity date of the loan. If premiums are payable on a single premium basis and A and H, involuntary unemployment or voluntary unemployment insurance coverage is provided, the individual policy or group certificate shall contain a disclosure that the insurance benefits may not be sufficient to pay the entire amount of the periodic loan payment or may end prior to the maturity date of the loan. The disclosure shall appear in prominent type on the first page of the individual policy or group certificate.

(d) *Benefit amount.* Subject to policy limitations, if premiums are payable on a single premium basis, the monthly A and H insurance benefit and the involuntary unemployment insurance benefit shall equal the amount of the original monthly installment payment. Subject to

policy limitations, if premiums are payable on a monthly outstanding balance basis, the monthly A and H and involuntary unemployment insurance benefits shall equal the amount of the monthly installment payment amount on the day disability or unemployment began.

(e) *Coverage term.* If premiums are payable on a single premium basis, the term of the insurance shall extend until the original scheduled maturity date of the indebtedness, unless coverage terminates earlier in accordance with the policy or certificate provisions. If the term of the insurance extends to the original scheduled maturity date of the indebtedness, it may be extended for an additional 2 months to cover delinquencies or extensions due to increased interest rates. If premiums are payable on a monthly outstanding balance basis, the term of the insurance shall extend until the loan is repaid, unless coverage terminates earlier in accordance with the policy or certificate provisions.

(f) *Refund.* A refund of any unearned premiums shall be made as provided in § 73.127 (relating to refunds) if the indebtedness is prepaid prior to the original scheduled maturity date of the indebtedness as a result of a decline in interest rates. The refund shall be based on the term and interest rate applicable at the inception of the loan and the actual elapsed term.

(g) *Premium determination.* If premiums are payable on a single premium basis, the premium shall be based on the expected amount and term of coverage, in consideration of the amount financed, the expected loan term and the interest rate applicable to the loan at the time the insurance is elected.

#### § 73.141. Credit insurance on lease transactions.

(a) *General requirements.* Credit insurance may be provided in connection with lease transactions. This section supersedes other provisions of this chapter as they relate to credit insurance on lease transactions, to the extent that they are inconsistent.

(b) *Identification.* A credit insurance program designed for use with lease transactions shall be identified as such when filed with the Department in accordance with § 73.136 (relating to filing of forms and rates).

(c) *Lease filing.* Insurers shall file a lease form and lease worksheet for each total monthly lease payment calculation method. An insurer, which has received approval of filed insurance forms, premiums and refund calculations for use with a particular monthly lease payment calculation method, may use the approved forms, premiums and refund calculations with any lease form providing for the same method. Approved insurance forms may be used with a different total monthly lease payment calculation method if the insurer files the lease form and receives approval of premium and refund calculations. The premium and refund calculations shall be consistent with the manner in which the newly filed total monthly lease payment is calculated.

(d) *Lease payment methodology.* Insurers shall include with the premium rate filing the methodology for calculating the actual monthly lease payment, including such factors as taxes, depreciation, interest, insurance premiums and service fees.

(e) *Coverage basis.* The decreasing credit life insurance benefit or credit life insurance with TPD benefit shall equal the decreasing term lease insurance amount, as defined in § 73.103 (relating to definitions). If the residual amount of a lease transaction is insured, the insurance shall be provided on a level term basis.

(f) *Benefit amount.* The monthly A and H insurance benefit and the involuntary unemployment insurance benefit shall equal the amount of each monthly lease payment. No credit A and H or involuntary unemployment insurance may be provided on the residual amount.

(g) *Payment to beneficiary.* If the credit life or TPD proceeds are applied to continue lease payments, the difference between the sum of the remaining payments plus the amount of level insurance, if applicable, and the sum of the present value of the remaining payments plus the present value of the residual payment, if applicable, shall be paid to the named beneficiary or the estate of the debtor regardless of whether the benefit is paid to the creditor as a lump sum or in installments. The present value shall be calculated using an interest rate not less than 5%.

(h) *Single premium calculation.* If premiums for credit life insurance or credit life insurance with TPD benefit are payable on a single premium basis, the single premium shall equal the sum of:

(1) The single premium for decreasing insurance with an amount of initial insured indebtedness equal to the initial amount of decreasing lease insurance, as defined in § 73.103, and with a number of equal monthly installments equal to the number of months in the lease term, less the number of monthly installments paid at the beginning of the lease.

(2) The single premium for level insurance with an amount of insurance equal to the amount of level lease insurance, as defined in § 73.103, and with a number of monthly installments equal to the number of months in the lease term.

(i) *Single premium formula filing.* Every insurer shall submit its formula for calculating the single premiums for the life, life with TPD, A and H, involuntary unemployment and voluntary unemployment insurance coverages consistent with the calculation of the monthly lease payment.

#### § 73.142. Credit insurance on fixed residual loans.

(a) *General requirements.* Credit insurance may be provided in connection with motor vehicle fixed residual value financing. This section supersedes other provisions of this chapter as they relate to credit insurance on fixed residual loans, to the extent that they are inconsistent.

(b) *Identification.* A credit insurance program designed for use with fixed residual value financing shall be identified as such when filed with the Department in accordance with § 73.136 (relating to filing of forms and rates).

(c) *Filing requirement.* Every insurer shall file a fixed residual value financing loan form and the formula demonstrating the manner in which the actual installment payment will be calculated for each installment payment calculation method.

(d) *Level life coverage.* If the fixed residual value amount is insured, life insurance coverage shall be provided on a level term basis.

(e) *A and H and involuntary unemployment coverage.* The monthly A and H insurance benefit and the involuntary unemployment insurance benefit may not exceed the amount of each monthly installment payment. No credit A and H or involuntary unemployment insurance may be provided on the residual amount.

(f) *Single premium gross calculation.* If premiums for credit life insurance or credit life insurance with TPD

benefit are payable on a single premium basis, when the benefit is the gross unpaid indebtedness, the single premium shall equal the sum of the single premium for decreasing insurance with an amount of initial insured gross unpaid indebtedness equal to the sum of the schedule of installment payments and the single premium for level insurance with an amount of insurance equal to the fixed residual value.

(g) *Single premium net calculation.* If premiums for credit life insurance or credit life insurance with TPD benefit are payable on a single premium basis, when the benefit is the net unpaid indebtedness, the single premium shall equal the sum of the single premium for decreasing insurance based on an initial amount financed minus an amount equal to the fixed residual value, and the single premium for level insurance with an amount of insurance equal to the fixed residual value.

(h) *Payment to beneficiary.* If the insurance benefit is the gross unpaid indebtedness, and if the life insurance or TPD proceeds are applied to continue the installment, the group policy and group certificate or individual policy providing the coverage shall provide that the difference between the sum of the remaining payments plus the amount of level insurance, if applicable, and the sum of the present value of the remaining payments plus the present value of the fixed residual value payment, if applicable, shall be paid to the named beneficiary or the estate of the debtor, regardless of whether the benefit is paid to the creditor as a lump sum or in installments. The present value shall be calculated using an interest rate of at least 5%.

**§ 73.143. Credit insurance on balloon loans.**

(a) *General requirements.* Credit insurance may be provided in connection with balloon loans. This section supersedes other provisions of this chapter as they relate to credit insurance on balloon loans, to the extent that they are inconsistent.

(b) *Identification.* A credit insurance program designed for use with balloon loans shall be identified as such

when filed with the Department in accordance with § 73.136 (relating to filing for forms and rates).

(c) *Disclosure.* Every individual policy or group certificate shall contain a disclosure that neither the A and H nor the involuntary unemployment insurance benefit is provided on the balloon amount of the loan. The disclosure shall appear in prominent type on the first page of the individual policy or group certificate.

(d) *Benefit amount.*

(1) For credit life insurance or credit life insurance with TPD benefit, the balloon amount shall be included in determining the amount of gross unpaid indebtedness or net unpaid indebtedness.

(2) For credit A and H, involuntary unemployment, or voluntary unemployment insurance, no monthly benefit may be provided on the balloon amount.

(e) *Life insurance single premium gross calculation.* If premiums for credit life insurance or credit life insurance with TPD benefit are payable on a single premium basis when the benefit is the gross unpaid indebtedness, the single premium shall equal the sum of the single premium for the decreasing insurance with an amount of initial insured gross unpaid indebtedness equal to the actual amount of initial insured gross unpaid indebtedness minus the balloon amount and the single premium for level insurance with an amount of insurance equal to the balloon amount.

(f) *Life insurance single premium net calculation.* If premiums for credit life insurance or credit life insurance with TPD benefit are payable on a single premium basis when the benefit is the net unpaid indebtedness, the single premium shall equal the sum of the single premium for the decreasing insurance based on the initial amount financed minus the balloon amount and the single premium for level insurance with an amount of insurance equal to the balloon amount.

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# STATEMENTS OF POLICY

## Title 55—PUBLIC WELFARE

DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CH. 1241]

### Revised EPSDT Immunization Guidelines

The purpose of this statement of policy is to provide revised immunization guidelines for use in serving recipients during Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) examinations or medical visits.

*Scope*

This statement of policy applies to providers who administer immunizations to eligible Medical Assistance (MA) recipients, including those in MA managed care organizations.

*Background*

On December 11, 1992, the Department of Public Welfare (Department) issued EPSDT Program Bulletin 1241-92-01, which revised the EPSDT immunization guidelines.

This schedule includes the new recommended childhood immunization schedule of the Advisory Committee on Immunization Practices (ACIP). This schedule has been approved by the ACIP, the American Academy of Pediatrics and the American Academy of Family Physicians. The combined approval should eliminate confusion among providers and patients concerning immunization recommendations.

rics and the American Academy of Family Physicians. The combined approval should eliminate confusion among providers and patients concerning immunization recommendations.

*Procedure*

This statement of policy replaces the statement of policy published at 22 Pa.B. 5785 (December 5, 1992) which was effective December 11, 1992. When providing immunizations, immunization providers and EPSDT screening providers should now use the new immunization guidelines. These guidelines should be used for both immunizations provided through the Vaccines for Children Program as well as the fee-for-service and managed care delivery systems.

*Effective Date*

This statement of policy will take effect upon publication in the *Pennsylvania Bulletin*.

FEATHER O. HOUSTOUN,  
*Secretary*

*(Editor's Note: The regulations of the Department, 55 Pa. Code Chapter 1241, are amended by amending Appendix D to read as set forth in Annex A.)*

**Fiscal Note:** 14-BUL-51. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 55. PUBLIC WELFARE**

**PART III. MEDICAL ASSISTANCE**

**CHAPTER 1241. EARLY AND PERIODIC SCREENING, DIAGNOSIS AND TREATMENT PROGRAM**

**Appendix D. EPSDT IMMUNIZATION GUIDELINES—STATEMENT OF POLICY**

**Recommended Childhood Immunization Schedule  
United States, January—December 1997**

Vaccines<sup>1</sup> are listed under the routinely recommended ages. **[Bars]** indicate range of acceptable ages for vaccination. **[Shaded bars]** indicate catch-up vaccination: at 11-12 years of age, Hepatitis B vaccine should be administered to children not previously vaccinated, and Varicella Virus vaccine should be administered to unvaccinated children who lack a reliable history of chickenpox.

Age Vaccine	Birth	1 mo	2 mos	4 mos	6 mos	12 mos	15 mos	18 mos	4-6 yrs	11-12 yrs	14-16 yrs
Hepatitis B <sup>2,3</sup>	Hep B-1										
		Hep B-2		Hep B-3						Hep B <sup>3</sup>	
Diphtheria, Tetanus, Pertussis <sup>4</sup>		DTaP or DTP	DTaP or DTP	DTaP or DTP		DTaP or DPT <sup>4</sup>			DTaP or DTP	Td	
H. influenzae type b <sup>5</sup>		Hib	Hib		Hib <sup>5</sup>	Hib <sup>5</sup>			Polio		
Polio <sup>6</sup>		Polio <sup>6</sup>	Polio		Polio <sup>5</sup>						
Measles, Mumps, Rubella <sup>7</sup>						MMR			MMR <sup>7</sup>	MMR <sup>7</sup>	
Varicella <sup>8</sup>						Var					Var <sup>8</sup>

Approved by the Advisory Committee on Immunization Practices (ACIP), the American Academy of Pediatrics (AAP), and the American Academy of Family Physicians (AAFP).

<sup>1</sup> This schedule indicates the recommended age for routine administration of currently licensed childhood vaccines. Some combination vaccines are available and may be used whenever administration of all components of the vaccine is indicated. Providers should consult the manufacturers' package inserts for detailed recommendations.

<sup>2</sup> *Infants born to HBsAg-negative mothers* should receive 2.5 µg of Merck vaccine (Recombivax HB®) or 10 µg of SmithKline Beecham (SB) vaccine (Engerix-B®). The 2nd dose should be administered ≥ 1 mo after 1st dose.

*Infants born to HBsAg-positive mothers* should receive 0.5 mL hepatitis B immune globulin (HBIG) within 12 hrs of birth, and either 5 µg of Merck vaccine (Recombivax HB®) or 10 µg of SB vaccine (Engerix-B®) at a separate site. The 2nd dose is recommended at 1-2 mos of age and the 3rd dose at 6 mos of age.

*Infants born to mothers whose HbsAg status is unknown* should receive either 5 µg of Merck vaccine (Recombivax HB®) or 10 µg of SB vaccine (Engerix-B®) within 12 hrs of birth. The 2nd dose of vaccine is recommended at 1 mo of age and the 3rd dose at 6 mos of age. Blood should be drawn at the time of delivery to determine the mother's HBsAg status; if it is positive, the infant should receive HBIG as soon as possible (no later than 1 wk of age). The dosage and timing of subsequent vaccine doses should be based upon the mother's HBsAg status.

<sup>3</sup> Children and adolescents who have not been vaccinated against hepatitis B in infancy may begin the series during any childhood visit. Those who have not previously received 3 doses of hepatitis B vaccine should initiate or complete the series during the 11-12 year-old visit. The 2nd dose should be administered at least 1 mo after the 1st dose, and the 3rd dose should be administered at least 4 mos after the 1st dose, and at least 2 mos after the 2nd dose.

<sup>4</sup> DTaP (diphtheria and tetanus toxoids and acellular pertussis vaccine) is the preferred vaccine for all doses in the vaccination series, including completion of the series in children who have received ≥1 dose of whole-cell DTP vaccine. Whole-cell DTP is an acceptable alternative to DTaP. The 4th dose of DTaP may be administered as early as 12 mos of age, provided 6 mos have elapsed since the 3rd dose, and if the child is considered unlikely to return at 15-18 mos of age. Td (tetanus and diphtheria toxoids, adsorbed, for adult use) is recommended at 11-12 yrs of age if at least 5 yrs have elapsed since the last dose of DTP, DTaP or DT. Subsequent routine Td boosters are recommended every 10 yrs.

<sup>5</sup> Three H. influenzae type b (Hib) conjugate vaccines are licensed for infant use. If PRP-OMP (PedvaxHIB® [Merck]) is administered at 2 and 4 mos of age, a dose at 6 mos is not required. After completing the primary series, any Hib conjugate vaccine may be used as a booster.

<sup>6</sup> Two poliovirus vaccines are currently licensed in the US: inactivated poliovirus vaccine (IPV) and oral poliovirus vaccine (OPV). The following schedules are all acceptable by the ACIP, the AAP and the AAFP, and parents and providers may choose among them:

1. IPV at 2 and 4 mos; OPV at 12-18 mos and 4-6 yrs
2. IPV at 2, 4, 12-18 mos, and 4-6 yrs
3. OPV at 2, 4, 6-18 mos, and 4-6 yrs

The ACIP routinely recommends schedule 1. IPV is the only poliovirus vaccine recommended for immunocompromised persons and their household contacts.

<sup>7</sup> The 2nd dose of MMR is routinely recommended at 4-6 yrs of age or at 11-12 yrs of age, but may be administered during any visit, provided at least 1 mo has elapsed since receipt of the 1st dose, and that both doses are administered at or after 12 mos of age.

<sup>8</sup> Susceptible children may receive Varicella vaccine (Var) during any visit after the 1st birthday, and unvaccinated persons who lack a reliable history of chickenpox should be vaccinated during the 11-12 year-old visit. Susceptible persons ≥13 yrs of age should receive 2 doses, at least 1 mo apart.

[Pa.B. Doc. No. 97-1211. Filed for public inspection August 1, 1997, 9:00 a.m.]

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Commission Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold a public hearing on Wednesday, August 6, 1997. The hearing will be part of the Commission's regular business meeting which is open to the public and scheduled to begin at 1:30 p.m. in the Harbor Room of the University of Delaware's Virden Center at 700 Pilottown Road, Lewes, Delaware.

An informal conference among the Commissioners and staff will be held at 9:30 a.m. at the same location and will include a United States Geological Survey presentation on a regional pilot for integrated environmental monitoring and related research in the mid-Atlantic region; a presentation on the Delaware Estuary Program's monitoring plan; a discussion of proposed amendments to the Commission's Administrative Manual—Rules of Practice and Procedure and a Flow Management Technical Advisory Committee status report.

In addition to the following subjects which are scheduled for public hearing at the business meeting, the Commission will also address the following: minutes of the June 25, 1997 business meeting; announcements; General Counsel's report; report on Basin hydrologic conditions; consideration of Jefferson Township Sewer Authority Doc. No. D-97-6 CP; and public dialogue.

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. *Reed's Sod Farms D-81-44 RENEWAL 3.* An application for the renewal of a groundwater withdrawal project, formerly approved under the name of Stewart L. Reed, Jr., to supply up to 20 million gallons (mg)/30 days of water to the applicant's supplemental irrigation system from Well No. 1. Commission approval on December 11, 1991 was limited to 5 years. The applicant requests that the total withdrawal from all wells remain limited to 20 mg/30 days. The project is located in Washington Township, Mercer County, NJ.

2. *Schuylkill County Municipal Authority D-90-49 CP (Revision 2).* A project to increase the applicant's existing exportation of surface water from 0.6 million gallons per day (mgd) to 1.0 mgd. The project will provide 0.225 mgd to a site spanning portions of Foster, Butler and Cass Townships just east of Interstate Route 81 in Schuylkill County, PA. The project includes a new Department of Transportation safety/rest area and the proposed Schuylkill Highridge Business Park. The project service area is situated in the Delaware River Basin (DRB) near the ridge line and exportation will be via discharge of wastewater to the Schuylkill County Municipal Authority wastewater treatment plant located in Gordon, Schuylkill County, PA in the Susquehanna River Basin (SRB). All of the exportation water sources are provided by the applicant's two existing water supply storage reservoirs, Kaufman Reservoir and Mount Laurel Reservoir (formerly known as Mud Run Reservoir). Kaufman Reservoir is located on Kaufman Run, a tributary of Mud Run, in New Castle Township; Mount Laurel Reservoir is located nearby on Mud Run, also in New Castle Township, all in

the DRB in Schuylkill County. No increase in allocation from the two reservoirs is required to provide the increased exportation.

3. *Evesham Township Municipal Utilities Authority D-95-62 CP.* A project to upgrade and expand the applicant's 1.5 mgd Woodstream sewage treatment plant (STP) average monthly design capacity to 1.7 mgd. The STP will continue to serve a portion of Evesham Township by providing secondary biological treatment utilizing the contact stabilization activated-sludge process and tertiary treatment with rapid sand filtration. The project will include improvement and expansion of the existing facilities and the addition of ammonia nitrogen removal facilities. The STP is located just north of Greentree Road on the east bank of the South Branch Pennsauken Creek, to which the STP will continue to discharge, in Evesham Township, Burlington County, NJ.

4. *Richland Township Water Authority D-96-44 CP.* An application for approval of a groundwater withdrawal project to supply water to the applicant's distribution system from existing Well Nos. 1 and 2, from acquired Well No. 3 (formerly Judd Associates, Inc. Well No. RC-1), from acquired Well Nos. 4 and 5 (formerly Walnut Bank Water Company Well Nos. WB-2 and WB-3), and to increase the existing total withdrawal limit of 20.13 mg/30 days to 29.3 mg/30 days. The project is located in Richland Township, Bucks County, in the Southeastern Pennsylvania Ground Water Protected Area.

5. *Borough of Washington D-97-4 CP.* A discharge project to upgrade and expand the applicant's existing 0.85 mgd STP to 1.5 mgd. The proposed STP will provide advanced secondary biological treatment with the sequencing batch reactor activated sludge treatment process. The STP will continue to serve the Borough and portions of Washington Township, Warren County, NJ and, after ultraviolet disinfection, discharge to Pohatcong Creek via a new outfall extension; the existing discharge to Shabbecong Creek, approximately 350 feet upstream of the new discharge, will be eliminated. The project STP is situated just south of Route 57 near the eastern boundary of the Borough of Washington on the south bank of Pohatcong Creek.

6. *Merchantville-Pennsauken Water Commission D-97-5 CP.* An application for approval of a groundwater withdrawal project to supply up to 335 mg/30 days of water to the applicant's distribution system from 14 existing wells and new Well No. Browning Road 3A, and to reduce the existing withdrawal limit from all wells to 335 mg/30 days. The project is located in Merchantville Borough and Pennsauken Township, Camden County, NJ.

7. *City of Allentown D-97-14 CP.* A project to modify the applicant's Klines Island STP to improve the secondary settling and final settling processes, along with other operational and equipment modifications. The STP project is intended to more efficiently meet the effluent parameters in the current and future discharge permits. The STP will continue to be rated for a 40 mgd average monthly flow and discharge to the Lehigh River in the City of Allentown, Lehigh County, PA. The STP will continue to serve the City of Allentown, the Boroughs of Coplay, Emmaus, Alburtis and Macungie, and the Townships of Whitehall, South Whitehall, Salisbury, Upper Macungie, Lower Macungie, Upper Milford, Hanover, Weisenberg and Lowhill, all in Lehigh County.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Contact Thomas L. Brand at (609) 883-9500 ext. 221 concerning docket-related questions. Persons wishing to testify at this hearing are requested to register with the Secretary at (609) 883-9500 ext. 203 prior to the hearing.

SUSAN M. WEISMAN,  
*Secretary*

[Pa.B. Doc. No. 97-1212. Filed for public inspection August 1, 1997, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### FY 97-98 Annual Plan for Awarding Grants Under the Pennsylvania Agricultural Fair Act

The Department of Agriculture (Department), under authority of section 8(a) of the Pennsylvania Agricultural Fair Act (act) (3 P. S. §§ 1501—1508.1), hereby announces that the Secretary of Agriculture, with the advice and assistance of the Agricultural Fair Advisory Committee at its meeting of July 15, 1997, adopted the FY 97-98 Annual Plan on the awarding of grants to eligible organizations under the provisions of the act.

The act authorizes the Department to make grants to organizations conducting eligible agricultural fairs, State-wide agricultural organizations which contribute to the development of agriculture and agribusiness and to eligible agricultural youth groups for support of their programs. The Secretary, with the advice and assistance of the Advisory Committee created by the act, is to adopt an annual plan for awarding of grants subject to the limitations specified in section 5 of the act.

The Annual Plan, as adopted by the Secretary, provides for the award of grants to each eligible organization subject to the availability of funds on the following basis:

1. For operating expenses, the maximum payment allowed for each Class Fair under section 5(1)(i)(A) of the act will be paid.
2. For premium reimbursement, the maximum payment allowed under section 5(1)(i)(B) of the act will be paid.
3. For reimbursement to each eligible organization conducting harness horse racing at its annual fair, other than races for 2 and 3 year old colts and fillies, the maximum amount of reimbursement allowed under section 5(1)(iii) of the act will be paid.

4. For reimbursement to each eligible organization conducting races for 2 and 3 year old colts and fillies at its annual fair, the maximum amount of reimbursement allowed under section 5(1)(iv) of the act will be paid.

5. For reimbursement of operating costs and premiums, a maximum amount of \$2,000 and in addition a maximum amount of \$10,000 based on a sum equal to 50% of the amount spent by the eligible Statewide agricultural organizations for premiums that are not in the \$2,000 payment as provided under section 5(2) of the act. The total maximum payment hereunder shall not exceed \$12,000.

6. For actual expenses incurred for activities which contribute to the advancement of agriculture or agribusiness by 4-H Youth groups, a payment which will be calculated according to the following formula will pay for a maximum of 4,000 members per county: 4-H groups with 500 members or less will receive base funding of \$2,000, groups with more than 500 will receive \$2,000 for the first 500 members and an additional \$2.00 per member for every member over 500 with a total maximum funding of \$9,000.

7. For actual expenses incurred for activities which contribute to the advancement of agriculture or agribusiness by FFA Youth groups, a payment which will be calculated according to the following formula:

Tier I: FFA Chapters with 100 members or less will receive base funding of \$1,000 with an additional \$2.00 per member.

Tier II: FFA Chapters with 101 to 210 members inclusive will receive a \$2,000 base funding with no additional monies on a per member basis.

Tier III: FFA Chapters with 211 members or more will receive funding of \$2,000 with an additional \$2.00 per member for every member over 210.

8. Any funds remaining after the above grants have been awarded shall be utilized for capital improvement as provided in section 5(1)(ii) of the act.

9. The Secretary will endeavor to disburse the above payments in accordance with the following schedule:

- (a) By February 1, 1998 for payment under paragraph 1-7 above.
- (b) By September 30, 1998 for payment approved and authorized in FY 97-98 under paragraph 8 above.

SAMUEL E. HAYES, Jr.,  
*Secretary*

[Pa.B. Doc. No. 97-1213. Filed for public inspection August 1, 1997, 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 22, 1997.

## BANKING INSTITUTIONS

## Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-17-97	Northwest Savings Bank Warren Warren County  Purchase of assets/assumption of liabilities of one branch office of First Western Bank, FSB, Sharon, located at: 6 East First Street Oil City Venango County	Warren	Approved
7-18-97	Three Rivers Bank and Trust Company, Jefferson Borough, and Community Savings Bank, Monroeville Surviving Institution—Three Rivers Bank and Trust Company, Jefferson Borough  The former main office of Community Savings Bank will be operated as a branch office of Three Rivers Bank and Trust Company subsequent to consummation of the merger as follows: 2681 Moss Side Boulevard Monroeville Allegheny County	Jefferson Borough	Effective
7-22-97	Chambersburg Trust Company, Chambersburg, and First National Bank and Trust Company, Waynesboro Surviving Institution—Chambersburg Trust Company, Chambersburg	Chambersburg	Approved

## Conversions

<i>Date</i>	<i>Name of Institution</i>	<i>Location</i>	<i>Action</i>
7-22-97	Reliable Savings and Loan Association of Bridgeville, PA Bridgeville Allegheny County To: Reliable Savings Bank Bridgeville Allegheny County  Application represents conversion from a State-chartered stock savings association to a State-chartered stock savings bank.	Bridgeville	Filed

## Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-7-97	Fulton Bank Lancaster Lancaster County	Garden Spot Village Retirement Community 433 South Kinzer Ave. New Holland Earl Township Lancaster County	Opened
7-16-97	First Columbia Bank and Trust Company Bloomsburg Columbia County	Columbia Mall Hemlock Township Columbia County	Approved
7-16-97	Premier Bank Doylestown Bucks County	101 Floral Vale Blvd. Yardley Bucks County	Approved



<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-18-97	Summit Bank Bethlehem Northampton County	Laneco Store Stefko Boulevard Shopping Center 1880 Stefko Boulevard Bethlehem Northampton County	Filed
7-22-97	PeoplesBank Glen Rock York County	Normandie Ridge 1700 Normandie Drive West Manchester Twp. York County (Limited Service Facility)	Approved

**Branch Relocations/Consolidations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-16-97	First Commonwealth Bank Indiana Indiana County	<i>To:</i> 545 W. Mahoning St. (300 Feet West) Punxsutawney Jefferson County  <i>From:</i> 545 W. Mahoning St. Punxsutawney Jefferson County	Approved
7-17-97	Reeves Bank Beaver Falls Beaver County	<i>To:</i> 1700 Beaver Road Economy Beaver County  <i>From:</i> 1676 W. State Street Economy Beaver County	Filed
7-22-97	Financial Trust Company Carlisle Cumberland County	<i>To:</i> 100 South Spring Garden Street Carlisle Cumberland County  <i>From:</i> Carlisle Plaza Mall East High Street Carlisle Cumberland County	Approved

**SAVINGS ASSOCIATIONS**

No activity.

**CREDIT UNIONS**

No activity.

RICHARD C. RISHEL,  
*Secretary*

[Pa.B. Doc. No. 97-1214. Filed for public inspection August 1, 1997, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION****Applications, Actions and Special Notices****APPLICATIONS****APPLICATIONS RECEIVED UNDER THE PENNSYLVANIA CLEAN STREAMS  
LAW AND THE FEDERAL CLEAN WATER ACT****[National Pollution Discharge Elimination System Program (NPDES)]****DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER****(Part I Permits)**

The following parties have applied for an NPDES permit to discharge controlled wastewater into the surface of this Commonwealth. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) 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 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, 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 Richard Adams at (717) 327-3666. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

*Northcentral Region: Environmental Program Manager, Water Management Program, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (717) 327-3666.*

**PA 0115231.** Sewerage, SIC: 4952, **Woodland-Bigler Area Authority**, P. O. Box 27, Woodland, PA 16881.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage wastewater to Roaring Run in Bradford Township, **Clearfield County**.

The receiving stream is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Shawville Steam Electric Plant located at Shawville.

The proposed effluent limits for Outfall 001, based on a design flow of 0.225 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
TSS	30	45	60
Total Cl <sub>2</sub> Residual	1.0		2.3
Fecal Coliforms (5-1 to 9-30)	200 col/100 ml as a geometric mean		
(10-1 to 4-30)	2,000 col/100 ml as a geometric mean		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0020273.** SIC: 4952, **Milton Municipal Authority**, P. O. Box 150, Milton, PA 17847.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated sewage to the West Branch Susquehanna River in Milton Borough, **Northumberland County**.

The receiving stream is classified for the following uses: warm water fishery and aquatic life, water supply and recreation.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the downstream potable water supply (PWS) considered during the evaluation is located at Sunbury.

The proposed effluent limits for Outfall 001, based on a design flow of 3.42 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	90	135	180
Suspended Solids	75	112	150
Total Chlorine Residual	0.5		1.6
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,000/100 ml as a geometric average		
pH	6.0—9.0 SU at all times		

*Other Conditions:*

(1) Total Chlorine Residual limits effective 1 year from permit issuance date. Monitoring and reporting required in the interim.

The EPA waiver is not in effect.

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

**PA 0002038.** Industrial waste, SIC: 2819 and 2869. **OMG Americas**, Two Mile Run Road, Franklin, PA 16323.

This application is for amendment of an NPDES permit to discharge boiler blowdown (502) and filter backwash (602) to Race Run (Outfall 001) and noncontact cooling water to the Allegheny River (Outfall 002) in Sugarcreek Borough, **Venango County**. Outfalls 001 and 002 are existing discharges. Suboutfalls 502 and 602 are new discharges.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Allegheny River and Emlenton Water Company located at Emlenton, approximately 30 miles below point of discharge.

The proposed discharge limits, based on a design flow of 1.21 mgd, are:

*Outfall No. 001*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitoring and report		
Total Suspended Solids	no net poundage addition above levels in the intake water source.		
Temperature	<i>Daily Average (MBTU/day)</i>		
Jan	141.9		
Feb	116.4		
Mar	232.8		
April 1-15	206.2		
April 16-30	103.1		
May	56.5		
Jun	33.3		
Jul	18.9		
Sep	12.2		
Oct 1-15	13.3		
Nov 1-15	17.7		
Nov 16-30	35.5		
Dec	133		
pH	6.0—9.0 at all times		

The proposed discharge limits, based on a design flow of 0.037 mgd are:

*Outfall No. 102*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow			
Cobalt	1.4	3.6	3.6
Total Suspended Solids	17	28	40
pH	6.0—9.0 at all times		

The proposed discharge limits, based on a design flow of 0.03 mgd, are:

*Outfall No. 202*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow			
Total Suspended Solids	no net poundage addition above levels in the intake water source.		
pH	6.0—9.0 at all times		

The proposed discharge limits, based on a design flow of 0.075 mgd are:

*Outfall No. 302*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitoring and report		
Copper	0.74	2.29	2.29
Nickel	0.74	2.29	2.29
Total Suspended Solids	30	60	60
pH	6.0—9.0 at all times		

The proposed discharge limits, based on a design flow of 0.012 mgd, are:

*Outfall No. 402*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitoring and report		
Total Suspended Solids	no net poundage addition above levels in the intake water source		
pH	6.0—9.0 at all times		

The proposed discharge limits, based on a design flow of 0.0045 mgd, are:

*Outfall No. 502*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitoring and report		
Total Dissolved Solids	monitoring and report		
Total Suspended Solids	monitoring and report		
pH	6.0—9.0 at all times		

The proposed discharge limits, based on a design flow of 0.01 mgd, are:

*Outfall No. 602*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Iron	monitoring and report		
Manganese	monitoring and report		
Aluminum	monitoring and report		
Total Suspended Solids	monitoring and report		
pH	6.0—9.0 at all times		

The proposed discharge limits, based on a design flow of 0.0953 mgd, are:

*Outfall No. 702*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	monitoring and report		
Total Suspended Solids	no net poundage addition above levels in the intake water source		
pH	6.0—9.0 at all times		

The proposed discharge limits, based on a design flow of 0.154 mgd, are:

*Outfall No. 002*

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Copper	monitoring and report		
Total Dissolved Solids	monitoring and report		

The EPA waiver is in effect.

**PA 0030333.** Sewage. **Shenango Valley Commercial Institute, Inc.**, R. D. 1, Box 1149, School House Road, Pulaski, PA 16143-9719.

This application is for renewal of an NPDES Permit, to discharge sewage to an Unnamed Tributary to Deer Creek in Pulaski Township, **Lawrence 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Western PA Water Company on the Shenango River located at New Castle, approximately 15 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of 0.002 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average	
(10-1 to 4-30)	2,000/100 ml as a geometric average	
Total Residual Chlorine	0.5	1.2
Dissolved Oxygen	minimum of 3.0 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

**PA 0222364.** Sewage, **Tidioute Trading Post**, R. D. 1, Box 97-1A, Tidioute, PA 16351.

This application is for a new NPDES Permit, to discharge treated sewage to the Allegheny River in Limestone Township, **Warren County**. This is a new discharge.

The receiving water is classified for the following uses: warm water fish, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, approximately 66 miles below point of discharge.

The proposed discharge limits for Outfall No. 001, based on a design flow of .0013 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10		20
TSS	20		40
Fecal Coliform	200/100 ml as a geometric average		
Total Residual Chlorine	XX		XX
pH	6.0—9.0 at all times		

XX = Monitor and Report on Annual Maintenance Report.

The EPA waiver is in effect.

**PA 0036994.** Sewage. **Borough of Pleasantville**, P. O. Box 150, 114 West State Street, Pleasantville, PA 16341.

This application is for renewal of an NPDES Permit to discharge treated sewage to the Unnamed Tributary of West Pithole Creek in Pleasantville Borough, **Venango County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fishes, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company on the Allegheny River located at Emlenton, approximately 57 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.31 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow		monitor and report	
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Ammonia-Nitrogen (5-1 to 10-31)	2		4
(11-1 to 4-30)	6		12
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,000/100 ml as a geometric average		
Dissolved Oxygen	minimum of 6 mg/l at all times		
Total Residual Chlorine (Interim Limit)		monitor and report	
(Final Limit)	0.03		0.1
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

**PA 0034720.** Sewage. **Lakeview Manor Mobile Home Park**, 53 Madison Road, Wellesley, MA 02181.

This application is for a renewal of an NPDES Permit to discharge treated sewage to the Kebort Run in Union Township, **Crawford 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the General Authority of the City of Franklin on French Creek located at Franklin, approximately 24 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.016 mgd, are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	50
TSS	30	60

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Ammonia-Nitrogen (5-1 to 10-31)	7.5	15
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric average 12,000/100 ml as a geometric average	
Total Residual Chlorine	.5	1.2
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

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

**PA 0081485.** Industrial waste, SIC: 4613, **Buckeye Pipe Line Co., Inc., L.P.**, P. O. Box 368, Emmaus, PA 18049-0368.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Powell Creek, in Reed Township, **Dauphin 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Dauphin Consolidated Water Company located in Susquehanna Township, Dauphin County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH	6.0—9.0 (S.U.)		
TRPH	monitor		

The EPA waiver is in effect.

**PA 0014672.** Industrial waste, SIC: 3691 and 3341, **General Battery Corporation**, Exide Corporation—Reading Smelter Division, Spring Valley Road and Nolan Street, Laureldale, PA 19605.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Bernhart Creek and the Schuylkill River, in Muhlenberg Township, **Berks County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. The existing downstream potable water supply intake considered during the evaluation was Pottstown Borough located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed interim effluent limits for Bernhart Creek from the Industrial Waste Water Treatment facility at Outfall 001 for a design flow of 0.275 mgd are:

<i>Parameter</i>	<i>Average Monthly (lbs/day)</i>	<i>Maximum Daily (lbs/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH			6.0—9.0 inclusive		
Total Antimony	2.05	4.6	monitor and report	monitor and report	XXX
Total Arsenic	1.33	3.31	monitor and report	monitor and report	XXX
Total Cadmium	monitor and report	monitor and report	0.27	0.54	0.68
Total Copper	0.36	0.69	monitor and report	monitor and report	XXX
Total Lead	0.38	0.81	monitor and report	monitor and report	XXX
Total Zinc	1.0	2.43	monitor and report	monitor and report	XXX
Total Nickel	monitor and report	monitor and report	monitor and report	monitor and report	XXX
Total Iron	0.22	0.42	monitor and report	monitor and report	XXX
Total Aluminum	monitor and report	monitor and report	monitor and report	monitor and report	XXX
Total Phosphorus	monitor and report	monitor and report	monitor and report	monitor and report	XXX
NH <sub>3</sub> -N	XXX	XXX	20	40	40

	<i>Average Monthly</i>	<i>Maximum</i>	<i>Average</i>	<i>Maximum</i>	<i>Instantaneous Maximum</i>
Oil and Grease	11.5	18.7	15	30	30
Total Suspended Solids	67.2	140.9	30	60	75
Total Dissolved Solids	11,209	20,000	6,000	7,500	XXX
CBOD <sub>5</sub>	XXX	XXX	monitor and report	monitor and report	XXX
Dissolved Oxygen	XXX	XXX	monitor and report	monitor and report	XXX
Osmotic Pressure	monitor and report	monitor and report	monitor and report	monitor and report	XXX
MBAS	monitor and report	monitor and report	monitor and report	monitor and report	XXX
WETT-Fathead Minnow (Pimephales Promelas)	XXX	XXXX	monitor survival	monitor growth	XXX
WETT-Caldoceran (Ceriodaphnia Dubia)	XXX	XXX	monitor survival	monitor reproduction	XXX

The proposed final effluent limits for Bernhart Creek from the industrial wastewater treatment facility at Outfall 001 for a design flow of 0.275 mgd are:

<i>Parameter</i>	<i>Average Monthly (lbs/day)</i>	<i>Maximum Daily (lbs/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH			6.0—9.0 inclusive		
Total Antimony	0.23	0.46	0.1	0.2	0.25
Total Arsenic	0.48	0.96	0.21	0.42	0.52
Total Cadmium	0.007	0.014	0.003	0.006	0.008
Total Copper	0.07	0.14	0.03	0.06	0.08
Total Lead	0.02	0.04	0.01	0.02	0.03
Total Zinc	0.05	0.10	0.02	0.04	0.05
Total Nickel	0.09	0.18	0.04	0.08	0.10
Total Iron	0.22	0.44	monitor and report	monitor and report	XXX
Total Aluminum	monitor and report	monitor and report	monitor and report	monitor and report	XXX
Total Phosphorus	monitor and report	monitor and report	monitor and report	monitor and report	XXX
NH <sub>3</sub> -N	6.9	14	3.0	6.0	7.5
Oil and Grease	11.5	18.7	15	30	30
Total Suspended Solids	23	46	10	20	25
Total Dissolved Solids	2,294	4,587	1,000	2,000	2,500
CBOD <sub>5</sub>	23	46	10	20	25
Dissolved Oxygen	XXX	XXX	minimum of 5.0 at all times		
Osmotic Pressure	XXX	XXX	77	154	192
MBAS	monitor and report	monitor and report	monitor and report	monitor and report	XXX
WETT-Fathead Minnow (Pimephales Promelas)	XXX	XXX	monitor survival	monitor growth	XXX
WETT- Caldoceran (Ceriodaphnia Dubia)	XXX	XXX	monitor survival	monitor reproduction	XXX

The proposed final effluent limits for the Schuylkill River from the industrial wastewater treatment facility at Outfall 001 for a design flow of 0.275 mgd are:

<i>Parameter</i>	<i>Average Monthly (lbs/day)</i>	<i>Maximum Daily (lbs/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH			6.0—9.0 inclusive		
Total Antimony	2.04	4.58	monitor and report	monitor and report	XXX
Total Arsenic	0.23	0.46	0.10	0.20	0.25
Total Cadmium	0.05	0.10	0.02	0.04	0.05
Total Copper	0.27	0.55	0.12	0.24	0.30
Total Lead	0.23	0.46	0.10	0.20	0.25
Total Zinc	1.0	2.42	monitor and report	monitor and report	XXX

	<i>Average Monthly</i>	<i>Maximum</i>	<i>Average monitor and report</i>	<i>Maximum monitor and report</i>	<i>Instantaneous Maximum</i>
Total Iron	0.58	1.14			XXX
NH <sub>3</sub> -N	11	22	5.0	10	12.5
Oil and Grease	monitor and report	monitor and report	15	30	30
Total Suspended Solids	monitor and report	monitor and report	30	60	75
Total Dissolved Solids	monitor and report	monitor and report	1,000	2,000	2,500
WETT-Fathead Minnow (Pimephales Promelas)	XXX	XXX	monitor survival	monitor growth	XXX
WETT-Caldoceran (Ceriodaphnia Dubia)	XXX	XXX	monitor survival	monitor reproduction	XXX

The proposed effluent limits for stormwater Outfalls 002 and 003 are:

<i>Parameter</i>	<i>Composite Sample (mg/l)</i>	<i>Grab Sample (mg/l)</i>
CBOD <sub>5</sub>	monitor and report	monitor and report
Chemical Oxygen Demand	monitor and report	monitor and report
Total Suspended Solids	monitor and report	monitor and report
Total Lead	monitor and report	monitor and report
Total Chromium	monitor and report	monitor and report
Total Iron	monitor and report	monitor and report
Oil and Grease	XXX	monitor and report
pH	XXX	6—9 S.U. at all times
Total Copper	monitor and report	monitor and report
Total Cadmium	monitor and report	monitor and report
Total Arsenic	monitor and report	monitor and report
Total Alimony	monitor and report	monitor and report
Total Zinc	monitor and report	monitor and report
Total Phenols	monitor and report	monitor and report
NH <sub>3</sub> -N	monitor and report	monitor and report
Acute Whole Effluent Toxicity Test	monitor and report	monitor and report

The permit also contains schedules for:

- 1) Construction of an outfall line to convey the industrial waste (001) to the Schuylkill River.
- 2) Construction of stormwater collection, storage and treatment facilities for the first 277,500 gallons of a storm event.

The EPA waiver is in effect.

**PA 0083003.** Industrial waste, SIC: 4941, **Dudley-Carbon Township Joint Municipal Authority.**

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Shoup Run, in Carbon Township, **Huntingdon 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Lake Raystown Resort located in Lincoln Township, Huntingdon County. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.024 mgd are:

<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
Total Iron	2.0	4.0	5.0
Total Aluminum	4.0	8.0	10.0
Total Manganese	1.0	2.0	2.5
pH		6—9	



The EPA waiver is in effect.

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA0080551	South Londonderry Twp. Mun. Authority Box 3 Campbelltown, PA 17010-0003	Lebanon S. Londonderry Township	Killinger Creek	TRC
PA0084514	Shade Gap Area Joint Municipal Authority P. O. Box 185 Shade Gap, PA 17255-0089	Huntingdon Dublin Twp.	Shade Creek	TRC

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

**PA 0057215.** Sewage, **George Long**, 1342 Taggart Road, East Greenville, PA 18041.

This application is for issuance of an NPDES permit to discharge treated sewage from small flow sewage treatment plant in Upper Hanover Township, **Montgomery County**. This is a new discharge to an unnamed tributary to West Branch of Perkiomen Creek.

The receiving stream is classified for the following uses: trout stocking fishery, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001, based on an average flow of 400 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	10	20
Suspended Solids	20	40
Total Residual Chlorine	monitor/report	monitor/report
Fecal Coliform	200 colonies/100 ml as a geometric average	
pH	within limits of 6.0—9.0 standard units at all times	

The EPA waiver is in effect.

*Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.*

<i>NPDES No.</i>	<i>Facility Name and Address</i>	<i>County and Municipality</i>	<i>Tributary Stream</i>	<i>New Permit Requirements</i>
PA 0062987	David J. Bell 703 Lenox Court Lansdale, PA 19446	Susquehanna Liberty Township	Unnamed Tributary of Shehawken Creek	

**PA 0034118.** Sewerage, SIC **Blue Ridge Real Estate Co.**, P. O. Box 707, Blakeslee, PA 18610.

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Porter Run in Kidder Township, **Carbon County**.

The receiving stream is classified for the following uses: high quality, cold water fishery, aquatic life, water supply and recreation.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing/proposed downstream potable water supply (PWS) considered during the evaluation is the Northampton water supply located on the Lehigh River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.40 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	50.0
Total Suspended Solids	30.0	60.0
NH <sub>3</sub> -N		
(5-1 to 10-31)	2.5	5.0
(11-1 to 4-30)	7.5	15.0
Phosphorus as "P"	1.0	2.0
Dissolved Oxygen	a minimum of 7.0 mg/l at all times	

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a geometric mean 2,000/100 ml as a geometric mean	
pH	6.0—9.0 standard units at all times	
Total Residual Chlorine		
1st Month through 36th Month	monitor and report	monitor and report
37th Month through Expiration date	.11	.26
The EPA waiver is in effect.		

**PA 0062103. Sewerage, Spring Brook Township Sewer Authority, P. O. Box 1100, Moscow, PA 18444.**

This proposed action is for renewal of an NPDES permit to discharge treated sewage into Green Run in Roaring Brook Township, **Lackawanna County**.

The receiving stream is classified for the following uses: high quality, cold water fishery, aquatic life, water supply recreation and special protection.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is the PG Energy, Inc. intake located on Spring Brook Creek.

The proposed effluent limits for Outfall 001 based on a design flow of .160 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
NH <sub>3</sub> -N			
(5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)	9.0		18.0
Dissolved Oxygen	a minimum of 7.0 mg/l at all times		
Fecal Coliform			
(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		
pH	6.0—9.0 standard units at all times		
Total Residual Chlorine			
First Month through 36th Month	monitor and report		
37th Month through Expiration	.145		.340
NO <sub>2</sub> + NO <sub>3</sub> as "N"	13.0		26.0

The EPA waiver is in effect.

**DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER**

**Applications under the Pennsylvania Clean Streams Law**

**(Part II Permits)**

The following permit applications and requests for plan approval have been received by the Department of Environmental Protection (Department). 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 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. Each writer will be notified in writing of the time and place if a hearing or conference concerning the plan, 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 specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Industrial waste and sewerage applications received under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).**

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

**WQM Permit No. 1097406.** Sewage. **Butler Country Club**, P. O. Box 348, Butler, PA 16003. This project is for the modification of an existing sewage treatment facility to provide flow equalization storage tankage ahead of the sewage aeration tank in Penn Township, **Butler County**.

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

**A. 0197403.** Sewage, submitted by **Gettysburg Municipal Authority**, 601 East Middle Street, Gettysburg, PA 17325-3307 in Gettysburg Borough, **Adams County** to construct/expand their treatment facility by 50% was received in the Southcentral Region on July 15, 1997.

**INDIVIDUAL PERMITS  
(PAS)**

The following parties have applied for an NPDES permit to discharge stormwater from a proposed construction activity 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 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 appealable 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 (800) 654-5984.

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

*Northeast Regional Office: Regional Water Management Program Manager; Public Square, Wilkes-Barre, PA 18701, (717) 826-2553.*

*Southeast Regional Office: Regional Water Management Program Manager; 555 North Lane, Conshohocken, PA 19428-2233, (610) 832-6131.*

*Bucks County Conservation District, District Manager; 924 Town Center, New Britain, PA 18901, (215) 345-7577.*

**NPDES Permit PAS10D099.** Stormwater. **Judd Builders/Developers**, 1750 Walton Road, Blue Bell, PA has applied to discharge stormwater from a construction activity located in Richland Township, **Bucks County**, to Tohickon Creek.

**NPDES Permit PAS10D102.** Stormwater. **Katz Swerdloff Properties**, 541 W. Germantown Pike, Plymouth Meeting, PA has applied to discharge stormwater from a construction activity located in Solebury Township, **Bucks County**, to Marshall Tract.

*Carbon County Conservation District, District Manager; 92 Blakeslee Boulevard East, Lehighton, PA 18235, (610) 377-4894.*

**NPDES Permit PAS101313.** Stormwater. **Lamont Personal Care Home, Kevin Lamont**, R. D. 2, Box 1162, Drums, PA 18222 has applied to discharge stormwater from a construction activity located in Weatherly Township, **Carbon County**, to Black Creek.

**NPDES Permit PAS101314.** Stormwater. **Gold Oaks Village**, Micheal Berardi, 209 Executive Plaza, R. R. 5, Box 5199, East Stroudsburg, PA 18301 has applied to discharge stormwater from a construction activity located in Kidder Township, **Carbon County**, to Black Creek.

*Lancaster County Conservation District, District Manager; 1383 Arcadia Road, Lancaster, PA 17601, (717) 299-5361.*

**NPDES Permit PAS10-O-069.** Stormwater. **Yoder Brothers Inc.**, 17 W. Main Street, Leola, PA 17540 has applied to discharge stormwater from a construction activity located in East Lampeter Township, **Lancaster County**, to Mill Creek.

The Department of Environmental Protection (Department) Water Management Program will be holding fact finding hearings on the following Stormwater NPDES permit applications:

Sunrise Development Inc., Sunrise of Paoli, PAS10-G269

Ardmore Associates, 17 Lee Boulevard, PAS10-G271  
Teachers PA Realty, Inc., 100 Chesterfield Parkway, PAS10-G273

The hearings are scheduled for September 4, 1997, at 7 p.m. at Chester County Conservation District Office, Government Services Center, Conference Room 380, 601 Westtown Road, West Chester, PA 19382-4519, Chester County. The hearings are being held to solicit pertinent comments on these applications. The applications are for stormwater construction activities, with a discharge to Valley Creek and Little Valley Creek. A copy of these applications are available for review in the Southeast Regional Office's Record Management Section. The telephone number is (610) 832-6268. Those interested in reviewing the applications should call to schedule a date to review the file. The project sponsors are:

Sunrise Development, Inc., 403 Berkley Road, Haverford, PA 19041

Ardmore Associates II, 1235 Westlakes Drive, Suite 425, Berwyn, PA 19312

Teachers PA Realty, Inc., 730 Third Avenue, New York, NY 10017

Comments received will be considered by the Department in completing its review and prior to taking final actions concerning the applications. The hearings will not be question and answer sessions.

Anyone intending to make a presentation at the hearings should submit written notice to the Regional Man-

ager, Water Management Program at the above address. The notice should include the name, address and phone number of the presenter, whether opposed or in favor of the projects and a brief statement about the presentation. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. Where groups are represented, a spokesperson is requested to present the group's concerns. Anyone wishing to present written material directly to the Department may do so within 30 days following the hearings.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings, should contact Sharon Moore, at (610) 832-6073. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

## SAFE DRINKING WATER

### Applications received under the Pennsylvania Safe Drinking Water Act (34 P. S. §§ 721.1—721.17).

*Northwest Regional Office: Regional Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6899.*

**A. 2597503.** Public water supply. **Imperial Point Water Service Company**, P. O. Box 927, Fairview, PA 16415. This proposal involves the addition of iron and manganese removal facilities to the existing water treatment facilities in Girard Township, **Erie County**.

*Regional Office: Northcentral Field Operations, Environmental Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701.*

**A. 5597501.** The Department intends to issue a construction permit to **Penn Township Municipal Authority** (12 Clifford Road, Selingsgrove, PA 17870, Penn Township, **Snyder County**) for construction of a water distribution system for a new housing development. The system will be supplied from a bulk connection with the Borough of Selingsgrove's water system.

### HAZARDOUS SITES CLEAN-UP

#### Under the Act of October 18, 1988

#### Prompt Interim Response

#### Clarendon Ceramics Site

#### Clarendon Borough, Warren County

This Notice of Prompt Interim Response is being issued by the Department of Environmental Protection (Department) to provide a description of the prompt interim response for the Clarendon Ceramics Site (site), under section 506 of the Hazardous Sites Cleanup Act (act) (35 P. S. § 6020.506).

The site is located adjacent to Main Street (U. S. Route 6) in Clarendon Borough, Warren County, PA. The address is 231 North Main Street, Clarendon, PA 16313. The site may be located on the United States Geological Survey Clarendon, Pennsylvania 7.5 minute topographic map at 41° 46' 57" north latitude and 70° 05' 57" west longitude.

The site is located in the industrial section of Clarendon Borough, surrounded primarily by commercial and industrial facilities. In the past the majority of these businesses had been associated with the oil and gas industry. The site consists of the former Clarendon Ceramics manufacturing facility, which includes a two story brick and concrete exterior structure with dimensions of approximately 100 feet on a side. The building has most

recently been used by Clarendon Ceramics as a pottery factory, and a kiln is still present inside the building. The building is in poor repair. The roof of a wooden addition on the south side of the building has collapsed, as has a former loading dock on the west side of the building. Unimpeded access to the building is available through doors on the east and west sides.

Department personnel sampled stream sediment, stained soil, and china waste piles outside the Clarendon Ceramics building. Also, samples of kiln dust and pigments were taken from inside the building. Samples of sludge from the outside waste treatment system, contents of drums inside and outside the building, and oil in fluorescent light ballast were not collected.

Samples taken from stream sediment, stained soil and china waste piles did not contain hazardous substances. Pigments spilled on the kiln room floor contained cadmium and zinc. Samples of pigments taken from the lab room contained lead and barium. Cadmium, barium, zinc and lead are designated as hazardous substances under section 103 of the act (35 P. S. § 6020.103).

The Department believes that prompt action is necessary to protect the public health, safety and the environment from the risks associated with the containerized wastes abandoned at the site, hazardous substances found in pigments that were used in the ceramics manufacturing process, and hazardous substances that may be found in the fluorescent light ballast. Action should not be delayed for the length of time that it would take to formally develop and close an administrative record for the action. The Department estimates that prompt action will cost less than \$2 million and take less than 1 year to complete. Accordingly, the Department has undertaken a prompt interim response at the site under section 505(b) of the act (35 P. S. § 6020.505(b)).

The two main objectives of the prompt interim response ongoing at the site are: 1) to protect the public and environmental receptors from direct contact with site-related hazardous substances; and 2) to eliminate the ongoing release and threat of release of hazardous substances into the environment from containerized waste, pigments, sludge and fluorescent light ballast oil. This action will mitigate the ongoing release and threat of release of hazardous substances posed by conditions at the site.

The Department considered two alternatives for the prompt interim response at the site: 1) no action; and 2) removal and disposal of site hazardous substances in an offsite treatment/disposal facility. In light of the objectives stated above, the Department evaluated each alternative to determine: the extent to which each alternative protects the public health and the environment; the extent to which each alternative complies with or otherwise addresses the Land Recycling and Environmental Remediation Standards Act, the Solid Waste Management Act, The Clean Streams Law and other applicable or relevant and appropriate requirements; the extent to which each alternative is feasible, effective, implementable and permanent; and the relative cost effectiveness of each alternative.

Under section 505(b) of the act, (35 P. S. § 6020.505(b)), the Department has chosen to implement Alternative 2 as the prompt interim response at the Clarendon Ceramics site. Alternative 2 was chosen because it will, in the most cost-effective manner, protect the public and environmental receptors from direct contact with site-related hazardous substances and eliminate the ongoing release and

threat of release of hazardous substances into the environment from containerized wastes and media.

Alternative 2 involves the testing, removal and offsite disposal of site wastes containing hazardous substances. Based on Department observations and sampling, pigments found in various containers located in the upper level of the building, sludge in the underground tanks, oil in fluorescent light ballast, and unknown contents of drums throughout the building contain hazardous substances, or will likely be found to contain hazardous substances upon sampling. Following waste removal from containers, any empty containers will be crushed and consolidated for offsite disposal or recycle/reuse.

An Administrative Record, which contains more detailed information regarding the site, is available for public inspection. The Administrative Record can be examined from 8 a.m. to 4 p.m. at the Department's Northwest Regional Office at 230 Chestnut Street, Meadville, PA 16335. Persons interested in examining the Administrative Record should call the Department's Hazardous Sites Cleanup Program at (814) 332-6648 to make advance arrangements.

The public will have an opportunity to present oral comments regarding the proposed prompt interim response if the Department receives a request for a public hearing. A public hearing can be requested by contacting the Department's Community Relations Coordinator, Steve Curcio at (814) 332-6945 or the site Project Manager, Hal Beavers, at (814) 332-6648. If no person requests a public hearing on or before September 16, 1997, the hearing will not be held. Persons interested in finding out if anyone has requested a public hearing, and if the hearing will be held, should contact Steve Curcio at the telephone number noted above. The public may also submit written comments regarding the Department's proposed prompt interim response action during the period for public comment, which runs from the date of this Notice through October 31, 1997. Written comments should be addressed to Hal Beavers at the above-noted Department office address.

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**Opening of the Administrative Record; Proposed Interim Response under the Hazardous Sites Cleanup Act**

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**UGI Columbia Manufactured Gas Plant  
Columbia Borough, Lancaster County**

The Department of Environmental Protection (Department) under the authority of the Hazardous Sites Cleanup Act (act) (35 P. S. §§ 6020.101—6020.1304) will begin an interim response on property known as the UGI Columbia Manufactured Gas Plant (site) located along Front Street in the Borough of Columbia, Lancaster County, PA.

This facility is currently owned by the Pennsylvania Power and Light Company. The site operated as a manufactured gas plant until the facility was closed in 1947. Presence of tars has been found in surrounding soils and sediments. This contamination presents a danger to the public health and safety and the environment.

*Proposed Response*

The Department has selected the following response action to address the threats posed at the site: 1) dredging of sediments in the Susquehanna River, then hauling the sediments to an offsite thermal destruction facility; and 2) containment of soils along the river bank to mitigate any potential erosion or migration which

might expose impacted soils to the river water. The Department determined these procedures to be the most environmentally sound and cost effective for this site.

The alternatives considered for dealing with the contaminated sediments were: 1) No Action, 2) Dredging and Offsite Disposal, 3) In-Situ Biological Treatment and 4) Capping.

*No Action*

This alternative involves taking no action to remove, remediate or contain the contaminated media at the site. Institutional actions, such as land use restrictions and monitoring, are included as part of this alternative. The No Action Alternative would not remove or contain any of the contaminants.

*Dredging and Offsite Disposal*

In this alternative, river sediments would be removed using either mechanical or hydraulic dredging. Dredged materials would be dewatered and shipped offsite for proper disposal.

*In-Situ Biological Treatment*

This alternative would introduce oxygen and nutrients into the pore spaces between the river sediment particles by the use of injection and extraction wells or horizontal piping.

*Capping*

The capping alternative involves containment of selected sediments using a cast-in-place concrete/grout cap. The contaminated sediments would remain in place indefinitely under this alternative.

The land-side removal alternatives considered were: 1) No Action; 2) Excavation and Offsite Disposal; 3) Containment; and 4) In-Situ Biological Treatment.

*No Action*

This alternative involves taking no action to remove, remediate or contain the contaminated media at the site. Institutional actions, such as land use restrictions and monitoring, are included as part of this alternative. The No Action Alternative would not remove or contain any of the contaminants.

*Excavation and Offsite Disposal*

This alternative involves the removal of selected soils along the river bank. Because the excavated materials will be saturated, they will need to be stabilized with fly ash or some other binding agent prior to being loaded onto haul vehicles.

*Containment*

This alternative involves isolating the soils along the river bank to mitigate any potential erosion or migration which might expose impacted soils to the river water.

*In-Situ Biological Treatment*

In this alternative, the subsurface environment would be enhanced with oxygen and nutrients to stimulate aerobic biological activity within the saturated zone, thereby promoting the degradation of organic compounds.

The Department is providing this notice under sections 505(b) and 506(b) of the act. The publication of this notice starts the administrative record period under the act. The administrative record that contains information about this site and which supports the Department's decision to perform this action at the UGI Columbia Manufactured Gas Plant is available for public review and comment at the Department's Southcentral Regional Office, located at

One Ararat Boulevard, Harrisburg, PA 17110, by contacting Barbara Faletti at (717) 657-4125. A copy of the administrative record is also available at the Columbia Public Library at 24 South Sixth Street, Columbia, PA, and may be reviewed during regular library hours.

The administrative record will be open for comment from the date of publication of this notice in the *Pennsylvania Bulletin* and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before October 31, 1997, by mailing them to Barbara Faletti at One Ararat Boulevard, Harrisburg, PA 17110.

The public will have an opportunity to present oral comments regarding the proposed response action at a public hearing. The hearing has been scheduled for September 18, 1997, at 7 p.m. at the Columbia Borough Building, 308 Locust Street, Columbia, PA. Persons wishing to present formal oral comments at the hearing should register before 4 p.m., September 11, 1997, by calling Mary Ann Fischer at (717) 541-7969. If no person registers to present oral comments by September 11, 1997, the hearing will not be held. Persons interested in finding out if anyone has registered, and if the hearing will be held, should also contact Mary Ann Fischer at the same number. If a hearing is not requested, a public meeting will still be held on September 18, 1997.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceedings should contact Mary Ann Fischer at (717) 541-7969, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL REMEDATION

### Under Act 2, 1995

#### Preamble 1

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

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Sections 302 and 303 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) 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 must provide 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, 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 (800) 654-5984.

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

*Northeast Regional Field Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (717) 826-2511.*

**Pennsylvania Power & Light Company (PP&L)—Pole #48695N28761 (Route 309), City of Hazleton, Luzerne County.** PP&L, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 has submitted a Notice of Intent to Remediate concerning the remediation of site soils found to have been contaminated with PCBs (polychlorinated biphenyls). The applicant proposes to remediate the site to meet the Statewide human health standard.

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

**Murata Electronics, N. A., Inc., Carlisle Borough, Cumberland County.** Murata Electronics, N. A., Inc., 1900 West College Avenue, State College, PA 16801-2799, and Capital Region Economic Development Corporation, 214 Senate Avenue, Suite 605, Camp Hill, PA 17011, have submitted a Notice of Intent to Remediate site soils and groundwater contaminated with heavy metals and solvents. The applicants propose to remediate the site to meet a combination of background and Statewide health standards. A summary of the Notice of Intent to Remediate was reported to have been published July 20, 1997, in the Carlisle *Sentinel*.

## SOLID AND HAZARDOUS WASTE

### RESIDUAL WASTE PROCESSING FACILITIES

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**Applications submitted 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.**

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

**A. No. 301238. Allegheny Recovery Corp.,** One Library Place, Box 2, Duquesne, PA 15110. Allegheny Recovery Corp., former U. S. Steel Duquesne Works, City of Duquesne, **Allegheny County.** Application for a major permit modification to repermit a residual waste transfer/processing facility in the City of Duquesne, Allegheny County. Received in the Regional Office on July 10, 1997.

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**Applications submitted under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and regulations to operate solid waste processing or disposal area or site.**

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*Regional Office: Regional Solid Waste Manager, Suite 6010, 555 North Lane, Lee Park, Conshohocken, PA 19428.*

**A. No. WMGR038SE002. T. T. Recycling Inc.,** 5170 East Valley Road, Center Valley, PA 18034. Facility located in Springfield Township, **Bucks County**. Application received for Determination of Applicability prior to conducting operations authorized by General Permit WMGR038 for Waste Tires and Tire-Derived Material. Because operation under the general permit may involve construction material uses, a 60-day comment period is provided for public comment under section 287.642(c) of the Residual Waste Regulations. Application was received in the Southeast Regional Office on July 8, 1997.

**OPERATE WASTE PROCESSING OR DISPOSAL  
AREA OR SITE**

**Applications received under the Solid Waste 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, (412) 442-4000.*

**A. No. 100281. Waste Management Disposal Services of Pennsylvania Inc.,** Box 717 East Huntingdon Landfill Road, Scottdale, PA 15683. Greenridge Reclamation Box 717, East Huntingdon Landfill Road, Scottdale, PA 15683. Application for a major permit modification for the construction of a new haul road on the east side of the landfill in East Huntingdon Township, **Westmoreland County**. This application was received in the Regional Office on July 14, 1997.

**AIR POLLUTION**

**OPERATING PERMITS**

**Construct, modify or activate air contaminant sources**

**25 Pa. Code § 129.1**

**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.*

**31-310-014J:** The Department intends to issue an Air Quality Operating Permit to **New Enterprise Stone & Lime Company, Inc.** (P. O. Box 77, New Enterprise, PA 16664) for a limestone crushing plant controlled by water sprays and two fabric filters at their Tyrone Forge Quarry in Warriors Mark Township, **Huntingdon County**. The source is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**36-5014A:** The Department intends to issue an Air Quality Operating Permit to **Alumax Mill Products, Inc.** (P. O. Box 3167, Lancaster, PA 17604) for 11 annealing furnaces controlled by two mist eliminator systems in Manheim Township, **Lancaster County**.

**38-310-017B:** The Department intends to issue an Air Quality Operating Permit to **Carmeuse Pennsylvania, Inc.** (P. O. Box 160, Annville, PA 17003) for a portable limestone crushing plant in North Londonderry Township, **Lebanon County**. The plant is subject to 40 CFR 60, Subpart OOO, Standards of Performance for New Stationary Sources.

**67-309-015E:** The Department intends to issue an Air Quality Operating Permit to **The J. E. Baker Company**

(P. O. Box 1189, York, PA 17405) for a limestone crushing plant in West Manchester, **York County**.

**Operating Permit applications received under the Air Pollution Control Act (35 P. S. §§ 4001—4015).**

*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: **35-318-056A**

Source: Coat Lines 501, 503, 506 w/Inciner

Company: **Mactac Incorporated**

Location: Moosic Borough

County: **Lackawanna**

**Notice of Intent to Issue**

**Title V Operating Permit No. 08-00004**

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the Rynone Manufacturing Corporation for the Rynone Sayre Plant. The Rynone Sayre Plant is located in Sayre Borough, Bradford County. The Rynone Manufacturing Corporation representative to contact regarding this application is James Manning, Plant Engineer, Rynone Manufacturing Corporation, P. O. Box 128, Sayre, PA 18840.

The Rynone Sayre Plant is primarily used for the production of bathroom vanity tops. As a result of the hazardous air pollutants emitted, the Rynone Sayre Plant is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit # 08-00004).

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Air Quality Program,

Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

**Title V Operating Permit No. 14-00004**

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the Con Lime Inc. for the Benner Township Plant. The Benner Township Plant is located in Benner Township, Centre County. The Con Lime Inc. representative to contact regarding this application is Irvin L. Confer, President, Con Lime, Inc., P. O. 118, Bellefonte, PA 16823.

The Benner Township Plant is primarily used for the production of lime products. As a result of the nitrogen oxides emitted, the Benner Township Plant is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit # 14-00004).

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

**Title V Operating Permit No. 14-00005**

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the Rockview State Correctional Institution. Rockview State Correctional Institution is located in Benner Township, Centre County. The Rockview State Correctional Institution representative to contact regarding this application is Robert A. Calik, Chief Engineer, Department of Corrections, Box A, Bellefonte, PA 16823.

Rockview operates three bituminous coal-fired boilers to produce steam for heating the facility. As a result of the sulfur oxides emitted, nitrogen oxides, particulate matter (PM10) and carbon monoxides, Selinsgrove Center is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore

subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit No. 14-00005).

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

**Title V Operating Permit No. 16-00021**

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to Crawford Furniture Manufacturing Corporation (Crawford Furniture). Crawford Furniture is located in Redbank Township, Clarion County. Crawford Furniture's representative to contact concerning this application is William McGregor, Plant Manager, P. O. Box 156, New Bethlehem, PA 16242, (814) 365-5412.

Crawford Furniture's air emission sources include two wood fired boilers, a wiping stain booth, a sealer stain booth and a topcoat lacquer station. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit of Volatile Organic Compounds. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of these permits may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following information:



- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify Permit No. 16-00021).
- Concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Larry W. Wonders, Regional Air Quality Program Manager, Department of Environmental Protection, Northwest Region, 230 Chestnut Street, Meadville, PA 16335. For additional information concerning the permit or the issuance procedure, contact Eric A. Gustafson, Facilities Section Chief, Air Quality Program, at the same address or at (814) 332-6940.

#### **Title V Operating Permit No. 20-00082**

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the Channellock Inc. facility #2 located in State Route 102, Meadville. Channellock's representative to contact concerning this application is Jim Stimpson, 1306 South Main Street, Meadville, PA 16335, (814) 724-8700.

Channellock's air emission sources include Polishing, Degreaser, Plastisol Coating line, Methelene Chloride tank loading, unloading and miscellaneous leaks, incinerator, baghouses and vapor recovery system. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit of Methelene Chloride. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of these permits may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following information:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit # TV 20-00082)

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone,

where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Larry W. Wonders, Regional Air Quality Program Manager, Department of Environmental Protection, Northwest Region, 230 Chestnut Street, Meadville, PA 16335. For additional information concerning the permit or the issuance procedure, contact Eric A. Gustafson, Facilities Section Chief, Air Quality Program, at the same address or at (814) 332-6940.

#### **Title V Operating Permit**

##### **Permit No. TV-22-05014**

The Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to True Temper Hardware Company for the Harrisburg Plant located in Harrisburg City, Dauphin County. The Title V Operating Permit is required under 25 Pa. Code, Chapter 127, Subchapter G for major stationary sources.

An appointment to review the application and other pertinent documents at the Southcentral Regional Office may be scheduled by contacting Mary DiSanto at (717) 541-5018 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

Those wishing to comment on the proposed action may contact Kanubhai Patel, Chief, Title V Facilities Section, One Ararat Boulevard, Harrisburg, PA 17110.

Comments may be submitted during the 30-day period immediately following the publication of this notice. Each comment must include the name, address and telephone number of the person submitting the comments along with the reference number of the permit (TV-22-05014).

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the comment period. The Department will give notice of any scheduled public hearing at least 30 days in advance of the hearing under 25 Pa. Code § 127.521.

#### **Title V Operating Permit No. 25-00923**

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the NAPCO Inc. Valencia. NAPCO is located in Middlesex Township and Butler County. NAPCO's representative to contact concerning this application is John Pace, Vice President operations, Mcfann Road at Route 8, Valencia, PA 16059, (412) 898-1511.

NAPCO's air emission sources include, Heaters for tanks (1,2,4), Drying-oven, Quenching operation, Finishing Coating application, Primer Coating application, Incinerator, Fiberglass filter, Conversion coating and Space heaters. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit of Sulfur Di Oxide and VOC. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of these permits may submit the information to the Department at the address shown above. A 30-day

comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following information:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify Permit # TV 25-00923)
- Concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Larry W. Wonders, Regional Air Quality Program Manager, Department of Environmental Protection, Northwest Region, 230 Chestnut Street, Meadville, PA 16335. For additional information concerning the permit or the issuance procedure, contact Eric A. Gustafson, Facilities Section Chief, Air Quality Program, at the same address or at (814) 332-6940.

#### **Title V Operating Permit No. 47-00003**

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the Danville State Hospital. Danville State Hospital is located in Mahoning Township, Montour County. The Danville State Hospital representative to contact regarding this application is David Peterson, Facility Maintenance Manager, P. O. Box 700, Danville, PA 17821.

Danville State Hospital operates three anthracite coal-fired boilers and one #2 oil/natural gas fired boiler to produce steam for heating the facility. As a result of the sulfur oxides and nitrogen oxides emitted, Danville State Hospital is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period, from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify Permit No. 47-00003).
- Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting

comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

#### **Title V Operating Permit No. 47-00005**

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the Geisinger Medical Center. Geisinger Medical Center is located in Mahoning Township, Montour County. The Geisinger Medical Center representative to contact regarding this application is Alan R. Neuner, Administrative Director Facilities Operations, 100 North Academy Avenue, Danville, PA 17822.

Geisinger Medical Center operates three #2 oil/natural gas fired boilers to produce steam for heating the facility and an infectious/pathological incinerator. As a result of the sulfur oxides and hazardous air pollutants emitted, Geisinger Medical Center is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify Permit No. 47-00005).
- Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting

comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

#### **Title V Operating Permit No. 49-00004**

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the Resilite Sports Products for the Point Township plant. The Point Township plant is

located in Point Township, Northumberland County. The Resilite Sports Products representative to contact regarding this application is Paul Gilbert, General Manager, Resilite Sports Products, R. D. 1, Sunbury, PA 17857.

The Point Township plant is primarily used for the production of athletic mats. As a result of the volatile organic compounds emitted, the Resilite Sports Products Point Township plant is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit No. 49-00004).

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

#### **Title V Operating Permit No. 49-00011**

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the Butter Krust Baking Company for the Sunbury, Pennsylvania Plant. The Sunbury, Pennsylvania Plant is located in Sunbury, Northumberland County. The Butter Krust Baking Company representative to contact regarding this application is Barry Hulsizer, Plant Manager, Butter Krust Baking Company, 249 North 11th Street, Sunbury, PA 17801.

The Sunbury, Pennsylvania Plant is primarily used for, the production of bakery products (rolls and bread). As a result of the volatile organic compounds emitted, the Sunbury, Pennsylvania Plant is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal

business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit No. 49-00011).

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

#### **Title V Operating Permit No. 49-00021**

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to American Railcar Industries, Inc. American Railcar Industries is located in West Chillisquaque Township, Northumberland County. The American Railcar Industries representative to contact regarding this application is Larry Lewczyk, Plant Manager, R. R. 4, Box 4355, Milton, PA 17847-9740.

American Railcar Industries operates a facility to repair and refurbish railroad tank and covered hopper cars. As a result of the volatile organic compounds emitted, American Railcar Industries is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period, from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit No. 49-00021).

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

#### **Title V Operating Permit No. 53-00001**

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the Tennessee Gas Pipeline Company for the 313 Coudersport compressor station. The Coudersport (313) compressor station is located in Hebron Township, Potter County. The Tennessee Gas Pipeline representative to contact regarding this application is Patty Miller, Manager of Environmental Operations, Tennessee Gas Pipeline Company, P. O. Box 2511, Houston, Texas, 77252-2511.

The Coudersport (313) compressor station is primarily used for the distribution of natural gas. As a result of the carbon monoxide and nitrogen oxides emitted, Coudersport (313) is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period, from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit No. 53-00001).

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

#### **Title V Operating Permit No. 53-00003**

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department)

intends to issue a Title V Operating Permit to the National Fuel Gas Supply Corporation for the Ellisburg compressor station. The Ellisburg compressor station is located in Allegany Township, Potter County. The National Fuel Gas Supply Corporation representative to contact regarding this application is Gary Young, Associate Engineer, National Fuel Gas Supply Corporation, P. O. Box 2081, Erie, PA 16512.

The Ellisburg compressor station is primarily used for the distribution of natural gas. The Ellisburg station is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period, from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit No. 53-00003).

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

#### **Title V Operating Permit No. 53-00006**

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit for the CNG Corporation's Ellisburg station. The Ellisburg station is located in Genesee Township, Potter County. The CNG Corporation representative to contact regarding this application is Sam S. Mathew, Engineer, Environmental Services, CNG Corporation, P. O. Box 2450, 445 West Main Street, Clarksburg, WV 26302-2450.

The Ellisburg plant is a natural gas transmission station. As a result of the oxides of nitrogen air contaminants emitted from the facility, the Ellisburg facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the

application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit No. TVOP#53-00006).

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

#### **Title V Operating Permit No. 55-00002**

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the Selinsgrove Center State Hospital. Selinsgrove Center is located in Penn Township, Snyder County. The Selinsgrove Center representative to contact regarding this application is Hugh Grimes, Facility Maintenance Manager, P. O. Box 500, Selinsgrove, PA 17835.

Selinsgrove Center operates three anthracite/bituminous coal-fired boilers to produce steam for heating the facility. As a result of the sulfur oxides emitted, Selinsgrove Center is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit No. 55-00002).

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

#### **Title V Operating Permit No. 59-00002**

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit for the CNG Corporation's Tioga station. The Tioga station is located in Farmington Township, Tioga County. The CNG Corporation representative to contact regarding this application is Sam S. Mathew, Engineer, Environmental Services, CNG Corporation, P. O. Box 2450, 445 West Main Street, Clarksburg, WV 26302-2450.

The Tioga plant is a natural gas transmission station. As a result of the oxides of nitrogen air contaminants emitted from the facility, the Tioga facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit No TVOP #59-00002).

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

**Title V Operating Permit No. 60-00002**

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the NGC Industries, Inc. for the Milton facility. The Milton facility is located in White Deer Township, Union County. The NGC Industries representative to contact regarding this application is Louis R. Erhardt, Plant Manager, NGC Industries, Subsidiary of National Gypsum Company, P. O. Box 338, Milton, PA 17847.

The Milton facility is used to manufacture paperboard. As a result of the nitrogen oxides emitted, the Milton facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit No. 60-00002).

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

**Title V Operating Permit No. 60-00007**

Under 25 Pa. Code § 127.521, notice is given that the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the Lewisburg Federal Penitentiary. Lewisburg Federal Penitentiary is located in Kelly Township, Union County. The Lewisburg Federal Penitentiary representative to contact regarding this application is Arthur Taylor Grissom, Facility Maintenance Manager, P. O. Box 1000, R. R. 7, William Penn Road, Lewisburg, PA 17837.

Lewisburg Federal Penitentiary operates one natural gas-fired boiler and two natural gas/#2 oil-fired boilers to produce steam for heating the facility. As a result of the sulfur oxides emitted, Lewisburg Federal Penitentiary is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments. The facility is therefore

subject to the Title V permitting requirements adopted in 25 Pa. Code, Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of this permit may submit the information to the Department at the address shown in the preceding paragraph. A 30-day comment period, from the date of this publication will exist for the submission of comments. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments.

Identification of the proposed permit (specify Permit No. 60-00007).

Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Chief, Title V Facilities Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (717) 327-0512.

**Title V Operating Permit No. 61-00004**

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to Electralloy, A G. O. Carlson, Inc. Company (Electralloy). Electralloy is located in Oil City Township, Venango County. Electralloy's representative to contact concerning this application is Tracy Rudolph, VP Plant Manager, 175 Main Street, Oil City, PA 16301, (814) 678-4200.

Electralloy's air emission sources include an electric arc furnace (EAF), two argon oxygen refiners (AOD), tapping and charging of the EAF and AOD, ingot mold pouring area, an annealing furnace, and a tumbleblast. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit carbon monoxide. The facility is therefore subject to the Title V operating permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335.

Persons wishing to provide the Department with additional information which should be considered prior to the issuance of these permits may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following information:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed permit (specify Permit No. TV 61-00004).
- Concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Larry W. Wonders, Regional Air Quality Program Manager, Department of Environmental Protection, Northwest Region, 230 Chestnut Street, Meadville, PA 16335. For additional information concerning the permit or the issuance procedure, contact Eric A. Gustafson, Facilities Section Chief, Air Quality Program, at the same address or at (814) 332-6940.

#### PLAN APPROVALS

##### **Applications under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations to construct, modify or reactivate air contaminant sources or to install air cleaning devices.**

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

There is a 30-day comment period from this date of publication.

**15-318-010F:** On June 10, 1997, an application was received to amend a previous application for **Johnson Matthey, Inc.**, 456 Devon Park Drive, Wayne, PA 19087 for a Production Scrubber System III to be located in Tredyffrin Township, **Chester County**.

**09-320-050:** On June 19, 1997, an application was received from **Superpac, Inc.**, P. O. Box 189, Southampton, PA 18966 for the construction of a Flexographic Printing Press to be located in Upper Southampton Township, **Bucks County**.

**PA-15-0026:** On June 20, 1997, an application was received from **American Inks & Coatings Corporation**, P. O. Box 803, Valley Forge, PA 19482 for the construction of a Specialty Clear Coat Manufacturing to be located in Schuylkill Township, **Chester County**.

**15-301-086:** On June 27, 1997, an application was received from **Pet Memorial Services Corp.**, P. O. Box 343, Fogelsville, PA 18051 for the construction of a Cremator for Animal Remains to be located in West Goshen Township, **Chester County**.

**09-399-045:** On June 30, 1997, an application was received from **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976 for the installation of a Scrubber to be located in Doylestown Borough, **Bucks County**.

**46-313-006F:** On July 2, 1997, an application was received from **Cabot Corporation**, County Line Road, P. O. Box 1608, Boyertown, PA 19512 for the construction of a Scrubber to be located in Douglass Township, **Montgomery County**.

**46-313-147:** On July 2, 1997, an application was received from **Cabot Corporation**, County Line Road, P. O. Box 1608, Boyertown, PA 19512 for the installation of a Refrigerated Condenser to be located in Douglass Township, **Montgomery County**.

**46-313-148:** On July 2, 1997, an application was received from **Cabot Corporation**, County Line Road, P. O. Box 1608, Boyertown, PA 19512 for the construction of a Refrigerated Condenser to be located in Douglass Township, **Montgomery County**.

**46-313-139A:** On July 2, 1997, an application was received to amend a previous application for **Cabot Performance Material**, County Line Road, P. O. Box 1608, Boyertown, PA 19512 for a Niobium Oxide Calciner to be located in Douglass Township, **Montgomery County**.

**PA-09-0013:** On July 8, 1997, an application was received from **Wheelabrator Falls, Inc.**, 1201 New Ford Mill Road, Morrisville, PA 19067 for the construction of a Municipal Waste Incinerator to be located in Falls Township, **Bucks County**.

**15-312-031GP:** On July 9, 1997, an application was received from **Sun Company, Inc.**, (R&M), 1801 Market Street, 15/10 PC, Philadelphia, PA 19103 for the construction of a Storage Tank No. 12 to be located in East Whiteland Township, **Chester County**.

**15-312-030GP:** On July 9, 1997, an application was received from **Sun Company, Inc.**, (R&M), 1801 Market Street, 15/10 PC, Philadelphia, PA 19103 for the construction of a Storage Tank No. 11 to be located in East Whiteland Township, **Chester County**.

##### **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: **39-318-101**

Source: Thread Coating/Catalytic Oxidizer

Received: July 3, 1997

Company: **Synthetic Thread Company Inc.**

Location: City of Bethlehem

County: **Lehigh**

Permit: **48-309-101**

Source: Cement Direct Transfer w/Baghouse

Received: July 8, 1997

Company: **ESSROC Cement Corporation**

Location: Nazareth Borough

County: **Northampton**

##### **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.*

**21-317-057A:** Modification of the existing milk powder processing plant by **Land O'Lakes, Inc.** (405 Park Drive, Carlisle, PA 17013) in South Middleton Township, **Cumberland County**.

**36-304-090:** Construction of a fabric filter collector to control emissions from a sand tank by **Donsco, Inc.** (Mt. Joy Plant, P. O. Box 2001, North Front Street, Wrightsville, PA 17368-0400) at its facility located in Mt. Joy Borough, **Lancaster County**.

**67-320-022A:** Modification of an existing heatset printing press controlled by a catalytic oxidizer in Building #5 by **Fry Communications, Inc.** (800 West Church Road, Mechanicsburg, PA 17055) in Manchester Township, **York County**.

**REASONABLY AVAILABLE CONTROL  
TECHNOLOGY  
(RACT)**

**Applications under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations for an Operating Permit to comply with 25 Pa. Code § 129.91 for Reasonable Available Control Technology (RACT).**

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

There is a 30-day comment period from this date of publication.

**PA-15-0017A.** On June 26, 1997, an application was received from **Transcontinental Gas Pipeline Corp.**, P. O. Box 1396, Houston, TX 77251 for the approval of Facility VOC/NOx RACT located in East Whiteland Township, **Chester County**.

## MINING

### CONDUCT COAL AND NONCOAL ACTIVITIES 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 (Department). 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 §§ 77.121—77.123 and 86.31—86.34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. The 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 Chapters 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 submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of requestor; application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

*Ebensburg District Office, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931-0625.*

#### *Coal Applications Received*

**32970108. Simpson Coal Company** (R. D. 1, Box 244, New Alexandria, PA 15670), commencement, operation and restoration of bituminous strip mine in Young and Conemaugh Townships, **Indiana County**, affecting 166.6 acres, receiving stream Harpers Run to Blacklegs Creek and unnamed tributary no. 1 to Blacklegs Creek. Application received July 10, 1997.

**56970102. Hoffman Mining, Inc.** (P. O. Box 130, 118 Runway Road, Friedens, PA 15541), commencement, operation and restoration of bituminous strip-auger mine in Paint Township, **Somerset County**, affecting 279.0 acres, receiving stream unnamed tributary to Weaver Run to Paint Creek to Stony Creek River to Conemaugh River, unnamed tributary to Roaring Fork to Shade Creek to Stony Creek River to Conemaugh River and unnamed tributaries to Shade Creek to Stony Creek River to Conemaugh River. Application received July 14, 1997.

*Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.*

**03970106. GLR Mining, Inc.** (P. O. Box 105, Clymer, PA 15728). Application received for commencement, operation, and reclamation of a bituminous surface auger mine located in Valley Township, **Armstrong County**, proposed to affect 30.0 acres. Receiving streams unnamed tributaries of Cowanshannock Creek, Cowanshannock Creek to the Allegheny River. Application received June 27, 1997.



**65840119R. M. B. Energy, Inc.** (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Derry Township, **Westmoreland County**. Receiving streams unnamed tributaries of Stony Run and McGee Run to the Conemaugh River. Renewal application received July 7, 1997.

**26920107R. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal application received for continued reclamation of a bituminous surface mine located in Wharton Township, **Fayette County**. Receiving streams an unnamed tributary to Little Sandy Creek and an unnamed tributary to Big Sandy Creek. Renewal application received July 7, 1997.

**26870107R. Durant Excavating Company** (18 North Ross Street, Masontown, PA 15461). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Nicholson Township, **Fayette County**. Receiving streams Jacobs Creek Watershed. Renewal application received July 8, 1997.

**03940110R. Seven Sisters Mining Co., Inc.** (200 US Route 22, P. O. Box 300, Delmont, PA 15626). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Wayne Township, **Armstrong County**. Receiving streams north branch of South Fork Pine Creek watershed. Renewal application received July 9, 1997.

**63910104R. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal application received for continued operation and reclamation of a bituminous surface mine located in Fallowfield Township and Twilight Borough, **Washington County**. Receiving streams Maple Creek watershed. Renewal application received July 11, 1997.

**65970104. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Application received for commencement, operation and reclamation of a bituminous surface mine located in Mt. Pleasant Township, **Westmoreland County**, proposed to affect 260.0 acres. Receiving streams unnamed tributaries to Jacobs Creek to the Youghiogheny River. Application received July 11, 1997.

## APPLICATIONS RECEIVED UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT ENCROACHMENTS

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 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 (800) 654-5984.

## 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 requests for certification under section 401 of the Federal Water Pollution Control Act.

*Northcentral Region, Water Management, Soils and Waterways Section, F. Alan Sever, Chief, 208 West Third St., Suite 101, Williamsport, PA 17701.*

**E08-321. Encroachment. Sheshequin Township.** R. R. 1, Box 138B, Ulster, PA 18850. To maintain three stream bed gravel removal sites in Spaulding Creek for a period of 5 years starting at a point 1,200 feet upstream of the SR 1043 bridge over Spaulding Creek and ending 3,000 feet downstream (Sayre, PA Quadrangle N: 1.00 inches; W: 1.25 inches) in Sheshequin Township, **Bradford County**. Estimated stream disturbance is approximately 4,200 feet; stream classification is Warm Water Fishery.

**E14-308. Encroachment. Joseph C. Homan,** 3490 Shingletown Rd., State College, PA 16801-2640. To construct and maintain a bridge with a clear span of 18 feet and an average underclearance of 4 feet with concrete abutments over Slab Cabin Run located approximately 0.25 mile east on SR 0045 from the intersection of SR 0026 (State College, PA Quadrangle N: 0.5 inch; W: 16.0 inches) in Ferguson Township, **Centre County**. Estimated stream disturbance is approximately 22 linear feet of an unnamed tributary to Slab Cabin Run; stream classification is Cold Water Fishery.

**E41-405. Encroachment. Lycoming County Water & Sewer Authority,** Lycoming County Airport, Room 203, Montoursville, PA 17754. To remove an existing culvert and to construct and maintain three 42-inch reinforced concrete pipe culverts with associated concrete headwalls in the Gut located approximately 4,200 feet southwest of the SR 2047 and SR 0220 intersection (Muncy, PA Quadrangle N: 19.96 inches; W: 16.75 inches) in Fairfield Township, **Lycoming County**. Estimated stream disturbance is 30 linear feet; stream classification is Warm Water Fishery.

**E41-407. Encroachment. John Eck,** R. R. 4, Box 402, Jersey Shore, PA 17740. To remove approximately 100 feet of gravel and silt deposits for a depth of approximately 2 feet and an average width of 13 feet in Stewards Run behind his residence on Cement Hollow Road for the purpose of flood control. (Linden, PA Quadrangle N: 17.1 inches; W: 15.3 inches) in Piatt Township, **Lycoming County**. Estimated stream disturbance is less than 250 linear feet; stream classification is WWF.

**E41-408. Encroachment. Williamsport Sanitary Authority,** 253 West 4th St., Williamsport, PA 17701. Repair, operate and maintain an existing stream enclosure to carry 16 city streets across Grafius Run and to abandon an existing structure and to construct, operate and maintain an 18 inch sanitary sewer line to convey municipal wastewater across Grafius Run. The work shall consist of repairing the existing 10.0 feet × 10.0 feet concrete box culvert that encloses Grafius Run with a 3,750.0 linear section and installing an 18 inch diameter ductile iron pipe across Grafius Run. The project is located approximately 500.0 feet west of the intersection

of Elmira Street and Hawthorne Street (Cogan Station, PA Quadrangle N: 0.20 inch; W: 1.6 inches) in the City of Williamsport, **Lycoming County**. Estimated stream disturbance is 3,750.0 linear feet of stream with no wetland impacts; stream classification is Warm Water Fishery.

**E41-409.** Encroachment. **Pa. Dept. of Transportation**, 715 Jordan Ave., Montoursville, PA 17754. To repair, operate and maintain the streambed, abutment footings and wingwall footings of the single span bridge that carries SR 184, Seg. 0100/000 across Wendell Run. The work shall consist of repairing the bridge abutment and wingwall scour by paving the natural streambed with reinforced concrete that shall have a maximum thickness of 6 inches. The project is located along the eastern right-of-way of SR 0287 approximately 2.7 miles east of the intersection of SR 184 and SR 4014 (White Pine, PA Quadrangle N: 7.4 inches; W: 9.5 inches) in Cogan Station Township, **Lycoming County**. Estimated stream disturbance is 26 linear feet with no wetland impacts; stream classification is High Quality—Cold Water Fishery.

**E53-299.** Encroachment. **Pa. Dept. of Transportation**, P. O. Box 342, Clearfield, PA 16830. To remove the existing structures and to construct and maintain two road crossings that will carry SR 4023, Seg. 120/1857 and Seg. 130/0000 across Elevenmile Creek. The two road crossings shall be constructed with corrugated metal culvert pipes that have a span of 29 inches and rise of 42 inches and a length of 16 feet. The project is located along the eastern right-of-way SR 044 approximately 4,000.0 feet east of the intersection of T-380 and SR 4023 (Oswayo, PA Quadrangle N: 15.5 inches; W: 3.3 inches) in Oswayo Township, **Potter County**. Estimated stream disturbance is 32 linear feet with no wetland impacts; stream classification is High Quality—Cold Water Fishery.

**E55-147.** Encroachment. **Spring Township Supervisors**, Beaver Springs, PA 17812. To construct and maintain 378 linear feet of a 36 inch diameter culvert with associated concrete headwall and discharge structure in an unnamed tributary to Beaver Creek located approximately 250 feet south of the SR 0522 and SR 0235 intersection (Beaver Springs, PA Quadrangle N: 22.0 inches; W: 11.6 inches) in Spring Township, **Snyder County**. Estimated stream disturbance is 390 linear feet; stream classification is Cold Water Fishery.

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

**E10-265.** Encroachment. **Prime Hospitality**, 700 Route 46 East, P. O. Box 2700, Fairfield, NJ 07007-2700. To remove the existing concrete box culvert with dimensions; 12 feet wide by 6 feet high by 50 feet long and to construct and maintain a multiplate steel arch culvert with dimensions 20 feet, 1 inch wide by 7 feet 6 inches high by 100 feet long in a tributary to Brush Creek (WWF). This project will also include a de minimis wetland impact for a commercial development. The project is located on the west side of S. R. 0019 approximately 3,000 feet south of the intersection of S. R. 0019 and S. R. 0228 (Mars, PA Quadrangle N: 9.3 inches; W: 14.0 inches) located in Cranberry Township, **Butler County**.

**E25-554.** Encroachment. **Millcreek Township**, 3608 West 26th Street, Erie, PA 16506. To repair damages to three existing streambank retaining walls with a total length of approximately 255 linear feet, to construct and maintain a new streambank retaining wall measuring 85 linear feet adjacent to an existing wall which will be

repaired, to construct and maintain a 12-foot wide by 10-foot high by 193-foot long precast concrete arch stream enclosure in Beaver Run (CWF, MF), and to stabilize streambanks and slopes by grading and seeding. The project is located along Beaver Run from the S. R. 0019 (Peach Street) Bridge downstream for a distance of approximately 600 feet. This project will stabilize a portion of Beaver Run that has been damaged by failure of previously constructed streambank retaining walls (Erie South, PA Quadrangle N: 13.4 inches; W: 12.9 inches) located in Millcreek Township, **Erie County**.

**E27-056.** Encroachment. **Pa. Dept. of Transportation**, Engineering District 1-0, 1140 Liberty Street, Franklin, PA 16323. To remove the existing steel stringer bridge and to construct and maintain a 14-foot wide by 8-foot high by 40-foot long reinforced box culvert on S. R. 1003 across Slater Run (WQ-CWF). This box culvert will be placed approximately one foot below existing streambed elevation to allow for unobstructed access for aquatic organisms. This project will also include a temporary de minimis wetland impact associated with the site development. The project is located on S. R. 1003 across Slater Run approximately 1.1 miles north of the intersection of S. R. 1003 and S. R. 0062 (Lynch, PA Quadrangle N: 8.1 inches; W: 7.7 inches) located in Howe Township, **Forest County**.

**E33-182.** Encroachment. **Young Township Supervisors**, 99 North Gilpin Street, Punxsutawney, PA 15767. To remove the existing single span bridge and to place and maintain a 16.5 feet wide by 7 feet high corrugated metal arch culvert road crossing across Elk Run (CWF). The project is located on T-456 across Elk Run approximately 400 feet northeast of the intersection of T-456 and S. R. 0310 west of the village of Crawfordtown (Punxsutawney, PA Quadrangle N: 20.8 inches; W: 13.3 inches) located in Young Township, **Jefferson County**.

**E42-247.** Encroachment. **Ball Incon Glass Packing**, P. O. Box 4200, Muncie, IN 47307. To construct and maintain a 259,200 square foot addition measuring 720 feet long by approximately 420 feet wide onto an existing warehouse within the floodway of the Allegheny River north of Mill Street (Port Allegheny, PA Quadrangle N: 10.8 inches; W: 4.9 inches) located in the Borough of Port Allegheny, **McKean County**.

**E42-249.** Encroachment. **Ceres Township**, R. D. 2, Box 555C, Shinglehouse, PA 16748. To remove the existing steel I-beam bridge and to construct and maintain a steel I-beam bridge with a clear span of 20 feet and an average underclearance of 4.7 feet on T-436 across Kings Run (CWF). The project is located on T-436 across Kings Run approximately 0.3 mile south of the intersection of T-436 and T-433 (Champlin Hollow Road) (Bullis Mills, PA-NY Quadrangle N: 17.35 inches; W: 13.1 inches) located in Ceres Township, **McKean County**.

*Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

**E02-1196.** Encroachment. **Allegheny Asphalt Mfg. Co.**, 1020 Lebanon Rd., West Mifflin, PA 15112. To remove existing mooring facility and to construct and maintain a new mooring facility on the left bank of the Ohio River (WWF) near Mile Marker 5.2 for the purpose of providing safe and efficient loading and unloading of barges (Pittsburgh West, PA Quadrangle N: 22.09 inches; W: 10.2 inches) in Neville Township, **Allegheny County**.

**E02-1197.** Encroachment. **Colony Courts Inc.**, 3637 Green Rd., Beechwood, OH 44122. To place and maintain

fill in 0.075 acre of wetlands (PEM) for the purpose of developing a multi-family townhouse community known as Colony Courts North located on Community Center Drive approximately 2,000 feet north of the intersection of Community Center Drive and SR 910 (Valencia, PA Quadrangle N: 2.5 inches; W: 8.6 inches) in Richland Township, **Allegheny County**.

**E02-1198.** Encroachment. **Castlewood L. P.**, One Bigelow Square, Ste. 300, Pittsburgh, PA 15229. To place and maintain fill in 0.05 acre of wetlands (PEM) for the purpose of construction of a 37-lot residential subdivision located on the south side of Beaver Grade Road approximately 1,000 feet north of the intersection of Beaver Grade Road and Aiken Road (Oakdale, PA Quadrangle N: 14.6 inches; W: 2.2 inches) in Robinson Township, **Allegheny County**.

**E04-238-A2.** Encroachment. **Connoquenessing Associates**, 617 Portersville Rd., Ellwood City, PA 16117. To amend Permit No. E04-238 to place and maintain fill in an additional 0.01 acre of wetlands (PEM) and to maintain fill in 0.15 acre of wetlands (PEM) for the purpose of constructing Heron's Landing Golf Course. The total replacement area for the entire project will be 0.88 acre. The project is located approximately 1,500 feet downstream of the intersection of Country Club Drive and the SR 65 bridge (Beaver Falls, PA Quadrangle N: 15.1 inches; W: 4.1 inches) in North Sewickley Township, **Beaver County**.

**E26-238.** Encroachment. **Fayette County Board of Commissioners**, 61 E. Main St., Uniontown, PA 15401. To remove existing structure and to construct and maintain a 54.6-foot clear span bridge with an underclearance of 4.8 feet in Jacobs Creek (WWF) located on T-364, approximately 1,200 feet northeast of intersection of T364 and SR 3011 (Masontown, PA Quadrangle N: 11.65 inches; W: 1.50 inches) in Nicholson Township, **Fayette County**.

**E65-672.** Encroachment. **Ross Mountain Club**, Ross Mountain Club Rd., New Florence, PA 15944-9801. To construct and maintain two bridges: a prefabricated steel bridge having a span of 40 feet and an underclearance of 3 feet across Tubmill Creek (EV, Wild Trout) located approximately 2,000 feet upstream of its confluence with Tubmill Reservoir; a prefabricated steel bridge having a span of 40 feet and an underclearance 5.7 feet across Lick Run (EV, Wild Trout) located approximately 2,800 feet upstream of its confluence with Tubmill Reservoir (Rachelwood, PA Quadrangle N: 12.6 inches; W: 12.0 inches) in Fairfield Township, **Westmoreland County**.

**E65-673.** Encroachment. **Hannastown Golf Club**, 121 Blank School Rd., Greensburg, PA 15601. To place and maintain the following structures as part of construction of a 9-hole golf course expansion: (2) concrete elliptical concrete pipes 38 inches x 60 inches in an unnamed tributary to Jacks Run (WWF); (2) concrete elliptical concrete pipes 34 inches x 53 inches in an unnamed tributary to Jacks Run (WWF) (Greensburg, PA Quadrangle N: 14.0 inches; W: 4.5 inches) in Hempfield Township, **Westmoreland County**.

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

**E01-183.** Encroachment. **Gettysburg Area School District**, David Mowery, 900 Biglerville Road, Gettysburg, PA 17325. To construct and maintain an 8-foot x 5-foot box culvert stream enclosure having a total length of 230 feet along the channel of an unnamed tributary to

Rock Creek (locally called Culps Run) located on high school campus to be connected to the existing 72-inch diameter culvert at Lefever Street downstream and 8-foot x 5-foot culvert upstream (Gettysburg, PA Quadrangle N: 14.13 inches; W: 14.5 inches) in Gettysburg Borough, **Adams County**.

**E05-250.** Encroachment. **Alfred Laich**, Pa. Dept. of Transportation, Engineering District 9-0, 1620 N. Juniata Street, Hollidaysburg, PA 16648. To remove the existing structure and to construct and maintain a single span prestressed concrete spread box beam bridge having a clear span of 32.3 feet skewed at 45 degrees with a minimum underclearance of 4.2 feet over Pavia Run on SR 0869, Section 003, Segment 0120, Offset 0212 located in Pavia Village (Blue Knob, PA Quadrangle N: 1.21 inches; W: 11.81 inches) in Pavia Township, **Bedford County**.

**E29-073.** Encroachment. **Dwight Gordon**, P. O. Box 187, Needmore, PA 17238. To shape up the banks of Barnett's Run for a total length of approximately 715 feet and to place excavated material in a 50-foot long overflow channel located along the westside of US 522 about 0.9 mile south of Needmore Village (Needmore, PA Quadrangle N: 15.85 inches; W: 4.7 inches) in Belfast Township, **Fulton County**.

**E36-636.** Encroachment. **The Goldenberg Group**, Kenneth Goldenberg, 350 Sentry Parkway, Bldg. 630, Ste. 300, Blue Bell, PA 19422. To fill 0.083 acre of wetlands adjacent to the Dillersville Swamp to construct an entrance road from US Rt. 30. North of Steelway Road 0.047 acre of wetlands will be filled for construction of a nonjurisdictional dam for stormwater control. Wetland encroachment for the Red Rose Commons shopping center will be 0.203 acre and filling of 0.12 acre of previously disturbed emergent wetlands, for a total project impact of 0.673 acre and mitigation for 0.89 acre of new wetlands (Lancaster, PA Quadrangle N: 12.2 inches; W: 9.7 inches) in Lancaster Township, **Lancaster County**.

**E36-637.** Encroachment. **Crown Properties III**, Stanley Freidman, 1911 Fruitville Pike, Lancaster, PA 17603. To relocate and maintain approximately 362± L. F. of a tributary to the Little Conestoga Creek (within a riprap lined channel). Realignment to provide access by construction of Harvard Avenue within the Hampton Village subdivision located on southside of Temple Avenue (Lancaster, PA Quadrangle N: 6.25 inches; W: 14 inches) in Manor Township, **Lancaster County**.

**Permit No. E35-284.** Encroachment. **Martin Media**, 200 Walnut Street, Scranton, PA 18509-2709. To construct and maintain a 25-foot by 12-foot advertising sign on a single column approximately 23 feet above grade within the floodway of Leggets Creek (CWF). The project is located on the north side of S. R. 0006 approximately 0.1 mile southeast of the intersection of S. R. 1027 and S. R. 0006 (Scranton, PA Quadrangle N: 17.6 inches; W: 7.5 inches) in South Abington Township, **Lackawanna County** (Baltimore District, Army Corps of Engineers).

**Permit No. E35-285.** Encroachment. **Midvalley Industrial Park, Inc.**, P. O. Box 560218, Charlotte, NC 28250. To place fill in a body of water having a surface area of 0.08 acre to construct a detention basin. The project is located south of Underwood Road and East Lackawanna Avenue in the Midvalley Industrial Park (Olyphant, PA Quadrangle N: 14.4 inches; W: 11.9 inches) in Olyphant Borough, **Lackawanna County** (Baltimore District, Army Corps of Engineers).

**Permit No. E40-471.** Encroachment. **Luzerne County Redevelopment Authority**, 16 Luzerne Av-

enue, West Pittston, PA 18643. To construct and maintain a 10-foot × 6-foot precast concrete box culvert in Mill Creek (CWF) and to repair the embankment in the vicinity of the culvert for the purpose of restoring an existing railroad crossing (The Landcliff Spur of the Luzerne County Rail Corporation) which was washed out during the January 1996 flood. The project is located approximately 0.3 mile upstream of York Avenue (S. R. 2029) (Avoca, PA Quadrangle N: 16.6 inches; W: 16.5 inches) in Avoca Borough, **Luzerne County** (Baltimore District, Army Corps of Engineers).

**Permit No. E45-332.** Encroachment. **Monroe County, Administrative Center**, One Quaker Plaza, Stroudsburg, PA 18360. To remove the existing structure and to construct and maintain a single span concrete spread box beam bridge across Appenzell Creek (HQ-CWF) and adjacent wetlands having a span of 40 feet and minimum underclearance of approximately 5 feet. The bridge is known as Monroe County Bridge No. 13 located along Township Road T434 (5 Springs Road), approximately 0.25 mile south of its intersection with Neola Road (Saylorsburg, PA Quadrangle N: 16.3 inches; W: 13.6 inches) in Jackson Township, **Monroe County** (Philadelphia District, Army Corps of Engineers).

**Permit No. E45-333.** Encroachment. **Monroe County Administrative Center**, One Quaker Plaza, Stroudsburg, PA 18360. To remove the existing structure and to construct and maintain a concrete spread box beam bridge across McMichael Creek (HQ-CWF) and adjacent wetlands having two spans of 48 feet and an underclearance of approximately 8 feet. The bridge is known as Monroe County Bridge No. 7 located along Township Road T414 (Beaver Valley Road), just south of S. R. 0209 (Saylorsburg, PA Quadrangle N: 15.4 inches; W: 3.9 inches) in Hamilton Township, **Monroe County** (Philadelphia District, Army Corps of Engineers).

**Permit No. E48-258.** Encroachment. **Muhlenberg Realty Corporation**, 2545 Schoenersville Road, Bethlehem, PA 18017. To construct and maintain approximately 1,230 L. F. of channel change in a tributary to Monocacy Creek (HQ-CWF) consisting of a trapezoidal channel having a cable concrete lining and to extend a 65-inch by 40-inch arch CMP to allow widening of Township Road T-431 (Macada Road). The project is located approximately 1,000 feet east of the intersection of S. R. 0022 and S. R. 3017 (Catasauqua, PA Quadrangle N: 4.4 inches; W: 4.4 inches) in Hanover Township, **Northampton County** (Philadelphia District, Army Corps of Engineers).

**Permit No. E48-259.** Encroachment. **Willow Brook Land Development Corporation, LC**, Howertown Road, P. O. Box 32, Catasauqua, PA 18032-0032. To construct and maintain two (2) timber golf cart bridges across Catasauqua Creek (CWF) each having a single span of 56 feet and an average underclearance of approximately 6 feet. The project is located at Willow Brook Golf Course, just east of the intersection of Howertown Road and Township Road T-482 (Catasauqua, PA Quadrangle N: 7.5 inches; W: 12.5 inches) in Allen Township, **Northampton County** (Philadelphia District, Army Corps of Engineers).

**Permit No. E54-235.** Encroachment. **Hegins Township**, P. O. Box 630, Valley View, PA 17983. To remove the existing structure and to construct and maintain a prestressed concrete spread box-beam bridge having a span of 64 feet and an underclearance of 5.5 feet across Pine Creek (CWF). This project also consists of the relocation of an 8-inch water main and the placement of fill in a de-

minimis area of wetlands less than or equal to 0.05 acre associated with the bridge construction. This project is located along Township Road T-478A approximately 2,700 feet south of S. R. 0025 (Valley View, PA Quadrangle N: 2.6 inches; W: 4.4 inches) in Hegins Township, **Schuylkill County** (Baltimore District, Army Corps of Engineers).

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## ACTIONS

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### FINAL ACTIONS TAKEN UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

[National Pollution Discharge Elimination System  
Program (NPDES)]

#### DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

(Part I Permits)

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, 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 audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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#### Industrial waste and sewerage actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

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

**WQM Permit No. 6297402.** Sewage. **Andy Confer SFTF**, R. D. 2, Box 79, Pittsfield, PA 16340. This project is for the construction and operation of a small flow treatment facility located in Deerfield Township, **Warren County**.

**WQM Permit No. 3397402.** Sewerage. **Gene P. Kidder**, SRSTP, P. O. Box 106, Sigel, PA 15860. Construction of Gene P. Kidder SRSTP located in Barnett Township, **Jefferson County**.

**NPDES Permit No. PA 0027138.** Sewage. **City of Sharon**, 155 West Connelly Boulevard, Sharon, PA 16146 is authorized to discharge from a facility located in the City of Sharon, **Mercer County** to the Shenango River.

**NPDES Permit No. PA 022232.** Sewage. **Albion Borough**, 15 Amock Avenue, Albion, PA 16401 is authorized to discharge from a facility located in the Borough of Albion, **Erie County** to the East Branch of Conneaut Creek.

**NPDES Permit No. PA 0222305.** Sewage. **Andy Confer SFTF**, R. D. 2, Box 79, Pittsfield, PA 16340 is authorized to discharge from a facility located in Deerfield Township, **Warren County** to Caldwell Creek.

**NPDES Permit No. PA 0222313.** Sewage. **Gene P. Kidder**, P. O. Box 106, Sigel, PA 15860 is authorized to discharge from a facility located in Barnett Township, **Jefferson County** to Cathers Run.

**NPDES Permit No. PA 0102555.** Sewage. **Eric G. Elmquist**, Box 103A, Silver Creek Rd., Johnsonburg, PA 15845 is authorized to discharge from a facility located in Jones Township, **Elk County**.

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

**NPDES Permit No. PA0081817.** Sewerage. **East Juniata High School**, Box 60, Cocolamus, PA 17014-0060, is authorized to discharge from a location in Fayette Township, **Juniata County** to the receiving waters named Cocolamus Creek.

**NPDES Permit No. PA0110850.** Sewerage. **Meda Nipple Convalescent Home**, R. R. 1, Box 109, Thompsettown, PA 17094, is authorized to discharge from a location in Delaware Township, **Juniata County** to the receiving waters named Cocolamus Creek.

**NPDES Permit No. PA0029939.** Sewerage. **Southern Huntingdon County High School**, R. D. 1, Box 1124, Three Springs, PA 17264-9730, is authorized to discharge from a location in Cromwell Township, **Huntingdon County** to the receiving waters named Aughwick Creek.

**NPDES Permit No. PA0029955.** Sewerage. **Southern Huntingdon County School District**, R. R. 1, Box 1124, Three Springs, PA 17264-9730, is authorized to discharge from a location in Todd Township, **Huntingdon County** to the receiving waters of an unnamed tributary to the Great Trough Creek.

**NPDES Permit No. PA0024431.** Sewerage. **Dillsburg Borough Authority**, P. O. Box 370, Dillsburg, PA 17019-0370 is authorized to discharge from a location in Carroll Township, **York County** to the receiving waters named Dogwood Run.

**NPDES Permit No. PA0081469.** Sewerage. **Mr. and Mrs. Ross Smith**, P. O. Box 74, Loysburg, PA 16659-0074 is authorized to discharge from a location in South Woodbury Township, **Bedford County** to the receiving waters named Beaver Creek.

**NPDES Permit No. PA0029947.** Sewerage. **Southern Huntingdon County School District**, R. R. 1, Box 1124, Three Springs, PA 17264-9730 is authorized to discharge from a location in Clay Township, **Huntingdon County** to the receiving waters of an unnamed tributary of Spring Creek.

**NPDES Permit No. PA0029955.** Sewerage. **Centerport Borough Municipal Authority**, P. O. Box 248, Centerport, PA 19516 is authorized to discharge from a location in Centerport Borough, **Berks County** to the receiving waters named Irish Creek.

**NPDES Permit No. PA0084484.** Sewerage. **Salisbury Township**, 5581 Old Philadelphia Pike, Gap, PA 17527 is authorized to discharge from a location in

Salisbury Township, **Lancaster County** to the receiving waters of an unnamed tributary to the Pequea Creek.

**NPDES Permit No. PA0031950.** Sewerage. **PA DCNR State Parks Bureau**, Little Buffalo State Park, R. D. 2, Box 256A, Newport, PA 17047-9428 is authorized to discharge from a location in Centre Township, **Perry County** to the receiving waters named Little Buffalo Creek.

**NPDES Permit No. PA0081299.** Sewerage. **Model Enterprises, Inc.**, 418 Pearl Street, Lancaster, PA 17603-5035 is authorized to discharge from a location in Rapho Township, **Lancaster County** to the receiving waters named Chickies Creek.

**NPDES Permit No. PA0084794.** Sewerage. **Asbury Pointe Ltd.**, 135 North George Street, York, PA 17401-1132 is authorized to discharge from a location in East Manchester Township, **York County** to the receiving waters named Codorus Creek.

**NPDES Permit No. PA0051764, Amendment No. 1.** **Galen Hall Corporation**, R. D. 3, Wernersville, PA 19565 is authorized to discharge from a location in South Heidelberg Township, **Berks County** to the receiving waters of an unnamed tributary of Little Cocalico Creek.

**NPDES General Permit No. PAG053509.** **Sun Pipe Line Company, Inc.**, 1801 Market Street, Philadelphia, PA 19103 is authorized to discharge from a location in Upper Leacock Township, **Lancaster County** to the receiving waters of an unnamed tributary to Conestoga River.

**NPDES Permit No. PAG043562.** Sewerage. **Ronald Arnold**, 499 Rich Valley Road, Carlisle, PA 17013 is authorized to discharge from a location in Buffalo Township, **Perry County** to the receiving waters named Bucks Run.

**NPDES Permit No. PAG043569.** Sewerage. **Robert and Shirley Rissinger**, c/o Allen Shaffer & Associates, P. O. Box 335, Millersburg, PA 17601 is authorized to discharge from a location in Halifax Township, **Dauphin County** to the receiving waters named Gurdy Run.

**NPDES Permit No. PA0085669.** Sewerage. **Centerport Borough Municipal Authority**, P. O. Box 248, Centerport, PA 19516 is authorized to discharge from a location in Centerport Borough, **Berks County** to the receiving waters.

**NPDES Permit No. PA0084956.** Industrial waste. **Pequea Sewer Services, Inc.**, 106 Fairview Road, Providence, PA 17560 is authorized to discharge from a location in Providence Township, **Lancaster County** to the receiving waters named Pequea Creek.

**NPDES Permit No. PA0086878.** Industrial waste. **Hamburg Municipal Authority**, 61 North Third Street, Hamburg, PA 19526 is authorized to discharge from a location in Hamburg Borough, **Berks County** to the receiving waters named Furnace Creek.

**NPDES Permit No. PA0054852.** Industrial waste. **Western Berks Refuse Authority**, 455 Poplar Neck Road, Birdsboro, PA 19508 is authorized to discharge from a location in Cumru Township, **Berks County** to the receiving waters named Schuylkill River.

*Part II Permits Issued*

**Permit No. 0187402.** Sewerage. **Abbottstown Paradise Joint Sewer Authority**, P. O. Box 401, Abbottstown, PA 17301. The construction of Sewers and

Appurtenances and modifications to the construction of the sewage treatment plant in Hamilton Township, **Adams County**.

**Permit No. 6782408.** Sewerage. **Borough of Hanover**, 44 Frederick Street, Hanover, PA 17331. The construction of sewage treatment facilities in Conewago Township, **Adams County**.

**Permit No. 0697405.** Sewerage. **Bern Township Municipal Authority**, 1609 Old Bernville Road, Reading, PA 19605-9632. The construction of sewers and appurtenances in Bern Township, **Berks County**.

**Permit No. 6796411.** Sewerage. **Mesco, Inc.**, 148 South Baltimore Street, Dillsburg, PA 17019. The construction of sewers and appurtenances and pump station in Monaghan Township, **York County**.

**Permit No. 0697201.** Sewerage. **Western Berks Water Authority**, 91 Water Road, Sinking Spring, PA 19608-9633. The construction of waste treatment facilities in Lower Heidelberg Township, **Berks County**.

**Permit No. 0697401.** Sewerage. **Centerport Borough Municipal Authority**, P. O. Box 248, Centerport, PA 19516. The construction of sewage treatment facilities in Centerport Borough, **Berks County**.

**Permit No. 2297402.** Sewerage. **Robert and Shirley Rissinger**, P. O. Box 335, Millersburg, PA 17061. Construction of Single Family Sewage Treatment facilities in Halifax Township, **Dauphin County**.

**Permit No. 3694406.** Industrial waste. **Pequea Sewer Services, Inc.**, 106 Fairview Road, Providence, PA 17560. Construction of Industrial Waste Treatment Facilities in Providence Township, **Lancaster County**.

*Northcentral Regional Office, 208 West Third Street, Suite 101, Grit Building, Williamsport, PA 17701.*

**Permit No. WQM No. 1988401-T1.** Sewerage. **Arthur T. Christie**, R. R. 9, Box 67, Bloomsburg, PA 17872. Applicant has been granted approval to construct a single residence sewage treatment facility, located in Fishing Creek Township, **Columbia County**.

#### **DISCHARGE OF CONTROLLED INDUSTRIAL WASTE AND SEWERAGE WASTEWATER FROM OIL AND GAS ACTIVITIES**

#### **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 Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6860.*

**Permit No. 5996601.** Industrial waste. **NE Hub Partners, L. P.**, 2 Riverbend at Lansdowne, 44084 Riverside Parkway, Suite 340, Leesburg, VA 22075. Construction and operation of a brine treatment/ solids removal facility in Lawrence and Farmington Townships, **Tioga County**. Issued July 17, 1997.

#### **INDIVIDUAL PERMITS**

##### **(PAS)**

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, (717) 787-3483, by any aggrieved person under The Environmental Hearing Board Act (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 issue 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, (717) 657-4590.*

**PAS-10-C024.** Individual NPDES. **West Ridge Bern LP**, 522 Weidman Avenue, Sinking Spring, PA 19608. To implement an Erosion and Sedimentation Control Plan for a subdivision on 133 acres in Bern Township, **Berks County**. The project is located along Route 183, northwest of County Welfare Road (Temple, PA Quadrangle N: 2.9 inches; W: 17.1 inches. Drainage will be to a tributary to Tulpehocken Creek.

**PAS-10-M099.** Individual NPDES. **Walter W. Starliper**, 13783 Buchanan Trail West, Mercersburg, PA 17236. To implement an Erosion and Sedimentation Control Plan for a housing development called Starliper Subdivision on 9.96 acres in Peters Township, **Franklin County**. The project is located on the north side of PA 16 in the village of Charlestown (Mercersburg, PA Quadrangle N: 20.0 inches; W: 8.2 inches). Drainage will be to Buck Run.

#### **The following final report was submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (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 Steve Curcio at (814) 332-6816. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final report:

Northwest Regional Office: Craig Lobins, Acting Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6648.

**City Auto Parts, West**, City of Erie, **Erie County**, has submitted a Final Report to Remediate soil and groundwater contaminated with BTEX's. The report is intended to document remediation of the site to meet the Statewide Health Standard. The Final Report was published in the Erie *Daily Times* on July 15, 1997.

**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, (717) 826-2511.

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10R029	Luzerne County Flood Protection Authority 200 North River St. Wilkes-Barre, PA 18711	Luzerne Kingston Boro Edwardsville Boro and City of Wilkes-Barre	Susquehanna River
PAS10R028	RHED Development Company 240 West Broad Street Hazleton, PA 18201	Sugarloaf Twp.	Little Nescopeck Creek
PAS10S048	Stroudsburg Area School District	Monroe Stroud Twp.	Flagler Run

### INDIVIDUAL PERMITS (PAR)

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 (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, PO 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 laws.

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 office listed. TDD users may contact Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### APPROVALS TO USE NPDES GENERAL PERMITS

The following parties have submitted Notices of Intent (NOI) for Coverage under General NPDES Permits to discharge wastewater into the surface waters of this Commonwealth of Pennsylvania. The Department of Environmental Protection approves the following coverages under the specified General Permit. This approval is subject to applicable effluent limitations, monitoring and reporting requirements and other conditions set forth in the respective General Permit.

The EPA Region III Regional Administrator has waived the right to review or object to this permit action under the waiver provision: 40 CFR 123.24.

The application and related documents, effluent limitations and special conditions, and other information are on file and may be inspected and arrangements made for copying at the contact office noted.

List of NPDES General Permits issued by Department of Environmental Protection:

#### *NPDES General Permit Type*

PAG-1	General Permit For Discharges From Stripper Oil Well Facilities
PAG-2	General Permit For Discharges of Stormwater From Construction Activities
PAG-3	General Permit For Discharges of Stormwater From Industrial Activities
PAG-4	General Permit For Discharges From Single Residence Sewage Treatment Plant
PAG-5	General Permit For Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit For Wet Weather Overflow Discharges From Combined Sewer Systems

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream or Body of Water</i>	<i>Contact Office and Telephone No.</i>
Bradford, Monroe Boro	PAR 224833	Ames Lawn & Garden Tool Co. RD#1, Box 11A Monroeton, PA 18832	detention swale	Northcentral 717-327-3664
Tioga, Liberty Twp.	PAR 114803	Matt's Auto Parts & Sales, Inc. RR1, Box 147 Liberty, PA 16930	unknown	Northcentral 717-327-3664
Centre, College Twp.	PAR 804822	Superior Services, PA. Inc. RD2, Box O Brockway, PA 15824	untrib. to Spring Ck.	Northcentral 717-327-3664
Union, Kelly	PAR 134802	International Paper—Veratec Div. PO Box 15 North Lewisburg, PA 17837	Unname trib. to Susquehanna	Northcentral 717-327-3664
			Coffee Town Run CWF	Northcentral 717-327-3664
Columbia, Fishing Creek Twp.	PAG 044926	Arthur T. Christie RR9, Box 67 Bloomsburg, PA 17815	Fishing Creek	Northcentral 717-327-3664
Columbia, Orange Twp.	PAG 044945	William Bullock RD5, Box 468 Bloomsburg, PA 17815	Unnamed tributary to West Branch Briar Creek	Northcentral 717-327-3664
Columbia, Locust Twp.	PAG 044944	Bruce T. Bittner Box 161D, RD3 Catawissa, PA 17820	unnamed trib. to Lick Run	Northcentral 717-327-3664
Potter, Sharon Twp.	PAG 044948	James L. Salada RD2, Box 50 Shinglehouse, PA 16748	Unnamed trib. to Horse Run	Northcentral 717-327-3664
Adams Township, Butler County	PAR 608314	Tri County Industries, Inc. 156 Landfill Road Grove City, PA 16127	Hutchman Run to Breakneck Creek	Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335 814-332-6942
Pittsfield Township, Warren County	PAR 228311	Meridien Hardwoods of PA, Inc. PO Box 227 Pittsfield, PA 16340	Brokenstraw Creek	Northwest Region Water Management 230 Chestnut St. Meadville, PA 16335 814/332-6942
Lebanon County South Lebanon Township	PAR 143521	Milprint, Inc. 5 Keystone Drive Lebanon, PA 17042	UNT to Quit- tapahilla Creek	SCRO—Water Mgmt. Rm 126 1 Ararat Blvd. Harrisburg, PA 17110 (717) 657-4590
Perry County Southwest Madison Township	PAG 043578	Edna J. Bishop RD2, Box 67 Loysville, PA 17047	UNT to Shermans Creek	SCRO—Water Mgmt. Rm 126 1 Ararat Blvd. Harrisburg, PA 17110 (717) 657-4590

## SAFE DRINKING WATER

### Permits Issued

**Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).**

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

**Permit No. 2688501.** Public water supply. **Municipal Authority of Westmoreland County**, Lincoln Highway West, Greensburg, PA 15601.

Type of Facility: Gibson Reservoir No. 2.



Permit to Operation Issued: July 17, 1997.

**Permit No. 1197502.** Public water supply. **Carrolltown Borough Water Authority**, PO Box 37, Carrolltown, PA 15722.

Type of Facility: Well No. 3 (Hoover Well).

Permit to Construct Issued: July 17, 1997.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**Preamble Act 2, 1995**

**Preamble 3**

**The following final reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908)**

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection to publish in the *Pennsylvania Bulletin* a notice of submission of any final reports. A final reports 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 non-residential exposure factors, a description of the remediation performed, and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

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 (800) 654-5984.

The Department has received the following final report.

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

**Fiore Pontiac GMC Truck**, Allegheny Township, **Blair County**. Fiore Pontiac GMC Truck, Route 36 Logan Boulevard, Hollidaysburg, PA 16648, has submitted a Final Report concerning remediation of site soils and surface water contaminated with heavy metals and PAHs, and groundwater contaminated with BTEX, heavy metals and PAHs. The report is intended to document remediation of the site to meet the Statewide health standard.

**SOLID AND HAZARDOUS WASTE**

**OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE**

**Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904).**

The Department of Environmental Protection (Department) approved a revision to the Centre County Municipal Waste Management Plan on December 20, 1996. There were no additional conditions.

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, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984.

The plan revision is a public document and may be viewed at the Office of the Centre County Solid Waste Authority, 253 Transfer Road, Bellefonte, PA, or at the Office of the Centre County Commissioners, Willowbank Office Building, 420 Holmes Street, Bellefonte, PA, or at the DEP Northcentral Regional Office, 208 West Third Street, Williamsport, PA.

Questions concerning this approval should be directed to Sally Lohman, Planning Section, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472; or Ronald Sommers, Regional Planning and Recycling Coordinator, Bureau of Land Recycling and Waste Management, Northcentral Regional Office, 208 West Third Street, Williamsport, PA 18711, or Ted Onufrak, Centre County Solid Waste Authority, 253 Transfer Road, Bellefonte, PA.

**AIR POLLUTION**

**OPERATING PERMITS**

**Construct, modify or activate air contaminant sources**

**25 Pa. Code § 129.1**

**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: **13-318-001A**

Source: Paint Spray Booths w/Filters

Company: **Vic's Time Incorporated**

Location: Palmerton Borough

County: **Carbon**

Permit: **40-318-046A**

Source: Spray Paint Coat w/Panel Filters

Company: **Quality Collision Incorporated**

Location: Dallas Township

County: **Luzerne**

Permit: **48-302-094**

Source: 94 MMBTU Boiler/Fuel Quality

Company: **Ponderosa Fibres of PA, Inc.**

Location: Northampton Borough

County: **Northampton**

Permit: **48-318-127**

Source: Door Prefinish and Finish Lines

Company: **Lifetime Doors Incorporated**

Location: Forks Township

County: **Northampton**

Permit: **64-310-004E**  
 Source: Stone Crushing Plant w/Waterspray  
 Company: **Milestone Materials Incorporated**  
 Location: Lake Township  
 County: **Wayne**

#### PLAN APPROVALS

**Plan Approvals 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.*

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: **35-318-056A**  
 Source: Coat Lines 501, 503, 506 w/Inciner  
 Issued: July 9, 1997  
 Company: **Mactac Incorporated**  
 Location: Moosic Borough  
 County: **Lackawanna**

Permit: **40-313-029A**  
 Source: Polyester Recovery w/Scrubber  
 Issued: July 11, 1997  
 Company: **Gemark Service Corporation**  
 Location: Dupont Borough  
 County: **Luzerne**

Permit: **45-304-005A**  
 Source: Sand Handling System w/Baghouses  
 Issued: July 3, 1997  
 Company: **Kulp Foundry Company**  
 Location: Stroud Township  
 County: **Monroe**

Permit: **45-317-001**  
 Source: Flour Milling w/26 Baghouses  
 Issued: July 7, 1997  
 Company: **Amber Milling Company**  
 Location: Pocono Township  
 County: **Monroe**

Permit: **54-313-057A**  
 Source: Metal Extraction Process w/Scrub  
 Issued: July 10, 1997  
 Company: **World Resources Company**  
 Location: Norwegian Township  
 County: **Schuylkill**

Permit: **54-322-002**  
 Source: Landfill Expansion w/2 Flares  
 Issued: July 2, 1997  
 Company: **Pine Grove Landfill Incorporated**  
 Location: Pine Grove Township  
 County: **Schuylkill**

Permit: **54-399-016B**  
 Source: 2 Concentrators w/2 Scrubbers  
 Issued: July 10, 1997  
 Company: **World Resources Company**  
 Location: Norwegian Township  
 County: **Schuylkill**

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

**38-318-033:** On July 16, 1997, the Department issued a Plan Approval to **Supreme Mid-Atlantic Corporation** (P. O. Box 779, Jonestown, PA 17038) for the construction of a paint spray area at Plant #1 located at 411 Jonestown Road in Swatara Township, **Lebanon County**.

**67-03057A:** On July 18, 1997, the Department issued a Plan Approval to **Fypon, Inc.** (22 West Pennsylvania Avenue, Stewartstown, PA 17363) for the installation of three paint spray booths in Stewartstown Borough, **York County**.

#### REASONABLY AVAILABLE CONTROL TECHNOLOGY (RACT)

**Availability of Multipathway Risk Assessment Report on the hazardous waste combustion activities at the Keystone Cement Company, Bath, PA.**

The Department of Environmental Protection received the *Multipathway Risk Assessment for The Keystone Cement Company Facility, Bath, PA* report on Wednesday, July 9, 1997, along with the Plan Approval Applications to increase the hazardous waste feed rate from 50% to 75% of the total heat input, for each kiln.

On February 28, 1997, the Department and Keystone Cement Company entered into a Second Partial Consent Adjudication wherein Keystone agreed to submit the complete risk assessment report to the Department within 120 days of the effective date of the Second Partial Consent Adjudication. This risk assessment was to be performed in accordance with the Department approved Protocol and the Department's *Risk Assessment Guidelines for Facilities Burning Hazardous Waste*. The Department agreed to evaluate the risk assessment and any additional information submitted by Keystone within 120 days of receipt thereof. In addition, the Department's environmental consultant will be reviewing the report and providing the Department with comments. The Department also agreed to review the plan approval applications within the 120 day time period.

The risk assessment report can be reviewed at the Department's Bethlehem Office, 4530 Bath Pike, Bethlehem, PA 18017. Please call 610-861-2070 for an appointment.

Public comments on the risk assessment report can be submitted to Thomas DeLazaro, Air Quality Program Manager, Department of Environmental Protection, Two Public Square, Wilkes-Barre, PA 18711-0790.

**Proposed Revision to the State Implementation Plan for Oxides of Nitrogen (NOx) and Volatile Organic Compounds (VOC), and Notice of Public Hearing**

Approval of Reasonably Available Control Technology (RACT) Plans for: J. G. Furniture Group, Inc. (Quakertown Borough, Bucks County), PECO Energy Company (West Conshohocken Borough, Montgomery County), Avery Dennison Corp./Fasson Roll Division (Richland Township, Bucks County), Sun Company, Inc. (Marcus Hook Borough, Delaware County)

DEP has made a preliminary determination to approve RACT plans as amendments to the State Implementation Plan (SIP) for the above facilities. The proposed SIP revisions do not adopt any new regulations. They incorporate the provisions and requirements contained in RACT approvals for these facilities to comply with current regulations.

These preliminary determinations, if finally approved, will be incorporated into Plan Approvals and/or Operating Permits for the facilities and will be submitted to the U. S. Environmental Protection Agency (EPA) as revisions to Pennsylvania's SIP.

The following is a summary of the preliminary RACT determinations for these facilities:

**J. G. FURNITURE GROUP, INC. (Operating Permit OP-09-0033)**

<i>Source</i>	<i>VOC Emission Limit (tons/year)</i>	<i>Control Technique</i>	<i>Implementation Schedule</i>
Wood Furniture Furnishing	128	Comply with 25 Pa. Code Section 129.52	Upon Issuance of Permit
Surface Coatings R&D Spray Booth	1.35	Recordkeeping	Upon Issuance of Permit

This facility is not a major NOx emitter

**PECO ENERGY COMPANY (Operating Permit OP-46-0045A)**

<i>Source</i>	<i>NOx Emission Limit (tons/year)</i>	<i>Control Technique</i>	<i>Implementation Schedule</i>
Combustion Sources Turbine	Presumptive 92	Presumptive 78% Capacity Factor	Immediate

This facility is not a major VOC emitter

**EVERETT DENNISON CORP./FASSON ROLL DIVISION (Operating Permit OP-09-0001A)**

<i>Source</i>	<i>Emission Limit (tons/year)</i>	<i>Control Technique</i>	<i>Implementation Schedule</i>
3 Coating Lines	30.3 NOx	Good Control Practices	Implemented
3 Boilers	23.4 NOx	Good Control Practices	Implemented
3 Churns	11.5 VOC	Carbon Adsorption	Implemented
3 Air Make-Up Units	6.30 NOx	Good Control Practices	Implemented
Miscellaneous NOx Sources	None	Good Control Practices	Implemented

**SUN COMPANY, INC. (Operating Permit OP-23-0001)**

<i>Source</i>	<i>Control Technique</i>	<i>Implementation Schedule</i>
Marine Vessel Loading	Vapor Recovery Systems	Implemented
Truck Loading	Submerged Loading	Implemented
Cooling Towers	Good Control Practices	Implemented
Wastewater Conveyance	Biotreatment Unit	Implemented
Combustion Units/Sources	Good Control Practices	Implemented

This facility's NOx sources were subject to a previous determination and were issued a permit on June 8, 1995.

One public hearing will be held for the purpose of receiving comments on the proposed SIP revisions. The hearing will be held at 2 p.m. on September 3, 1997 at the Department of Environmental Protection, Southeast Regional Office, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA. The hearing will represent the opportunity for oral comment to DEP on the proposed SIP revisions and will not be a question and answer session. Persons wishing to present testimony at the hearing are encouraged to contact Clarke Rupert, DEP Community Relations Coordinator, at (610) 832-6020 to register prior to the hearing, but may also register at the hearing. Those unable to attend the hearing but who wish to comment should send their written comments to Francine Carlini, Air Quality Program Manager, Department of Environmental Protection, Southeast Regional Office, Lee Park, 555 North Lane, Suite 6010, Conshohocken, PA 19428 on or before September 3, 1997.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate should contact Clarke Rupert at (610) 832-6020 or through the Pennsylvania

AT&T Relay Service at 1 (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Copies of the pertinent documents are available for review at the Southeast Regional Office. Appointments for scheduling a review may be made by calling (610) 832-6003.

**Proposed Revision to the State Implementation Plan for Nitrogen Oxides (NOx); Approval of a Reasonably Available Control Technology Plan and Operating Permit; Public Hearing**

**Dauphin County**

The Department of Environmental Protection has made a preliminary determination to approve a Reasonably Available Control Technology (RACT) Plan and an amendment to the State Implementation Plan (SIP) for Hershey Chocolate USA's chocolate candy and confectionery manufacturing facility located in Derry Township, Dauphin County.

The proposed SIP revision does not adopt any new regulations. It incorporates the provisions and requirements contained in RACT Operating Permit No. 22-2004A for the existing Hershey East Plant to comply with current regulations. Upon final approval, the operating

permit will include emission limits, fuel usage restrictions, recordkeeping and reporting requirements for four boilers. The permit will also establish emission reduction credits (ERC) available to the company from the previous shutdown of one boiler and the curtailment of two of the remaining boilers.

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 proposed operating permit and SIP revisions. The hearing will be held on September 4, 1997, at the Department's Southcentral Regional Office, One Ararat Boulevard, Harrisburg, PA 17110 from 1 p.m. until all scheduled comments on the proposed action are received.

Those wishing to comment are requested to contact Sandra Roderick at (717) 541-7969 at least 1 week in advance of the hearing to schedule their testimony. Commentators are requested to provide two written copies of their remarks at the time of the hearing. Oral testimony will be limited to a maximum of 10 minutes per individual. Organizations are requested to designate an individual to present testimony on behalf of the organization. Written comments may be submitted to Gary Lenz, Air Pollution Control Engineer, DEP, One Ararat Boulevard, Harrisburg, PA 17110 on or before September 8, 1997.

Persons with a disability who wish to attend the hearing scheduled for September 4, 1997, at the Southcentral Regional Office and who require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Sandra Roderick directly at (717) 541-7969 or through the AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

## MINING

### CONDUCT COAL AND NONCOAL ACTIVITIES

#### 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).

*Ebensburg District Office, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931-0625.*

#### *Coal Applications Issued:*

**11970101. E.P. Bender Coal Company, Inc.** (P. O. Box 594, Carrolltown, PA 15722), commencement, operation and restoration of a bituminous strip mine in Reade Township, **Cambria County**, affecting 93.0 acres, receiv-

ing stream Powell Run, application received March 17, 1997, permit issued July 3, 1997.

**56860104. Action Mining, Inc.** (R. D. 3, Box 138A, Meyersdale, PA 15552), commencement, operation and restoration of a bituminous strip mine, valid for reclamation, only in Brothersvalley and Summit Townships, **Somerset County**, affecting 507.0 acres, receiving stream unnamed tributary to Bear Run, Bear Run and two unnamed tributaries to Blue Lick Creek and Blue Lick Creek, application received October 15, 1996, permit issued July 16, 1997.

*Greensburg District Office, R. D. 2, Box 603-C, Greensburg, PA 15601.*

**63930103R. Pangersis Coal Company** (165 Old McKee Road, Oakdale, PA 15071). Renewal permit issued for continued operation and reclamation of a bituminous surface mine located in Robinson Township, **Washington County**, affecting 114.0 acres. Receiving streams: unnamed tributaries to Robinson Run and Little Raccoon Creek. Renewal application received: March 19, 1997. Renewal permit issued: July 2, 1997.

**03970102. Seven Sisters Mining Co., Inc.** (200 U. S. Route 22, Delmont, PA 15626). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in South Bend Township, **Armstrong County**, affecting 31.3 acres. Receiving streams: unnamed tributary to Fagley Run. Application received: February 11, 1997. Permit issued: July 7, 1997.

**02960902. ACV Power Corporation** (P. O. Box 402, Emlenton, PA 16373). Permit issued for commencement, operation and reclamation of an incidental coal extraction, bituminous surface mining site located in West Deer Township, **Allegheny County**, affecting 14 acres. Receiving streams: two unnamed tributaries to Bull Creek. Application received: November 14, 1996. Permit issued: July 11, 1997.

**65920109R. M. B. Energy, Inc.** (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319). Renewal permit issued for continued reclamation of a bituminous surface mine located in Mt. Pleasant Township, **Westmoreland County**, affecting 39.3 acres. Receiving streams: unnamed tributary to Sewickley Creek. Renewal application received: June 20, 1997. Renewal permit issued: July 11, 1997.

**26940104. Harry Lee and Rolland Herring** (R. D. 1, Box 181, Masontown, PA 15461). Permit issued for commencement, operation and reclamation of a bituminous surface mine located in Nicholson Township, **Fayette County**, affecting 75.7 acres. Receiving streams: Jacobs Creek and unnamed tributaries to Jacobs Creek. Application received: July 29, 1994. Permit issued: July 14, 1997.

*Greensburg District Office, R. R. 2, Box 603-C, Greensburg, PA 15601*

#### *Small Noncoal Permits Issued*

**26972302. Solomon & Davis, Inc.** (Box 322, Republic, PA 15475). Permit issued for commencement, operation and reclamation of a small noncoal surface mining permit located in Nicholson Township, **Fayette County**, affecting 9.3 acres. Receiving streams: Cats Run to Monongahela River. Application Received: March 25, 1997. Permit issued: July 15, 1997.

*Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

*Noncoal Permits Issued*

**67960301. Codorus Stone & Supply Co., Inc.** (135 Mundis Race Road, York, PA 17402), commencement, operation and restoration of a noncoal surface mine in East Manchester Township, **York County**, affecting 36.7 acres, receiving stream Codorus Creek. Permit issued July 16, 1997.

*Ebensburg District Office, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931-0625.*

*Industrial Mineral NPDES Permit Renewals Issued:*

**29920301. H. B. Mellott Estate, Inc.** (Route 1, Box 25, Warfordsburg, PA 17267), renewal of NPDES Permit #PA0599549, Ayr Township, **Fulton County**—receiving streams—Esther Run, tributary to Big Cove Creek, NPDES Renewal Application received May 12, 1997, renewal application issued July 8, 1997.

*Hawk Run District Office, P. O. Box 209, Hawk Run, PA 16840.*

*Small Industrial Mineral Authorizations Granted:*

**14970801. James E. Barger** (R. D. 1, Box 151, Spring Mills, PA 16875), commencement, operation and restoration of a Small Industrial Mineral (Shale) permit in Potter Township, **Centre County** affecting 3 acres, tributary to Sinking Creek, application received April 22, 1997, authorization granted July 11, 1997.

*Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

*General Small Noncoal Authorizations Granted*

**58970806. Four D Enterprises** (RR2, Box 62L, New Milford, PA 18834), commencement, operation and restoration of a small bluestone quarry operation in New Milford Township, **Susquehanna County**, affecting 1.0 acres, receiving stream—none. Authorization granted July 15, 1997.

**58970833. Harold L. Piasecki** (P. O. Box 383, Montrose, PA 18801), commencement, operation and restoration of a small bluestone quarry operation in New Milford Township, **Susquehanna County**, affecting 3.0 acres, receiving stream—none. Authorization granted July 17, 1997.

## ACTIONS TAKEN UNDER SECTION 401: FEDERAL WATER POLLUTION CONTROL ACT ENCROACHMENTS

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 The Clean Streams Law (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, (717) 657-4590.*

**E05-246.** Encroachment. **Bedford Auto Pool, Inc.**, Thomas Young, P. O. Box 29, Bedford, PA 15522. To place fill in a 0.14 acre of wetland in order to expand the parking lot of Bedford Auto Pool located about 3,700 feet southwest of Interchange 11 of I-76 (Bedford, PA Quadrangle N: 7.7 inches; W: 3.3 inches) in Bedford Township, **Bedford County**. This permit also includes 401 Water Quality Certification.

**E21-261.** Encroachment. **Remington Development Corporation**, Alton Hughes, 129 Old Ford Drive, Camp Hill, PA 17011. To place fill in a 0.02 acre of de minimus wetland in order to construct a home in the development called Middleton Estates located in the east side of PA 34 about 1,300 feet north of the PA 34 bridge. (Carlisle, PA Quadrangle N: 21.2 inches; W: 7.6 inches) in North Middleton Township, **Cumberland County**. This permit also includes 401 Water Quality Certification.

**E22-365.** Encroachment. **Norman Lacasse**, PA Dept. of Conservation & Natural Resources, Bureau of Forestry, District 18, P. O. Box 8552, Harrisburg, PA 17105. To construct and maintain three foot bridges across the channel of Asylum Run and one footbridge across the channel of a Tributary to Asylum Run at points approximately 2,500 feet upstream and 500 and 1,000 feet downstream (Harrisburg East, PA Quadrangle N: 7.44 inches; W: 14.55 inches) in Susquehanna Township, **Dauphin County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E67-586.** Encroachment. **North Codorus Township**, David Clouser, R. D. 1, Box 1102, Spring Grove, PA 17362. To remove an existing structure and to construct and maintain a 5' x 14' precast reinforced concrete box culvert in the Stoverstown Branch of Codorus Creek over Martin Road (T-495) (West York Quadrangle N: 2.5 inches; W: 11.5 inches) in North Codorus Township, **York County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E67-593.** Encroachment. **Windsor Township**, Marlene Worker, 255 Bahn's Mill Road, P. O. Box 458, Red Lion, PA 17356. To remove an existing structure and to construct and maintain a 12 foot wide by 3.5 foot high concrete box culvert over Beaver Creek on Rocky Road approximately 1,000 feet north of Pleasant Grove Road (Red Lion, PA Quadrangle N: 4.7 inches; W: 2.8 inches)

in Windsor Township, **York County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

**E10-257.** Encroachment. **Cranberry Township Supervisors**, 2525 Rochester Road, Cranberry Township, PA 16066-6499. To realign approximately 600 feet of the channel of Coal Run and to construct and maintain a prestressed concrete spread box beam bridge having a clean span of 65.3 feet and a minimum underclearance of 7.1 feet on a 50 degree skew across Coal Run for the construction of a connection of Thompson Park Drive to Executive Drive located approximately 620 feet upstream of I-79 (Mars, PA Quadrangle N: 12.2 inches; W: 2.0 inches) located in Cranberry Township, **Butler County**.

**E20-444.** Encroachment. **PA Department of Transportation, District 1-0**, 1140 Liberty Street, Franklin, PA 16323. To remove the existing bridge and to construct and maintain an R. C. box culvert having a 10-foot wide by 7.2-foot high waterway opening (8-foot high box) in Kennedy Run on S. R. 1010, Segment 0030, Offset 0000 approximately 1 mile east of S. R. 0077 (Townville, PA Quadrangle N: 12.35 inches; W: 15.7 inches) located in Richmond Township, **Crawford County**.

**E37-112.** Encroachment. **Whipple-Allen Real Estate**, P. O. Box 928, Erie, PA 16512-0928. To fill 0.63 acre of wetlands for the construction of a Senior Assisted Living Facility north of Clenmoore Boulevard approximately 1,200 feet east of Wilmington Avenue (S. R. 0018) (New Castle North, PA Quadrangle N: 3.6 inches; W: 13.9 inches) located in Neshannock Township, **Lawrence County**.

**E61-205.** Encroachment. **OMG Americas**, P. O. Box 111, Franklin, PA 16323. To maintain approximately 260 feet of concrete streambank retaining wall along the west bank of Twomile Run having a maximum height of 12 feet to provide flood protection for the existing chemical tank farm associated with an industrial facility and to repair damages resulting from the July 1996 flood. The wall was constructed under DEP Emergency Permit No. EP6196607 issued on July 24, 1996 and is located approximately 1,500 feet upstream of S. R. 0062 east of Two Mile Run Road (Franklin, PA Quadrangle N: 6.7 inches; W: 6.5 inches) located in Sugarcreek Borough, **Venango County**.

**E02-1135R.** Encroachment. **Borough of Franklin Park**, 2428 Rochester Road, Sewickley, PA 15143-8608. To construct and maintain a 10-inch D.I.P. sewer line extension and a 10-inch D.I.P. storm pipe through two existing 60-inch CMP located under Interstate 79 (I-79), to place and maintain fill in de minimus area of wetlands less than or equal to 0.05 acre and to relocate and stabilize 155' of stream channel as part of the Fish Run Interceptor Sewer System Project. The northern crossing is approximately 690 feet long, located in Fish Run (Emsworth, PA Quadrangle N: 18.6 inches; W: 13.0 inches) and the southern crossing is approximately 636 feet long, located in an unnamed tributary to Fish Run (Emsworth, PA Quadrangle N: 17.3 inches; W: 13.1 inches) in the Borough of Franklin Park, **Allegheny County**.

**E02-1177.** Encroachment. **Leetsdale Industrial Corporation**, 100 Hickory Grade Road, Bridgeville, PA 15017. To construct and maintain a barge loading and mooring facility in the channel of and along the right

bank of the Ohio River (WWF) located near River Mile 15.0 approximately 2,000 feet downstream from Ferry Street (Ambridge, PA Quadrangle N: 11.5 inches; W: 13.0 inches) in Leetsdale Borough, **Allegheny County**. Initial dredging to create a mooring depth of 13 feet and perpetual dredging to maintain the 13-foot depth is authorized.

**E02-1181.** Encroachment. **Penn Center Management**, Penn Center West 2, Pittsburgh, PA 15276. To excavate and eliminate a de minimus area of wetlands (PEM) less than or equal to 0.05 acre for the purpose of expanding an office building complex. The project is located on the north side of Campbells Run Road, approximately 1,000 feet east from the intersection of Campbells Run Road and Geysers Road (Oakdale, PA Quadrangle N: 10.0 inches; W: 0.25 inches) in Robinson Township, **Allegheny County**.

**E02-1189.** Encroachment. **Metro Property Developers**, 300 Park Manor Drive, Pittsburgh, PA 15205. To place and maintain fill in approximately 0.1 acre of wetland (EM) for the purpose of adding additional commercial parcels (Phase III) to the Pointe of North Fayette development site. The development site is located on Summit Park Drive approximately 3,000 feet from the exit of Summit Park Drive from Route 60 (Oakdale, PA Quadrangle N: 13.3 inches; W: 8.1 inches) in North Fayette Township, **Allegheny County**.

**E02-1192.** Encroachment. **Millvale Borough**, 501 Lincoln Avenue, Millvale, PA 15209. To remove the existing structure (North Avenue Bridge No. 4) and to construct and maintain a new structure having a span of 24.3 feet with an underclearance of 8.3 feet across Girtys Run (WWF). The structure is located on North Avenue, just north of the intersection of Klopper Street and North Avenue (Pittsburgh East, PA Quadrangle N: 20.0 inches; W: 13.6 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.

**E11-249.** Encroachment. **East Carroll Township**, P. O. Box 347, Carrolltown, PA 15722. To remove the existing structure and to construct and maintain a 25.7-foot long, 8-foot x 5-foot box culvert (invert depressed one foot) in an unnamed tributary to Laurel Lick Run (HQ-CWF) and to construct and maintain riprap for a total length of 50 LT at both approaches of the structure. The project includes construction and maintenance of two 36-inch pipe culverts as temporary road crossings. The project is located on T-468 (Farabaugh Rd) at a point approximately 0.05 mile north of intersection of T-468 and T-465 (Carrolltown, PA Quadrangle N: 13.1 inches; W: 6.3 inches) in East Carroll Township, **Cambria County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

**E26-235.** Encroachment. **Fayette Industrial Fund**, 2 West Main Street, Uniontown, PA 15401. To place and maintain fill in 3.63 acres of wetlands as part of the development of the Fayette Business Park Development Project located on TR 0510 approximately 0.5 mile east of its intersection with SR 0043 (Smithfield, PA Quadrangle N: 10.9 inches; W: 3.70 inches) in Georges Township, **Fayette County**. Permittee to provide 3.72 acres of replacement wetlands within the Fayette Business Park.

**E30-360.** Encroachment. **Borough of Kittanning**, P. O. Box 973, Kittanning, PA 16201. To construct and maintain the Kittanning Riverfront Park along the left

bank of the Allegheny River. The park will consist of new pavilions, an amphitheater, new walkways, a gabion wall along the left bank of said stream, repairing and repaving an existing boat launch and roadway, dredging an area 1,000 feet upstream to downstream and approximately 600 feet from the left bank of said stream to the near side of the navigational channel to a depth no greater than 13.0 feet from the normal pool water surface elevation, and performing minor landscaping of the park. The project is located just upstream and downstream of the Kittanning Highway Bridge on the south side of South Water Street (Kittanning, PA Quadrangle N: 11.0 inches; W: 2.7 inches) in Kittanning Borough, **Armstrong County**.

**E30-177.** Encroachment. **Greene County Commissioners**, Greene County Office Building, 93 East High St., Waynesburg, PA 15370. To remove the existing structure and to construct and maintain a bridge having a normal clear span of 80 feet with an underclearance of 8 feet across North Fork Dunkard Fork of Wheeling Creek (TSF, stocked) located on T-356 just south of intersection of SR 3022 and T-356 (Wind Ridge, PA Quadrangle N: 0.65 inch; W: 7.50 inches) in Richhill Township, **Green County**.

**E56-266.** Encroachment. **Southampton Township**, Route 1, Box 298, Hyndman, PA 15545. To operate and maintain an 8-foot smooth metal pipe culvert authorized for construction under Emergency Permit No. EP5696220 in Gladdens Run. Said culvert is located on TR 357 approximately 1.1 miles northwest of its intersection with SR 2013 (Fairhope, PA Quadrangle N: 5.3 inches; W: 9.3 inches) in Southampton Township, **Somerset County**.

**E56-276.** Encroachment. **John J. Cable**, 126 Soap Hollow Rd, R. R. 2, Holsopple, PA 15935. To remove approximately 200 feet of existing 36-inch CMP stream enclosure from an unnamed tributary to South Fork of Bens Creek and to restore and stabilize the channel for the purpose of eliminating flooding and erosion problems. The project is located near the intersection of Soap Hollow Road and Moonlite Park Road (Hooversville, PA Quadrangle N: 18.6 inches; W: 13.1 inches) in Conemaugh Township, **Somerset County**.

**E63-425.** Encroachment. **Joseph J. and Patricia K. Sandra**, 50 Cherry Way Box 475, Muse, PA 15330. To operate and maintain the existing 4-foot diameter culvert in an unnamed tributary to Brush Run (WWF) and the relocated channel of an unnamed tributary to Brush Run. This project was done under a compliance order and agreement and is located on the east side of Main Street, approximately 5,800 feet north from the intersection of Main Street and SR 980 (Canonsburg, PA Quadrangle N: 7.9 inches; W: 10.6 inches) in Cecil Township, **Washington County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

**E63-429.** Encroachment. **David Henry and Darlene Bohaski**, 238 Little Mingo Road, R. R. 2, Box 165A, Finleyville, PA 15332. To remove the existing structure and to construct and maintain a bridge having a span of 25.0 feet with a minimum underclearance of 5.0 feet across an unnamed tributary to Mingo Creek (HQ-TSF) to provide access to applicant's property. The project is located on the west side of Little Mingo Creek approximately 400 feet west from the intersection of Beagle Club Road and Little Mingo Road (Hackett, PA Quadrangle N: 16.4 inches; W: 2.5 inches) in Nottingham Township, **Washington County**.

**E63-430.** Encroachment. **PA Dept. of Transportation** P. O. Box 459, Uniontown, PA 15401. To remove the existing bridge and to construct and maintain a pre-stressed concrete box beam bridge having a normal span of 48.31 feet and an underclearance of 11.6 feet over Chartiers Creek (WWF). During construction, temporary stream diversions will be maintained in Chartiers Creek. The project is located along Country Club Road (SR 4049) approximately 600 feet south of its intersection with SR 4049 (Washington East, PA Quadrangle N: 15.7 inches; W: 16.0 inches) in Chartiers and South Strabane Townships, **Washington County**.

**EA26-001SW.** Environmental Assessment. **West PA Coalition for Abandoned Mine Reclamation**, Donohoe Ctr., R. R. 12, Box 202B, Greensburg, PA 15601. To periodically place high-quality alkaline (limestone) sand in the floodway of Glade Run (HQ-CWF) and two unnamed tributaries to Glade Run. This will allow high flow events to distribute the material downstream where it would dissolve to mitigate non-point source acid mine drainage by reducing acidity levels and raising the stream pH. These sites are located within State Game Lands 52. The site along Glade Run is located at its intersection with TR-722 (Fort Necessity, PA Quadrangle N: 21.8 inches; W: 12.2 inches) in Wharton Township, **Fayette County**.

**E40-454.** Encroachment. **Joseph Delbalso**, 386-388 Market Street, Kingston, PA 18704. To place fill in approximately 0.09 acre of wetlands on Lot 14 of the Durkee Farms Subdivision to prepare the lot for residential construction. The project is located approximately 1,000 feet east of the intersection of West End Road (S. R. 2005) and Lyndwood Avenue (Wilkes-Barre West, PA Quadrangle N: 19.8 inches; W: 6.5 inches), in Hanover Township, **Luzerne County**. The permittee has met the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement Project.

**E45-315.** Encroachment. **Gerald and Mary Gheraldi**, 4 James Towne Road, Manalapan, NJ 07726. To maintain a private bridge having a single span of approximately 18.0 feet and underclearance of 5.5 feet across a tributary to Appenzell Creek. The deteriorated substructure of this bridge was reconstructed under Emergency Permit No. EP4596411. The project is located approximately 0.2 mile west of the intersection of S. R. 3026 and S. R. 3021 (Saylorsburg, PA Quadrangle N: 19.5 inches; W: 15.0 inches) in Jackson Township, **Monroe County**.

**E48-251.** Encroachment. **Joseph M. and Elizabeth Chudyk**, 6078 West Main Boulevard, Bath, PA 18014 and **Joseph P. and Karen Milkovits**, 302 East Main Street, Bath, PA 18014. Description: To remove the existing structure and to construct and maintain a private bridge across a tributary to Bushkill Creek having a single span of approximately 18.0 feet and an underclearance of 3.7 feet. The project is located on the north side of S. R. 0512, approximately 500 feet west of the intersection of S. R. 0512 and Township Road T751 (Hildebrandt Road) (Wind Gap, PA Quadrangle N: 12.6 inches; W: 11.1 inches) in Bushkill Township, **Northampton County**.

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

**E09-746.** Encroachment Permit. **Borough of Perkasio**, 311 South Ninth Street, Perkasio, PA 18944-0275. To construct and maintain a 6-foot wide 60-foot long pedestrian bridge crossing of the East Branch of Perkiomen Creek (TSF) located approximately 100 feet

downstream of Callowhill Street. Also to construct and maintain approximately 3,850 linear feet of the bike path in and along the 100-year floodway and 100-year floodplain of the East Branch of Perkiomen Creek between Walnut Street and Callowhill Street as part of the Perkasio Borough Bike Path Project (Telford USGS Quadrangle N: 21.9 inches; W: 5.3 inches) in Perkasio Borough, **Bucks County**. This permit was issued under to section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

**E46-761.** Encroachment Permit. **New Hanover Township**, 2943 North Charlotte Street, Gilbertsville, PA 19525-9718. To remove a timber deck single lane bridge on Henning Road, with a span of 10 feet, and an average underclearance of 4 feet, and to construct and maintain a low flow stream crossing consisting of a 24-foot long, 12-foot by 5-foot precast reinforced concrete box culvert in and along Deep Creek (TSF), impacting a de minimis amount of wetland (PSS). This site is located approximately 200 feet north of the junction of Henning Road and Deep Creek Road, (Sassamansville, PA Quadrangle N: 16.0 inches; W: 1.5 inches), in New Hanover Township, **Montgomery County**.

**E46-771.** Encroachment Permit. **Township of Franconia**, P. O. Box 128, 671 Allentown Road, Franconia, PA 18924. To construct and maintain a 45-foot long by 6-foot wide pedestrian/bike path bridge, which spans the Skippack Creek (TSF). Also, to install 130 linear feet of boardwalk across the adjacent 100 year floodplain to provide access to the south side of the bridge. The site is located approximately 2,900 feet west of the intersection of Cowpath Road and Beck Road (Telford, PA Quadrangle N: 7.5 inches; W: 11.5 inches) in Franconia Township, **Montgomery County**. This permit was issued under section 105.13(e) "small projects." This permit also includes 401 Water Quality Certification.

[Pa.B. Doc. No. 97-1215. Filed for public inspection August 1, 1997, 9:00 a.m.]

### Availability of Technical Guidance

*Materials related to its technical guidance documents on DEP's World Wide Web site*

DEP's Web address is <http://www.dep.state.pa.us>. These materials are all located at the Public Participation Center. The "June 1997 Inventory" heading is the link to the Inventory in the form of the Governor's List of Nonregulatory Documents. The "Search the Inventory of Technical Guidance Documents" heading is the link to the Inventory in the form of a data base. The "Final Documents" heading is the link to a menu of the various DEP bureaus and from there to each bureau's final technical guidance documents that are currently on the web. DEP will be adding its revised documents to the Web throughout 1997. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents on the web.

*Ordering Paper Copies of DEP Technical Guidance*

Persons can order a bound paper copy of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Persons should check

with the appropriate bureau for more information about the availability of a particular document as a publication.

### *Changes to Technical Guidance Documents*

Here is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document. Persons who have questions or comments in general should call Nina Huizinga at (717) 783-8727.

### *Notice of Intent to Develop Technical Guidance*

DEP ID: 012-1910-002 Title: Schedule of Charges for Access to Public Records Background: DEP handles hundreds of requests for information each year. The only "guidance" available has been in the form of a pamphlet which is out-of-date. DEP provides as much information as possible free on its World Wide Web site. DEP needs to develop a consistent policy regarding providing information for free versus charging for information. Anticipated Effective Date: October 1, 1997 Anticipated Draft Development Date: August 15, 1997 Proposed Development and Review Process: The draft will be circulated to DEP Bureaus that provide information to the public for staff comment. Notice of the availability of the draft will be published in the *Pennsylvania Bulletin* and DEP's *UPDATE* for public comment. Contact Nina Huizinga at (717) 783-8727.

### *Notice of Intent to Rescind Technical Guidance*

DEP ID: 563-2000-207 BMR PGM: II:02:07 Title: Valid Existing Rights and Existing Activity Exceptions to Section 86.102 Background: This guidance was developed to implement initial statutory provisions of the Federal Surface Mining Control and Reclamation Act of 1977. This guidance is out-dated and is no longer needed for the administration of the regulatory program. Effective Date: July 31, 1997. Contact M. C. McCommons at (717) 783-9582.

JAMES M. SEIF,  
*Secretary*

[Pa.B. Doc. No. 97-1216. Filed for public inspection August 1, 1997, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### State Surplus Property

The Department of General Services, State Surplus Property Division is offering miscellaneous office furniture and equipment for sale at public auction on August 7, 1997 at 10 a.m. The auction site is at the State Farm Show in the North West Building located at the rear of the Farm Show Building on Cameron Street in Harrisburg, PA. For more information, call (717) 787-4085.

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 97-1217. Filed for public inspection August 1, 1997, 9:00 a.m.]



### State Surplus Property

The Department of General Services, State Surplus Property Division is offering lab equipment for sale through sealed bids. This equipment is located at the Department of Environmental Protection, 712 Maryland Avenue, Erie, PA.

Some of the equipment for sale will be various reagents, agents and solvents, glassware, lab equipment and apparatus. Also, lab case work, auto claves and hoods. Other items include storage cabinets, miscellaneous office equipment, desks, chairs and stools. This equipment can be inspected on August 13, 1997 at 10 a.m. A bid packet can be obtained on the day of inspection or one can write to the Department of General Services, State Surplus Property Division, Room G-48, 2221 Forster Street, Harrisburg, PA 17125 or call (717) 787-4085 prior to the bid opening on August 21, 1997 at 1 p.m.

GARY E. CROWELL,  
*Secretary*

[Pa.B. Doc. No. 97-1218. Filed for public inspection August 1, 1997, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Availability of Federal Fiscal Year 1998 Final Application for Funding for Abstinence Education and Related Services

The Department of Health is making copies available of the Federal Fiscal Year 1998 Final Application for Funding for Abstinence Education and Related Services in accordance with 42 U.S.C.A. § 705(a)(5)(F) and 710(c)(2). This application is the Commonwealth's request to the United States Department of Health and Human Services for funds to implement an abstinence education and related services plan and program.

This application describing proposed services, program goals and objectives and activities can be obtained by contacting the Department of Health, Bureau of Family Health, Division of Maternal and Child Health, Room 725, Health and Welfare Building, P. O. Box 90, Harrisburg, PA 17108, (717) 787-7440 [TDD: (717) 783-6514]. Persons with a disability who require an alternative format of the above-mentioned application (for example, large print, audio tape, braille) should notify the Division of Maternal and Child Health at the foregoing address or telephone numbers.

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 97-1219. Filed for public inspection August 1, 1997, 9:00 a.m.]

### Availability of the Final Maternal and Child Health Services Block Grant Application for Federal Fiscal Year 1998; and Availability of the Final Maternal and Child Health Services Annual Report for Federal Fiscal Year 1996

The Department of Health is making copies available of the Final Maternal and Child Health Services Block

Grant Application for Federal Fiscal Year 1998 and the Maternal and Child Health Services Annual Report for Federal Fiscal Year 1996 in accordance with 42 U.S.C.A. § 705(a)(5)(F). This application is the Commonwealth's request to the United States Department of Health and Human Services for block grant funding.

This block grant application, which describes proposed services, program goals and objectives and activities, as well as the annual report, can be obtained by contacting the Department of Health, Bureau of Family Health, Room 733, Health and Welfare Building, P. O. Box 90, Harrisburg, PA 17108, (717) 787-7192; TDD (717) 783-6514. Persons with a disability who require an alternative format of the above-mentioned application (for example, large print, audio tape, Braille) should contact the Bureau of Family Health at the foregoing address or telephone numbers.

DANIEL F. HOFFMANN,  
*Secretary*

[Pa.B. Doc. No. 97-1220. Filed for public inspection August 1, 1997, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Double Bingo Instant Lottery Game

Under the provisions of the State Lottery Law (72 P. S. §§ 3761-1—3761-15), and the provisions of 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Double Bingo.

2. *Price:* The price of a Pennsylvania Double Bingo instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Double Bingo instant lottery game ticket will contain four play areas designated as "Card 1," "Card 2," "Card 3," and "Card 4." The 77 play symbols located in the four play areas are: The numbers 1 through 75, FREE and DBL. Each ticket will also contain a "Caller's Card" area. The "Caller's Card" area will consist of 30 squares in a 3 x 10 grid. The play symbols that may be located in each square are: The letter B with a number 1 through 15; the letter I with a number 16 through 30; the letter N with a number 31 through 45; the letter G with a number 46 through 60; and the letter O with a number 61 through 75.

4. *Prizes:* The prizes that can be won in this game are \$2, \$4, \$5, \$10, \$20, \$100, \$500, \$1,000 and \$25,000. The player can win up to 4 times on a ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 15 million tickets will be printed for the Pennsylvania Double Bingo instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets matching the "Caller's Card" play symbols in an X extending through the "FREE" space and through to each of the four corners on "Card 4," shall be entitled to a prize of \$25,000.

(b) Holders of tickets matching the "Caller's Card" play symbols in an X extending through the "FREE" space and through to each of the four corners on "Card 3," shall be entitled to a prize of \$1,000.

(c) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 4," shall be entitled to a prize of \$500.

(d) Holders of tickets matching the "Caller's Card" play symbols in an X extending through the "FREE" space and through to each of the four corners on "Card 2," shall be entitled to a prize of \$500.

(e) Holders of tickets matching the "Caller's Card" play symbols in an X extending through the "FREE" space and through to each of the four corners on "Card 1," shall be entitled to a prize of \$100.

(f) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 2" or "Card 3," shall be entitled to a prize of \$100.

(g) Holders of tickets matching the "Caller's Card" play symbols in a diamond pattern, matching one square in the midpoint in each of the four outside rows and columns, on "Card 1," shall be entitled to a prize of \$20.

(h) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 2," "Card 3" or "Card 4," shall be entitled to a prize of \$20.

(i) Holders of tickets matching the "Caller's Card" play symbols in the four corners on "Card 1," shall be entitled to a prize of \$10.

(j) Holders of tickets matching the "Caller's Card" play symbols and with a DBL play symbol appearing in one of spaces in a five space horizontal, vertical or diagonal line on "Card 3," shall be entitled to a prize of \$10.

(k) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line on "Card 3," shall be entitled to a prize of \$5.

(l) Holders of tickets matching the "Caller's Card" play symbols and with a DBL play symbol appearing in one of spaces in a five space horizontal, vertical or diagonal line on "Card 1," "Card 2" or "Card 4," shall be entitled to a prize of \$4.

(m) Holders of tickets matching the "Caller's Card" play symbols in a five space horizontal, vertical or diagonal line on "Card 1," "Card 2" or "Card 4," shall be entitled to a prize of \$2.

7. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Get Bingo With:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 15,000,000 Tickets</i>
Line-Card 1	\$2	1:15	1,000,000
Line-Card 2	\$2	1:44.12	340,000
Line-Card 4	\$2	1:30	500,000
Line-Card 1 Doubler	\$4	1:75	200,000
Line-Card 2 Doubler	\$4	1:93.75	160,000
Line-Card 4 Doubler	\$4	1:107.14	140,000
Line-Card 1 + Line-Card 2	\$4	1:50	300,000
Line-Card 2 + Line-Card 4	\$4	1:75	200,000
Line-Card 3	\$5	1:30	500,000
Line-Card 1 + Line-Card 2 + Line-Card 4	\$6	1:50	300,000
Line-Card 3 Doubler	\$10	1:750	20,000
Corner-Card 1	\$10	1:750	20,000
Line-Card 1 + Line-Card 2 + Line-Card 3 + Line-Card 4	\$11	1:125	120,000
Corner-Card 2	\$20	1:375	40,000
Corner-Card 3	\$20	1:750	20,000
Corner-Card 4	\$20	1:750	20,000
Diamond-Card 1	\$20	1:750	20,000
Corner-Card 1 + Corner-Card 4	\$30	1:1,000	15,000
Corner-Card 1 + Corner-Card 3	\$30	1:930.23	16,125
Corner-Card 3 + Corner-Card 4	\$40	1:4,000	3,750
Diamond-Card 1 + Corner-Card 4	\$40	1:6,000	2,500
Diamond-Card 2	\$100	1:12,000	1,250
Diamond-Card 3	\$100	1:12,000	1,250
"X"-Card 1	\$100	1:15,000	1,000
"X"-Card 2	\$500	1:60,000	250
Diamond-Card 4	\$500	1:60,000	250
"X"-Card 2 + Diamond-Card 4	\$1,000	1:120,000	125
"X"-Card 3	\$1,000	1:120,000	125
"X"-Card 4	\$25,000	1:1,000,000	15

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Double Bingo instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Double Bingo, prize money on winning Pennsylvania Double Bingo instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is

made within 1 year of the announced close of the Pennsylvania Double Bingo instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

10. *Governing Law.* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-1—3761-15), the regulations contained in Part V of Title 61 of the *Pennsylvania Code* (relating to State Lotteries) and the provisions contained in this notice.

11. *Termination of the Game.* The Secretary may announce a termination date, after which no further tickets from this game may be sold. Such announcement will be disseminated through media used to advertise or promote Pennsylvania Double Bingo or through normal communications methods.

ROBERT A. JUDGE, Sr.,  
Secretary

[Pa.B. Doc. No. 97-1221. Filed for public inspection August 1, 1997, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

The Department of Transportation, pursuant to the authority contained in Section 2002(c) of the Administrative Code (71 P. S. § 512(c)) and in 67 P.S. 495.4, gives notice that an application to lease highway right-of-way has been submitted to the Department by The Port Authority of Allegheny County, of 2235 Beaver Avenue, Pittsburgh, Pennsylvania seeking to lease highway right-of-way located along the northerly side of S. R. 0286 at the intersection of S. R. 0286 and Ramp F, in the Borough of Monroeville, Allegheny County containing 21,000 sq. ft. ± adjacent to S. R. 0286 Section A03, for purposes of vehicle parking. Interested persons are invited to submit, within thirty (30) days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Henry M. Nutbrown, P.E., District Engineer, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, Pennsylvania 15017.

Questions regarding this application or the proposed use may be directed to Michael Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4830.

BRADLEY L. MALLORY,  
Secretary

[Pa.B. Doc. No. 97-1222. Filed for public inspection August 1, 1997, 9:00 a.m.]

### Application for Lease of Right-of-Way

The Department of Transportation, pursuant to the authority contained in Section 2002(c) of the Administrative Code (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 Albert and Mary Ann Cooper, of 1607 Robinson Boulevard, McKees Rocks, Pennsylvania, seeking to lease highway right-of-way located along the Robinson Boulevard near the intersection of Neville and Island Avenues, Stowe Township, Allegheny County, consisting of 1,225 sq. ft. ±, adjacent to S. R. 0051, for purpose of vehicle parking. Interested persons are invited to submit, within thirty (30) days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Henry M. Nutbrown, P.E., District Engineer, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, Pennsylvania 15017.

Questions regarding this application or the proposed use may be directed to Michale Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4830.

BRADLEY L. MALLORY,  
Secretary

[Pa.B. Doc. No. 97-1223. Filed for public inspection August 1, 1997, 9:00 a.m.]

### Application for Lease of Right-of-Way

The Department of Transportation, pursuant to the authority contained in Section 2002(c) of the Administrative Code (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 Herbert C. Sarver, of 11913 Perry Highway, Wexford, Pennsylvania seeking to lease highway right-of-way located along the northwesterly side of the southbound lane of S. R. 0019 (Perry Highway) in Pine Township, Allegheny County, consisting of 14,400 sq. ft. ±, adjacent to S. R. 0019 (L. R. 246) Section 12, for purpose of vehicle parking. Interested persons are invited to submit, within thirty (30) days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Henry M. Nutbrown, P.E., District Engineer, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, Pennsylvania 15017.

Questions regarding this application or the proposed use may be directed to Michale Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4830.

BRADLEY L. MALLORY,  
Secretary

[Pa.B. Doc. No. 97-1224. Filed for public inspection August 1, 1997, 9:00 a.m.]

**Retention of Engineering Firms**

**Statewide**

**Project Reference No. 08430AG2093**

The Department of Transportation will retain an engineering firm for a Statewide Open-End Contract administered by the Bureau of Design to provide for various engineering services; engineering management services; development and implementation of familiarization sessions for highway, structures, right-of-way, contract management, consultant liaison, engineering computing, project management, photogrammetry/ surveying, CADD, usage of PC software, engineering application software; project management; and other related work. The Open-End Contract will be for a period of five (5) years with a maximum cost of \$1 million with projects being assigned on an "as-needed" basis.

The selected firm will be required to provide all necessary professional services through a team of highly qualified engineering, system engineering and public involvement professionals to assist the Department through the preliminary engineering and final design phases of project development and to ensure consisting and compliance with all applicable State and Federal laws, regulations and procedures.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating one (1) Open-End Contract 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:

- a. Project management team experience, knowledge of State and Federal laws, regulations, policies and procedures.
- b. Knowledge of the Department's project development process.
- c. Experience in preparing plans, specifications and estimates in accordance with established design criteria.
- d. Experience in engineering computing, engineering application software, CADD, usage of PC software and networking.
- e. Experience in implementation of engineering training programs.
- f. Past performance with the Department.

The second copy of the letter of interest and required forms (see general requirements and information section) shall be sent to: Mr. Charles W. Allwein, P.E., Consultant Agreement Division, 555 Walnut Street, 7th Floor, Forum Place, Harrisburg, PA 17101.

Any technical questions concerning the requirements for this project should be directed to Mr. Charles W. Allwein, P.E., Bureau of Design, at (717) 783-9309.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

**Bucks County**

**Project Reference No. 08430AG2094**

The Department of Transportation will retain an engineering firm to provide supplementary construction in-

spection staff of approximately four (4) inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services on various S.R.'s for the inspection and documentation of Highway Occupancy Permit Projects, Guide Rail Repair, and Roadside Development Contracts and other general maintenance contracts.

The Department will establish an order of ranking of a minimum of three (3) 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:

- a. Review of resumes with emphasis on ability to perform the basic needs of the contract which are understanding and interpreting of current design criteria and do inspections of guide rail, concrete median barriers and impact attenuator installation; assisting construction permit applicants and inspection of drainage, curb, roadway widening and utility installations on state highways; and inspection of roadside development work done by contractors for brushing, herbicide applications, landscaping, mowing, revitalization, and tree and stump removal.
- b. Understanding of Department's requirements, policies and specifications.
- c. Past performance.
- d. Number of NICET certified 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 employees 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 classification:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Inspector (TCI)	4 (2)
(NICET Highway Construction Level 2 or equivalent)	

The number(s) 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 per hour of inspection for each Department Payroll Classification for calendar year of 1997:

<i>Payroll Classification</i>	<i>Maximum Straight Time</i>
	<i>Reimbursement Per Hour</i>
	<i>of Inspection</i>
(TCI)	\$33.44

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department's Inspector, 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. The firm selected will be required to provide two (2) Transportation Construction Inspectors for permit work who have the ability to perform the following: to conduct on-site inspection including all necessary information for evaluation, which includes but is not limited to sight distance, existing drainage, road condition, shoulder condition, grade of roadway and any additional condition which may require further study by the County Permit Engineer, Traffic Engineer, or Utility Engineer; assist applicant - private citizen, Township or Municipal authority and utility company by interpreting Pennsylvania Department of Transportation regulations on the driveway access, utility openings and method of restoration; attend municipal and utility preconstruction meetings to insure compliance with the Department of Transportation Regulations and coordination of inspection; enforce compliance with the Department of Transportation Publication 203 - Work Zone Traffic Control; inspect work being conducted by the permittee as well as insure restoration of occupancy area within our right-of-way; coordinate inspection efforts with the County Permit Inspector of the Maintenance Department in the County to insure permittee's compliance with regulations; maintain a diary of permits which require intensive study and follow up on violation; have sufficient physical stamina to work under adverse weather conditions and hazardous terrain and stress; appear as a witness if required by the Assistant District Attorney's office; perform the above duties and any other related work assignment that requires the same knowledge that a permit inspector has as directed or assigned by the County Maintenance Manager.

One (1) Transportation Construction Inspector must have the ability to inspect brushing, herbicide application, landscaping, mowing operations, revitalization, and tree and stump removal. This inspector must have the ability to identify dead and dying trees and do roadside restoration inspection and help with preparation of contract specifications and documents and obtain compliance with Work Zone Traffic Control specifications. One (1) Trans-

portation Construction Inspector must be familiar with PennDOT guide rail construction specifications, and be able to prepare estimates and work orders, and obtain compliance with Work Zone Traffic Control specifications. All inspectors may be required to perform other duties as required.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

2	Transportable Cellular Phones
6	Telephone Pagers
1	Polaroid Spectra II Camera
3	5-Power Abney Levels with Stadia

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCI	5

The second copy of the letter of interest and required forms, (see general requirements and information section) shall be sent Mr. Andrew Warren, District Administrator, 200 Radnor-Chester Road, St. Davids, PA 19087.

Any technical questions concerning the requirements for this project should be directed to Mr. Charles Stone, P.E., District 6-0, at (610) 964-6520.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

**Chester County  
Project Reference No. 08430AG2095**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately three (3) inspectors and one (1) Clerk Typist, under the Department's Inspector-in-Charge, for construction inspection and documentation services on various S.R.'s for the inspection and documentation of Highway Occupancy Permit Projects, Guide Rail Repair, and Roadside Development Contracts and other general maintenance contracts.

The Department will establish an order of ranking of a minimum of three (3) 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:

- a. Review of resumes with emphasis on ability to perform the basic needs of the contract which are understanding and interpreting of current design criteria and do inspections of guide rail, concrete median barriers and impact attenuator installation; assisting construction permit applicants and inspection of drainage, curb, roadway widening and utility installations on state highways; and inspection of roadside development work done by contractors for brushing, herbicide applications, landscaping, mowing, revitalization, and tree and stump removal.
- b. Understanding of Department's requirements, policies and specifications.
- c. Past performance.
- d. Number of NICET certified 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 employees 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)	3 (2)
Clerk Typist II (CTII)	1 (0)

The number(s) 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 per hour of inspection for each Department Payroll Classification for calendar year of 1997:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour of Inspection</i>
(TCI)	\$33.44
(CTII)	\$26.12

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department's Inspector, 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. The firm selected will be required to provide two (2) Transportation Construction Inspectors for permit work who have the ability to perform the following: to conduct on-site inspection including all necessary information for evalua-

tion, which includes but is not limited to sight distance, existing drainage, road condition, shoulder condition, grade of roadway and any additional condition which may require further study by the County Permit Engineer, Traffic Engineer, or Utility Engineer; assist applicant - private citizen, Township or Municipal authority and utility company by interpreting Pennsylvania Department of Transportation regulations on the driveway access, utility openings and method of restoration; attend municipal and utility preconstruction meetings to insure compliance with the Department of Transportation Regulations and coordination of inspection; enforce compliance with the Department of Transportation Publication 203 - Work Zone Traffic Control; inspect work being conducted by the permittee as well as insure restoration of occupancy area within our right-of-way; coordinate inspection efforts with the County Permit Inspector of the Maintenance Department in the County to insure permittee's compliance with regulations; maintain a diary of permits which require intensive study and follow up on violation; have sufficient physical stamina to work under adverse weather conditions and hazardous terrain and stress; appear as a witness if required by the Assistant District Attorney's office; perform the above duties and any other related work assignment that requires the same knowledge that a permit inspector has as directed or assigned by the County Maintenance Manager.

One (1) Transportation Construction Inspector must have the ability to inspect brushing, herbicide application, landscaping, mowing operations, revitalization, and tree and stump removal. This inspector must have the ability to identify dead and dying trees and do roadside restoration inspection and help with preparation of contract specifications and documents and obtain compliance with Work Zone Traffic Control specifications. One (1) Transportation Construction Inspector must be familiar with PennDOT guide rail construction specifications, and be able to prepare estimates and work orders, and obtain compliance with Work Zone Traffic Control specifications. All inspectors may be required to perform other duties as required.

The one (1) Clerk Typist II will be required to type Special Hauling permits, maintain route and detour book, maintain files on reimbursable inspection, log permit applications and perform other administrative duties. All Clerk Typist II's may be required to perform other duties as required.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 1      Transportable Cellular Phone
- 6      Telephone Pagers
- 1      Polaroid Spectra II Camera
- 2      5-Power Abney Levels with Stadia

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCI	4
CTII	2

The second copy of the letter of interest and required forms, (see general requirements and information section) shall be sent to: Mr. Andrew Warren, District Administrator, 200 Radnor-Chester Road, St. Davids, PA 19087.

Any technical questions concerning the requirements for this project should be directed to Mr. Charles Stone, P.E., District 6-0, at (610) 964-6520.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

**Delaware County  
Project Reference No. 08430AG2096**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately three (3) inspectors and two (2) Clerk Typists, under the Department's Inspector-in-Charge, for construction inspection and documentation services on various S.R.'s for the inspection and documentation of Highway Occupancy Permit Projects, and Roadside Development Contracts and other general maintenance contracts.

The Department will establish an order of ranking of a minimum of three (3) 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:

- a. Review of resumes with emphasis on ability to perform the basic needs of the contract which are understanding and interpreting of current design criteria and do inspections of guide rail, concrete median barriers and impact attenuator installation; assisting construction permit applicants and inspection of drainage, curb, roadway widening and utility installations on state highways; and inspection of roadside development work done by contractors for brushing, herbicide applications, landscaping, mowing, revitalization, and tree and stump removal.
- b. Understanding of Department's requirements, policies and specifications.
- c. Past performance.
- d. Number of NICET certified 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 employees 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)	3 (2)
(NICET Highway Construction Level 2 or equivalent) Clerk Typist II (CTII)	2 (0)

The number(s) 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 per hour of inspection for each Department Payroll Classification for calendar year of 1997:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour of Inspection</i>
(TCI)	\$33.44
(CTII)	\$26.12

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department's Inspector, 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. The firm selected will be required to provide two (2) Transportation Construction Inspectors for permit work who have the ability to perform the following: to conduct on-site inspection including all necessary information for evaluation, which includes but is not limited to sight distance, existing drainage, road condition, shoulder condition, grade of roadway and any additional condition which may require further study by the County Permit Engineer, Traffic Engineer, or Utility Engineer; assist applicant - private citizen, Township or Municipal authority and utility company by interpreting Pennsylvania Department of Transportation regulations on the driveway access, utility openings and method of restoration; attend municipal and utility preconstruction meetings to insure compliance with the Department of Transportation Regulations and coordination of inspection; enforce compliance with the Department of Transportation Publication 203 - Work Zone Traffic Control; inspect work being conducted by the permittee as well as insure restoration of occupancy area within our right-of-way; coordinate inspection efforts with the County Permit Inspector of the Maintenance Department in the County to insure permittee's compliance with regulations; maintain a diary of permits which require intensive study and follow up on violation; have sufficient physical stamina to work under adverse weather conditions and hazardous terrain and stress; appear as a witness if required by the Assistant District Attorney's office; perform the above duties and any other related work assignment that requires the same knowledge that

a permit inspector has as directed or assigned by the County Maintenance Manager.

One (1) Transportation Construction Inspector must have the ability to inspect brushing, herbicide application, landscaping, mowing operations, revitalization, and tree and stump removal. This inspector must have the ability to identify dead and dying trees and do roadside restoration inspection and help with preparation of contract specifications and documents and obtain compliance with Work Zone Traffic Control specifications. One (1) Transportation Construction Inspector must be familiar with PennDOT guide rail construction specifications, and be able to prepare estimates and work orders, and obtain compliance with Work Zone Traffic Control specifications. All inspectors may be required to perform other duties as required.

The two (2) Clerk Typist II's will be required to type Special Hauling permits, maintain route and detour book, maintain files on reimbursable inspection, log permit applications and perform other administrative duties. All Clerk Typist II's may be required to perform other duties as required.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 1 Transportable Cellular Phone
- 6 Telephone Pagers
- 1 Polaroid Spectra II Camera
- 3 5-Power Abney Levels with Stadia

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCI	4
CTII	3

The second copy of the letter of interest and required forms, (see general requirements and information section) shall be sent to: Mr. Andrew Warren, District Administrator, 200 Radnor-Chester Road, St. Davids, PA 19087.

Any technical questions concerning the requirements for this project should be directed to Mr. Charles Stone, P.E., District 6-0, at (610) 964-6520.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

**Philadelphia County  
Project Reference No. 08430AG2097**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately five (5) inspectors, under the Department's Inspector-in-Charge, for construction inspection and documentation services on various S.R.'s for the inspection and documentation of Highway Occupancy Permit Projects and Roadside Development Contracts and other general maintenance contracts.

The Department will establish an order of ranking of a minimum of three (3) 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:

a. Review of resumes with emphasis on ability to perform the basic needs of the contract which are understanding and interpreting of current design criteria and do inspections of guide rail, concrete median barriers and impact attenuator installation; assisting construction permit applicants and inspection of drainage, curb, roadway widening and utility installations on state highways; and inspection of roadside development work done by contractors for brushing, herbicide applications, landscaping, mowing, revitalization, and tree and stump removal.

b. Understanding of Department's requirements, policies and specifications.

c. Past performance.

d. Number of NICET certified 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 employees 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)	3 (2)
(NICET Highway Construction Level 2 or equivalent) Technical Assistant (TA)	2 (0)
(NICET Highway Construction Level 1 or equivalent)	

The number(s) 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 per hour of inspection for each Department Payroll Classification for calendar year of 1997:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour of Inspection</i>
(TCI)	\$33.44
(TA)	\$22.98



The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department's Inspector, 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. The firm selected will be required to provide two (2) Transportation Construction Inspectors for permit work who have the ability to perform the following: to conduct on-site inspection including all necessary information for evaluation, which includes but is not limited to sight distance, existing drainage, road condition, shoulder condition, grade of roadway and any additional condition which may require further study by the County Permit Engineer, Traffic Engineer, or Utility Engineer; assist applicant - private citizen, Township or Municipal authority and utility company by interpreting Pennsylvania Department of Transportation regulations on the driveway access, utility openings and method of restoration; attend municipal and utility preconstruction meetings to insure compliance with the Department of Transportation Regulations and coordination of inspection; enforce compliance with the Department of Transportation Publication 203 - Work Zone Traffic Control; inspect work being conducted by the permittee as well as insure restoration of occupancy area within our right-of-way; coordinate inspection efforts with the County Permit Inspector of the Maintenance Department in the County to insure permittee's compliance with regulations; maintain a diary of permits which require intensive study and follow up on violation; have sufficient physical stamina to work under adverse weather conditions and hazardous terrain and stress; appear as a witness if required by the Assistant District Attorney's office; perform the above duties and any other related work assignment that requires the same knowledge that a permit inspector has as directed or assigned by the County Maintenance Manager.

One (1) Transportation Construction Inspector must have the ability to inspect brushing, herbicide application, landscaping, mowing operations, revitalization, and tree and stump removal. This inspector must have the ability to identify dead and dying trees and do roadside restoration inspection and help with preparation of contract specifications and documents and obtain compliance with Work Zone Traffic Control specifications. One (1) Transportation Construction Inspector must be familiar with PennDOT guide rail construction specifications, and be able to prepare estimates and work orders, and obtain compliance with Work Zone Traffic Control specifications. All inspectors may be required to perform other duties as required.

Two (2) Technical Assistants for inspection of graffiti removal contract and trash removal contracts and other general maintenance contracts. The need for these people may only be for part of the work year. All inspectors may be required to perform other duties as required.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 2 Transportable Cellular Phones
- 4 Telephone Pagers
- 1 Polaroid Spectra II Camera

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCI	4

No resumes are required for the TA Classification.

The second copy of the letter of interest and required forms, (see general requirements and information section) shall be sent to: Mr. Andrew Warren, District Administrator, 200 Radnor-Chester Road, St. Davids, PA 19087.

Any technical questions concerning the requirements for this project should be directed to Mr. Charles Stone, P.E., District 6-0, at (610) 964-6520.

Any 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  
Project Reference No. 08430AG2098**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately one (1) inspector, under the Department's Inspector-in-Charge, for construction inspection and documentation services on various S.R.'s for the inspection and documentation of Roadside Development Contracts.

The Department will establish an order of ranking of a minimum of three (3) 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:

- a. Review of resumes with emphasis on ability to perform the basic needs of the contract which are understanding and interpreting of current design criteria and do inspections of guide rail, concrete median barriers and impact attenuator installation; assisting construction permit applicants and inspection of drainage, curb, roadway widening and utility installations on state highways; and inspection of roadside development work done by contractors for brushing, herbicide applications, landscaping, mowing, revitalization, and tree and stump removal.
- b. Understanding of Department's requirements, policies and specifications.
- c. Past performance.
- d. Number of NICET certified 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 employees 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 classification:

<i>Classification</i>	<i>No. of Inspectors</i>
Transportation Construction Insp. Super. (TCIS) (NICET Highway Construction Level 3 or equivalent)	1 (1)

The number(s) 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 per hour of inspection for each Department Payroll Classification for calendar year of 1997:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour of Inspection</i>
(TCIS)	\$38.21

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department's Inspector, 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. The firm selected will be required to provide one (1) Transportation Construction Inspection Supervisor who has the ability to inspect brushing, herbicide application, landscaping, mowing operations, revitalization, and tree and stump removal. This inspector must have the ability to identify dead and dying trees and do roadside restoration inspection and help with preparation of contract specifications and documents and obtain compliance with Work Zone Traffic Control specifications. Also, this person will help supervise the Roadside Development inspectors in each County office. The inspector supervisor may be required to perform other duties as required.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

1	Transportable Cellular Phone
1	Telephone Pager

Letters of interest for this project must include a letter, signed by the individuals you propose for the TCIS position, giving their approval to use their name in your letter of interest for this specific project.

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCIS	2

The second copy of the letter of interest and required forms, (see general requirements and information section) shall be sent to: Mr. Andrew Warren, District Administrator, 200 Radnor-Chester Road, St. Davids, PA 19087.

Any technical questions concerning the requirements for this project should be directed to Mr. Charles Stone, P.E., District 6-0, at (610) 964-6520.

Any questions concerning the submittal of the letter of interest can be directed to the Consultant Agreement Division at (717) 783-9309.

**Montgomery County  
Project Reference No. 08430AG2099**

The Department of Transportation will retain an engineering firm to provide supplementary construction inspection staff of approximately four (4) inspectors and two (2) Clerk Typists, under the Department's Inspector-in-Charge, for construction inspection and documentation services on various S.R.'s for the inspection and documentation of Highway Occupancy Permit Projects, and Roadside Development Contracts and other general maintenance contracts.

The Department will establish an order of ranking of a minimum of three (3) 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:

- a. Review of resumes with emphasis on ability to perform the basic needs of the contract which are understanding and interpreting of current design criteria and do inspections of guide rail, concrete median barriers and impact attenuator installation; assisting construction permit applicants and inspection of drainage, curb, roadway widening and utility installations on state highways; and inspection of roadside development work done by contractors for brushing, herbicide applications, landscaping, mowing, revitalization, and tree and stump removal.
- b. Understanding of Department's requirements, policies and specification.
- c. Past performance.
- d. Number of NICET certified 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 employees 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)	4 (3)
(NICET Highway Construction Level 2 or equivalent) Clerk Typist II (CTII)	2 (0)

The number(s) 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 per hour of inspection for each Department Payroll Classification for calendar year of 1997:

<i>Payroll Classification</i>	<i>Maximum Straight Time Reimbursement Per Hour of Inspection</i>
(TCI)	\$33.44
(CTII)	\$26.12

The maximum reimbursement per hour of inspection includes all costs for providing construction inspection services at the project site during the normal work week.

Maximum reimbursement per hour of inspection for subsequent calendar years, if applicable, will be established at the scope of work meeting.

The firm selected may be required to attend a pre-construction conference with the Department and the construction contractor for this project. Under the supervision and direction of the Department's Inspector, 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. The firm selected will be required to provide two (2) Transportation Construction Inspectors for permit work who have the ability to perform the following: to conduct on-site inspection including all necessary information for evaluation, which includes but is not limited to sight distance, existing drainage, road condition, shoulder condition, grade of roadway and any additional condition which may require further study by the County Permit Engineer, Traffic Engineer, or Utility Engineer; assist applicant -

private citizen, Township or Municipal authority and utility company by interpreting Pennsylvania Department of Transportation regulations on the driveway access, utility openings and method of restoration; attend municipal and utility preconstruction meetings to insure compliance with the Department of Transportation Regulations and coordination of inspection; enforce compliance with the Department of Transportation Publication 203 - Work Zone Traffic Control; inspect work being conducted by the permittee as well as insure restoration of occupancy area within our right-of-way; coordinate inspection efforts with the County Permit Inspector of the Maintenance Department in the County to insure permittee's compliance with regulations; maintain a diary of permits which require intensive study and follow up on violation; have sufficient physical stamina to work under adverse weather conditions and hazardous terrain and stress; appear as a witness if required by the Assistant District Attorney's office; perform the above duties and any other related work assignment that requires the same knowledge that a permit inspector has as directed or assigned by the County Maintenance Manager.

One (1) Transportation Construction Inspector must have the ability to inspect brushing, herbicide application, landscaping, mowing operations, revitalization, and tree and stump removal. This inspector must have the ability to identify dead and dying trees and do roadside restoration inspection and help with preparation of contract specifications and documents and obtain compliance with Work Zone Traffic Control specifications. One (1) Transportation Construction Inspector must be familiar with PennDOT guide rail construction specifications, and be able to prepare estimates and work orders, and obtain compliance with Work Zone Traffic Control specifications. All inspectors may be required to perform other duties as required.

The two (2) Clerk Typist II's will be required to type special Hauling permits, maintain route and detour book, maintain files on reimbursable inspection, log permit applications and perform other administrative duties. All Clerk Typist II's may be required to perform other duties as required.

The firm selected will be required to supply the following equipment at no direct cost to the Department:

- 1 Transportable Cellular Phone
- 6 Telephone Pagers
- 1 Polaroid Spectra II Camera
- 3 5-Power Abney Levels with Stadia

The maximum number of resumes to be included in the letter of interest shall be as follows:

<i>Classification</i>	<i>No. of Resumes</i>
TCI	5
CTII	3

The second copy of the letter of interest and required forms, (see general requirements and information section) shall be sent to: Mr. Andrew Warren, District Administrator, 200 Radnor-Chester Road, St. Davids, PA 19087.

Any technical questions concerning the requirements for this project should be directed to Mr. Charles Stone, P.E., District 6-0, at (610) 964-6520.

Any 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 providing the above work and services are invited to submit two copies of a Letter of Interest and required information for each Project Reference Number for which the applicant wishes to be considered.

The first copy of the Letter of Interest and required information must be submitted to:

Mr. Charles W. Allwein, P.E., Chief  
Consultant Selection Committee  
7th Floor, Forum Place,  
555 Walnut Street  
Harrisburg, Pennsylvania 17101-1900

The Letter of Interest and required information must be received within thirteen (13) calendar days of this Notice. The Deadline for receipt of a Letter of Interest at the above address is 4:30 P.M. prevailing time of the thirteenth day.

The second copy of the letter of interest and required information must be submitted to the appropriate District Engineer/Administrator or the Bureau Director as indicated in the individual advertisement. This copy must be postmarked or delivered on or before the deadline indicated above.

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 corporate which is permitted under the state law to engage in the practice of engineering.

If a Joint Venture responds to a project advertisement, the Department of Transportation will not accept separate Letters of Interest from the Joint Venture constituents. A firm will not be permitted to submit on more than one (1) Joint Venture for the same Project Reference Number. Also a firm that responds to a project as a prime may not be included as a designated subcontractor to another firm that responds as a prime to the project. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm or firms involved. The above does not preclude a firm from being set forth as a designated subcontractor to more than one (1) prime responding to the project advertisement.

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.

Proposing DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the established DBE participation goal, it shall be required to demonstrate its good faith efforts to attain the goal.

Responses are encouraged by small firms, Disadvantaged Business Enterprise (DBE) firms, and other firms who have not previously performed work for the Department of Transportation.

Each Letter of Interest must include the following information and the information must be packaged and presented in the following order:

1. Transmittal Letter (Maximum of two (2) typed pages, one side)

The subject heading of the transmittal letter must include the project reference number for which the applicant wishes to be considered, the firm's legal name, fictitious name (if applicable), and the firm's federal identification number. If the project advertisement indicated the Department will retain an engineering firm for the project, the applicant must indicate in the body of their transmittal letter the names and Professional engineer License Number of individuals who are directing heads or employees of the firm who have responsible charge of the firm's engineering activities, and whose names and seals shall be stamped on all plans, specifications, plats, and reports issued by the firm.

2. Project Organization Chart (one page, one side)

This Chart should show key staff from the prime and each subconsultant and their area of responsibility.

3. Standard Form 255, "Architect-Engineer and Related Services Questionnaire for Specific Project" (one Form 255 for the project team).

The Standard Form 255 must be signed, dated, and 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. Under Item 4 of this form, Column A should include the number of subconsultant personnel and Column B should include the number of prime consultant personnel to be assigned to work on this project reference number.

If a Disadvantage Business Enterprise (DBE) goal is specified for the project, the DBE must be currently certified by the Department of Transportation, and the name of the DBE and the work to be performed must be indicated in Item No. 6. If a Woman 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.

4. Standard Form 254, "Architect-Engineer for Related Services Questionnaire"

A Standard Form 254, not more than one (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, unless an acceptable Standard Form 254 for the prime and each subconsultant/subcontractor is on file in both the Bureau of Design and the Engineering District Office or Central Office Bureau identified in the individual project advertisement.

If the Standard Form 254 is not submitted with the Letter of Interest, the transmittal letter shall indicate the dates that the Standard Forms 254 were submitted to the Bureau of Design and appropriate Engineering District/Central Office Bureau.

These Forms shall be assembled with the prime's first, followed by the subconsultant's in the same order as they appear in Item 6 of Form 255.

5. Workload Projection Graph (Not required for Construction Inspection Services)

A Workload Projection Graph for the prime and each subconsultant should indicate the firm's current and anticipated workload compared to the anticipated capacity available for the next two-year time frame. The Workload Projection Graph should be submitted for the office(s) where the work would be performed and should only include the personnel classifications required for providing the advertised services and work.

6. Authorization Letters (if required)

If the advertisement requires a letter signed by individuals giving their approval to use their name in the Letter of Interest, the letters from proposed prime employees should be first, followed by subconsultant employees, in the same order as shown in Item 6 of Form 255.

7. Registration To Do Business

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.

8. Overhead Rates (one page)

This page must show the latest audited overhead rate developed in accordance with Federal Acquisition Regulations (FAR) for the prime consultant and each subconsultant. If a FAR rate is not available, the latest rate available from a Certified Public Account must be indicated. New firms should indicate how long the firm has been in existence and when an audited overhead rate would be available.

9. Additional Information

Additional information, not to exceed ten (10) one sided pages or five (5) double sided pages may be included at the discretion of the submitting firm.

The assignment of the agreement/contract for the above advertisement(s) will be made to one of the firms who submitted an acceptable Letter of Interest in response to the project advertisement. The assignment will be made based on the Department's evaluation of the firm's qualification and capabilities. The Department reserves the right to reject all letters submitted, to cancel the solicitations requested under this Notice, and/or to readvertise solicitation for the work and services.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 97-1225. Filed for public inspection August 1, 1997, 9:00 a.m.]

### Training Certification of Municipal Police Officers

The Department of Transportation, Bureau of Maintenance and Operations, under the provisions of Section 4704(f) of the Vehicle Code (75 Pa.C.S. § 4704(f)), certifies the following municipal police officers have successfully completed the training prescribed by the Department of Transportation and are hereby certified as "Qualified Commonwealth Employees" as defined in Section 4102 of

the Vehicle Code (75 Pa.C.S. § 4102) for the calendar year ending December 31, 1997. Accordingly, local police so qualified are authorized to conduct systematic vehicle inspections of any vehicle, driver, documents, equipment and load and enforce any law or regulation pertaining to same.

Donald F. Airey	Falls Township, Bucks County
Guy R. Antolick	Mahanoy City, Schuylkill County
Larry A. Bonazza	Smith Township, Washington County
Dennis C. Brillhart	North Codorus Township, York County
David W. Danley	Claysville Borough, Washington County
Russell L. Devens	Dallas Borough, Luzerne County
Donald E. D'Ginto	Uwchlan Township, Chester County
Thomas G. Goodfellow, Jr.	Tyrone, Blair County
Gregory S. Gruber	Whitehall Township, Lehigh County
Patrick N. Hinds	West Manchester Township, York County
Joseph Huth	Washington Township, Westmoreland County
Robert S. Keen, Jr.	State College, Centre County
Frank J. Keegan	West Whiteland Township, Chester County
Troy A. Keenhold	Walnutport, Northampton County
Thomas E. Keirn	Richland Township, Cambria County
Joel W. Klinedinst	Northeastern Regional, York County
Robert L. Lockcuff	Shamokin Dam, Snyder County
Richard J. Manko	Sewickley, Allegheny County
Brian Markovchick	West Hazleton, Luzerne County
Michael G. Marshall	Wright Township, Luzerne County
Jerry J. Martin	Richland Township, Cambria County
Ronald Miller	Monroeville, Allegheny County
Joseph L. Montemurro	Aleppo Township, Allegheny County
John J. Mullner	Northampton Borough, Northampton County
Shawn P. Nihen	Coaldale, Schuylkill County
Vince Pacifico	Phoenixville, Chester County
Mark N. Pellicciotti	Birdsboro, Berks County
Lawrence L. Pence	East Brandywine Township, Chester County
Joseph W. Pennisi	Walnutport, Northampton County
John R. Pioth	Monroeville, Allegheny County
Richard J. Rocco	Newberry Township, York County
Keith S. Roehm	West Manchester Township, York County
Michael P. Ruane	Benton Area, Columbia County
Jay P. Smith	Newberry Township, York County
Sandra L. Smith	West Whiteland Township, Chester County

Thomas R. Smith	Aleppo Township, Allegheny County
Kenneth P. Stephens, Jr.	Whitehall Township, Lehigh County
Timothy A. Stringer	Ferguson Township, Centre County
Arthur G. Vogel	Rostraver Township, Westmoreland County
Henry P. Ward	Falls Township, Bucks County
Matthew R. Watts	West Hills Regional, Cambria County
James L. Wetzel	Franklin, Venango County
Todd W. Williams	Richland Township, Cambria County
Troy L. Wisner	Mount Holly Springs Borough, Cumberland County
John Zielinski	Easton, Northampton County

The above listing of Qualified Commonwealth Employees is being published as an addenda to the listing of Qualified Commonwealth Employees which was published at 27 Pa.B. 357 (January 18, 1997) and 27 Pa.B. 847 (February 15, 1997). The Department of Transportation, from time to time, during the calendar year, will publish addenda to the listing of Qualified Commonwealth Employees as the same become certified.

In addition, it has been brought to the attention of the Department that the notice published at 27 Pa.B. 847 contains an error which requires correction. In that notice, the Department identified Qualified Commonwealth Employee Craig A. Kelly as being of Fairview Township, Cumberland County. Mr. Kelly is actually an officer in Fairview Township, York County.

Comments, suggestions, or questions may be directed to Daniel R. Smyser, P.E., Chief, Motor Carrier Division, Bureau of Maintenance and Operations, 555 Walnut Street - 7th Floor, Harrisburg, PA 17101-1900, telephone (717)787-7445.

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 97-1226. Filed for public inspection August 1, 1997, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Central Blair County Sanitary Authority v. DEP; EHB Doc. No. 97-141-R

Central Blair County Sanitary Authority has appealed the denial by the Department of Environmental Protection of an NPDES permit to Central Blair County Sanitary Authority for a facility in Antis Township, Blair 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 (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. 97-1227. Filed for public inspection August 1, 1997, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Temporary Changes to Fishing Regulations; Burbot Fishing in Lake Erie

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25, is hereby making the following temporary changes to regulations applicable to fishing for burbot in Lake Erie. 58 Pa. Code § 65.25 permits the Executive Director to make temporary changes to fishing regulations when he finds the action is necessary and appropriate to conserve and preserve fishing opportunities. The temporary change being made by this notice will provide additional fishing opportunities. A review by both the Bureaus of Fisheries and Law Enforcement professional staffs has disclosed that the proposed changes will have no adverse impacts on the protection, preservation and management of burbot in the waters of Lake Erie.

On July 12, 1997, the Commission made a temporary change to regulations on fishing for burbot on Lake Erie with nonmechanical spears and gigs. The temporary change provided for a creel limit of two burbot per day. The purpose of this temporary change is to increase the daily creel limit to five burbot per day.

Effective from August 2 until September 30, 1997, it shall be lawful to take burbot from Lake Erie at a depth of at least 60 feet or more using nonmechanical spears or gigs. The daily creel limit for burbot caught in Lake Erie using nonmechanical spears or gigs is five fish per day. The use or possession while fishing or diving of mechanically propelled spearguns is prohibited. Persons fishing for burbot under this temporary change to fishing regulations are required to possess a valid Pennsylvania fishing license and Lake Erie stamp.

PETER A. COLANGELO,  
*Executive Director*

[Pa.B. Doc. No. 97-1228. Filed for public inspection August 1, 1997, 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 non-regulatory documents such as policy statements, guidance manuals, decisions, rules and other written materials that provide compliance related information. The following compilation is the second list of the Administration's non-regulatory 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 the partnership between the regulated community and the state.



*Governor*

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### AGING

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#### **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 Misoprostol.
  - 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

**Current Aging Program Directives**

Contact: Robert Hussar, Division Chief (717)-783-8975

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"**

- 88-01-07 Personnel Action Plan for Private Non-Profit Area Agencies on Aging (AAA)
- 90-01-05 Contract Management and Direct Service Provision by AAAs
- 91-01-01 Certification and Disclosure Regarding Lobbying
- 91-01-05 Area Agency on Aging Involvement in Corporate Eldercare Activities
- 92-01-01 Single Audit Act Audit 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
- 94-01-02 Indirect Cost Policy for Department of Aging Contracts
- 94-01-04 Department of Aging Heat Emergency Plan 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
- 96-01-05 OPTIONS Procedure Manual
- 97-01-01 Block Grant Amendments 1996-97
- 97-01-02 Accounting Manual For AAA Programs
- 97-01-03 Interim Revision of the OPTIONS Assessment Reporting Forms OPT01 and OPT 01X
- 97-01-04 1915 © OSP/Independent Waiver For Persons With ORC Who Reside in the Community
- 97-01-05 AAA Program Requirements, Planning Allocations, and Aging Services Block Grant For 1997-98

**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
- 95-05-02 Title V Senior Community Service Employment Program: Final Rule
- 96-05-01 Title V Quarterly Reporting Requirements FY 1996-97
- 96-05-02 Title V S.C.S.E.P.: Eligibility and Assessment Forms

**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
- 96-25-01 Domiciliary Care Consumer Payemnt 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)
- 96-10-01 PA Ombudsman Reporting System.
- 97-10-01 Long-Term Care Ombudsman Program

**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
- 96-29-01 Statement of PDA Intent Re: Allocation To New Area Agencies
- 97-29-01 Retention of AAA Records

**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

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#### AGRICULTURE

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#### **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 Distribution**

- Farmers Market Nutrition Program - Farmer/Vendor Procedure Manual
- Woman, Infants and Children ("WIC") Clinic Procedure Manual
- Assistance Bulletin #97-2: Rate of Distribution Schedule For the Temporary Emergency Food Assistance Program ("TEFAP")
- Self Declaration of Need: Income Poverty Guidelines for TEFAP

Contact **Edward Wadlinger (717-787-2940)**

**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)

**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. Tancelosky (717-787-4843)

### **BANKING**

Nonregulatory public documents of the Department of Banking are divided into three indexed categories listed below: Letters from 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' LETTERS**

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.

#### **• 1997**

- 1-31-97 Letter regarding federal regulatory agencies having adopted a revised Uniform Financial Institutions Rating System which has been known as CAMEL.
- 4-24-97 Letter discusses the effect that the Year 2000 will have on Computer Systems.
- 6-9-97 Letter regarding Electronic Submission of Call Reports.

#### **• 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.
- 11-25-96 Letter discusses the adjustment to the overhead assessment methodology for non-depository trust companies.
- 12-3-96 Letter addresses the authority of Pennsylvania state-chartered banks, bank and trust companies, and savings banks to act as agents in the sale of all types of insurance products. (Act 40 of 1997 was enacted after issuance of this letter regarding banks acting as agents in the sale of insurance.)

#### **• 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.

#### **POLICY STATEMENTS**

- 10 Pa. Code §§ 13.61 - 13.68 -Exception to Definition of "Branch"  
Contact: Laurie S. Kennedy - (717) 787-1471
- 10 Pa. Code § 21.61 - Insurance and Annuities (Act 40 of 1997 was enacted after issuance of this Statement of Policy)  
Contact: Reginald S. Evans - (717) 787-1471

#### **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

Contact: Reginald S. Evans (717) 787-9573

#### **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.

Contact: Reginald S. Evans (717) 787-9573

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#### **COMMUNITY & ECONOMIC DEVELOPMENT**

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**POLICY STATEMENTS:****Bonds Office**

- Private Activity Bonds

Contact: Kim Kaufman (717-783-1109)

**Strategic Planning and Operations Office**

- Enterprise Zone Program

Contact: Dave Messner (717-720-7342)

**Loans Office**

- Machinery and Equipment Loan Fund

Contact: Gerald Kapp (717-787-6245)  
Anne Cavender (717-787-6245)

- Pennsylvania Industrial Development Authority

Contact: Gerald Kapp (717-787-6245)  
Marguerite Harris (717-787-6245)

#### **Minority Lending Office**

- Pennsylvania Minority Business Development Authority

Contact: Brigid Des-Ogugua (717-783-1127)

#### **GUIDANCE MANUALS:**

##### **Bureau of Housing and Infrastructure**

- Building Energy Conservation

Contact: Cheryl Deaton (717-720-7414)

- Civil Rights Manual

Contact: Scott Dunwoody (717-720-7402)

- 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: Scott Dunwoody (717-720-7402)

##### **Community Empowerment Office**

- Weatherization Program Guidance Manual

Contact: Dennis Darling (717-787-1984)

##### **Entrepreneurial Assistance Office**

- Entrepreneur's Guide - Starting and Growing a Business in Pennsylvania

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 (717-783-1109)

##### **Community Empowerment Office**

- Community Services Block Grant Program Guidelines
- Comprehensive Services Program Guidelines
- Employment and Community Conservation 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)

**Loans Office**

- [Machinery and Equipment Loan Fund Program Guidelines](#)

Contact: Gerald Kapp (717-787-6245)  
Anne Cavender (717-787-6245)

**Local Government Services Center**

- [Municipalities Financial Recovery Act Program Guidelines](#)
- [Regional Police Assistance Program Guidelines](#)

Contact: Ron Stearns (1-888-223-6837)

- [Shared Municipal Services Program Guidelines](#)

Contact: Fred Reddig (1-888-223-6837)

**Office of Community Development and Housing**

- [Community Development Block Grant Guidelines](#)

Contact: Riley Stoy (717-720-7404)

- [Downtown Pennsylvania Program Guidelines](#)

Contact: Riley Stoy (717-720-7404)

- [Emergency Shelter Grant Program Guidelines](#)
- [Home Investment Partnerships Program Guidelines](#)
- [Housing and Community Development Program Guidelines](#)

Contact: Riley Stoy (717-720-7404)

- [Section 108 \(of the Housing and Community Development Act\) Loan Guarantee Program Guidelines](#)

Contact: Riley Stoy (717-720-7404)

**Office of International Business Development**

- [Trade Event Grant Program Guidelines](#)
- [Network Challenge Grant](#)

Contact: Roger Cranville (717-787-7190)

**Office of Science, Technology and Workforce**

- [Ben Franklin Technology Center Program for Technological Innovation Guidelines](#)
- [Customized Job Training Program Guidelines](#)
- [Job Link Program Guidelines](#)

- [Pennsylvania Industrial Resource Center Program Guidelines](#)

- [Business Quality Partnership Guidelines](#)

Contact: Terri Kaufman (717-787-4148)

**Small Business First Division**

- [Small Business First Program Guidelines](#)

Contact: Rick Boyer (717-783-5046)

**Strategic Planning and Program Operations**

- [Enterprise Zone Program Guidelines](#)

Contact: Dave Messner (717-720-7342)

- [Small Communities Planning Assistance Program Guidelines](#)
- [State Planning Assistance Grant Program Guidelines](#)

Contact: Dallas Dollase (717-787-7400)

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**CONSERVATION AND NATURAL RESOURCES**

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**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

Contact: Ed Deaton (717-787-6674)

- State Park Natural Areas

Contact: James Barr (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)

### **DEPARTMENT OF CORRECTIONS**

#### **POLICY STATEMENTS:**

##### **Press Office**

- News Media Relations - Policy No. 1.4.1
- News Media Coverage of Executions - Policy No. 1.4.2
- After Hours News Media Inquiries - Policy No. 1.4.3
- News Media Coverage of Major Emergencies - Policy No. 1.4.5
- Release of Information - Policy No. DC-ADM 003

Contact: Roger H. Baumgarten (717) 975-4862

##### **Bureau of Inmate Services**

- Inmate Visiting Privileges - Policy No. DC-ADM 812
- Suspended Volunteers\Visitors

Contact: William A. Harrison (717) 730-2707

##### **Bureau of Community Corrections**

- Volunteers in Community Corrections - Policy No. 8.1.3

Contact: Thomas Rogosky (717) 731-7147

##### **Bureau of Human Resources**

- Student Internship and Practicum - Policy No. 7.8.3
- Student Interns - Policy No. 8.1.5

Contact: Michael A. Epoca (717) 975-4901

### **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.

Contact: Biagio Musto (717-772-2429)

##### **Bureau of Teacher Preparation and Certification**

- 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: Ron Simanovich (717-787-3470)



- Certification and Staffing Policies and Guidelines Regarding Education Certification and Staffing Requirements for Public Schools

Contact: Don Lunday (717-772-4737)

- Policy on Evaluation Procedure for Certificate of Preliminary Education Evaluation of Credentials

Contact: Susan Stewart (717- 772-4508)

- Memorandum to Pennsylvania teacher preparing colleges and universities announcing six new Praxis series assessments for beginning teachers effective November 1, 1997 and the qualifying scores for these assessments.
- Memorandum to teacher preparing colleges and universities providing instruction and policies for the use of new application forms for professional educator certification.

Contact: Ron Simanovich (717-787-3470)

#### **Deputy Secretary's Office of Postsecondary and Higher Education**

- In-School Youth Programs at Community Colleges
- Continuing Education Guidelines for Community Colleges
- Tuition Compliance Calculation at 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 (717-783-9531)

#### **Bureau of Curriculum and Academic Services**

- Commonwealth of Pennsylvania, Department of Education, HIV/AIDS Policy, September 20, 1994
- Pennsylvania State Board of Education AIDS Policy - Admissions/Readmissions of Students or Staff Persons with AIDS, March 1987

Contact: 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)

#### **Bureau of Special Education**

- State Plan under the Individuals with Disabilities Education Act - Part B

Contact: Sam Bashore (717-783-6876)

- Memorandum to local education agencies (PennLink): Guidance Regarding Extended School Year Services (January 3, 1997)

Contact: Rick Dale (717-783-6876)

- Memorandum to local education agencies (PennLink): Transition to School Age from Early Intervention -Questions & Answers (February 12, 1997)

Contact: Dr. Richard Price (717-772-2647)

- Memorandum to local education agencies (PennLink): Institutionalized Children's Programs/Program Approval Change, Joint Memo from the Bureau of Special Education and the Bureau of Budget and Fiscal Management (April 4, 1997)

Contact: Loujeania Bost (717-772-3260)

- Memorandum to local education agencies (PennLink): Superintendent's Signature on the PDE-4010, Application for Educational Assignment to Approved Private School for School-Aged Children (May 14,1997)

Contact: John Tommasini (717-783-6134)

- Memorandum to local education agencies: Transition Individualized Education Program (IEP) Format

Contact: Richard Brown (717-783-6876)

#### **Bureau of Budget and Fiscal Management**

- School Construction Policies and Procedures (This booklet describes how reimbursement is calculated along with examples and formulas.)

Contact: Carle Dixon Earp (717-787-5480)

- Community Colleges Reimbursement for Equivalent Full-Time Students Enrolled in Stipend Programs

- Debt Service at Community Colleges

Contact: Larry Snell (717-787-5993)

#### **GUIDANCE MANUALS:**

##### **Bureau of Special Education**

- Early Intervention Guidelines

Contact: Dr. Richard Price (717-772-2647)

- Special Education Information System

Contact: John Tommasini (717-783-6876)

- Instructional Support

- Effective Behavior Support

Contact: Loujeania Bost (717-772-3260)

- Transition Beyond School

Contact: Richard Brown (717-783-6876)

- Facilities Related to Children with Disabilities

Contact: Jill Lichty (717-783-6917)

- Special Education Mediation Services

Contact: Sam Bashore (717-783-6876)

- Education of Students with Hearing Loss

Contact: Dr. William Penn (717-783-2311)

- Comprehensive System of Personnel Development

- School District Special Education Plan Guidelines

- Intermediate Unit Special Education Plan Guidelines

- Procedures for Requesting Technical Assistance

- Comprehensive System for Personnel Development Submission Packet

- Instructional Support System Program Directory

Contact: Loujeania Bost (717-772-3260)

- Education of Mentally Gifted Students

Contact: Noretta Bingaman (717-783-6876)

- Individuals With Disabilities Education Act-Part B Program Guidelines for Local Education Agency Applications for 1997/98

Contact: Nancy Heyman (717-787-5745)

##### **Bureau of Information Systems**

- Secondary Vocational-Technical Education Individual Student Data System Instruction Manual, 1996-97

Contact: Barbara T. Kern (717-783-6762)

- Adult Vocational-Technical Education Data Collection Instruction Manual, 1996-97

Contact: John S. Creason (717-787-7289)

- Elementary/Secondary Professional Personnel Instruction Manual, 1997-98

Contact: Jeanne S. Hobaugh (717-783-6761)

- Postsecondary Occupationally Specific Instruction Manual, 1996-97

Contact: Marcia McCormick (717-783-6763)

**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 (717-783-3755)

- Education for Homeless Children and Youth Application for Continuation Funds, Fiscal Year 1997-98

Contact: Leslie Peters (717-772-2813)

- Even Start Family Literacy Program Request for Grants, Report, Program Reporting Requirements, Continuous Progress Program Review

Contact: Don Paquette (717-772-2813)

- Safe & Drug-Free Schools & Communities 1997-98 Application for Local Educational Agencies, Intermediate Education Agencies or Consortia
- Safe & Drug-Free Schools & Communities Guidelines and Related Laws
- Safe & Drug-Free Schools & Communities Guidelines and Local Educational Need Proposal
- Guidelines for Student Assistance Program Implementation

Contact: Biagio Musto (717-772-2429)

- Basic Education Circulars (BECs) - (Updated and indexed collection of Pennsylvania Department of Education guidance statements on state and federal basic education laws and regulations. These guidance statements cover several areas of the School Code within Title 24 of Purdon's Statutes, Articles 1-25, State Board of Education Regulations - Title 22 of the Pennsylvania Code, Chapters 1-23, 342 and 349, and other state and federal laws, regulations and court cases: Topics include among others: Early Intervention - Department of Education Services - Employee Rating Form - School and Student Records - Home Education Programs - Special Education - Payments for Education - Graduation of Seniors - School Construction - Safe Schools - Copyright Law)

Contact: Sarah Pearce (717-783-3750)

**Bureau of Teacher Preparation and Certification**

- Pennsylvania Teacher Intern Certification Handbook and Institutional Listing

Contact: Theona Waxbom (717-783-6796)

- Programs Approved for Teacher Education in Pennsylvania Colleges and Universities.
- Education Testing Service Praxis Series Registration Bulletin.

Contact: Ron Simanovich (717-787-3470)

- Pennsylvania Department of Education Application and Instructions for Professional Educator. (Includes background information, application forms, and directions. Titles include: Applicant Prepared in Pennsylvania - Applicant Prepared Outside Pennsylvania - Level II Certification - Master's Equivalency - Emergency Certification.)

- Teacher Certification Information Sheets. (Various handout papers used to respond to queries on professional educator certification in Pennsylvania.)

Contact: Susan Stewart (717-772-4508)

#### **Bureau of Adult Basic and Literacy Education**

- Application Guidelines - Pennsylvania Act 143 of 1986 and Federal Adult Education Act
- Pennsylvania Literacy Corps - Program Year 1997-98 - Application Guidelines
- Federal Adult Education Act, Section 353, 1997-98 Guidelines for Special Experimental and Staff Development Projects
- Forging a Literacy Partnership for Violence Prevention-Program Year 1997-98

Contact: Cheryl Keenan (717-772-3737)

#### **Bureau of Postsecondary Services**

- Pennsylvania Department of Education Guidelines for the Approval of Degree Programs

Contact: Carol Derrickson (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 (717-772-3623)

- Eisenhower Postsecondary Grant Application Guidelines

Contact: Linda J. Benedetto (717-772-3623)

#### **Deputy Secretary'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 (717-783-6867)

- Cooperative Education Guidelines for Administration

Contact: Jane Acri (717-783-6867)

- Guidelines for Submission of Applications for Approval of Nurse Aide Training Program

Contact: Carlyn Forlizzi (717-783-6965)

- Implementing a Statewide System of Core Performance Measures and Standards for Vocational-Technical Education in Pennsylvania

Contact: James H. Bishop (717-783-6867)

- Tech Prep: Continuation of Regional Consortia Guidelines, 1997-98

- Tech Prep: Education Implementation Grant Guidelines, 1997-98

- Tech Prep Education Program Guidelines, 1995-96

- Tech Prep Program Approval in Pennsylvania Interpretative Questions and Answers

Contact: Tom Winters (717-787-8022)

- Job Training Partnership Act State Education Grant Agreement Guidelines, July 1, 1997-June 30, 1998

Contact: Glendean Davis (717-783-6629)

- General Guidelines for Applications for Vocational-Technical Education State Grants and Federal Subgrants, 1997-98

Contact: Tom Winters (717-787-8022)

- 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

Contact: Carroll A. Curtis (717-772-4851)

- New Choices/Single Parents, Displaced Homemakers and Single Pregnant Women Services Guidelines, 1997-98

- New Choices/New Options, Combined Guidelines, 1997-98

- New Options/Sex Equity Guidelines, 1997-98

Contact: Tom Winters (717-787-8022)

- Secondary and Postsecondary Perkins Local Plans, Improvement Plans and Joint State/Local Improvement Plan Guidelines, 1997-98

Contact: Carroll A. Curtis (717-772-4851)

- Secondary Vocational-Technical Education Program Approval Application Procedure

Contact: Edward Holtzinger (717-787-8804)

#### **Bureau of Curriculum and Academic Services**

- Pennsylvania Strategic Planning Program Approval Procedures

- Pennsylvania Strategic Planning: Equitable Representation

Contact: Richard Schirato (717-783-1830)

- 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: Lee Plempel (717-787-4234)

- School Profiles CD ROMs

Contact: Stephen Simchock (717-787-4234)

- School-By-School Results - Quartile Distribution

- School-By-School Results - Scaled Scores

- Supplemental Documentation for 1996 Reading, Mathematics and Writing Assessment Reports

Contacts: Leonard Lock (717-787-4234)

- A Guide to Portfolios

Contact: Robert Gundling (717-787-4234)

- Pennsylvania System of School Assessment Updates

Contact: Lee Plempel (717-787-4234)

- Guidelines for Sex Education in Public Schools of Pennsylvania

Contact: 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 (717-783-1830)

- Induction and Professional Development Guidelines, May 1993

Contact: Carol Bellew (717-783-2862)

#### **Thaddeus Stevens State School of Technology**

- Student Handbook, 1997-98

- 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: Carle Dixon Earp (717-787-5480)

- Revisions, Quarterly Reporting Information and Final Financial Reporting Information for the Job Training Partnership Act State Education Grant, 1997-98

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)

- Individuals with Disabilities Education Act, Part B Administrative and Fiscal Guidelines

Contact: Ralph Girolamo (717-783-6535)

#### **DECISIONS:**

##### **Office of Chief Counsel Teacher Tenure Appeal Opinions**

- Patricia A. Gorman v. East Allegheny School District, Teacher Tenure Appeal No. 4-96
- In Re: Petition of Stroudsburg Area School District, Teacher Tenure Appeal No. 6-96
- Bridget E. Kelly v. Stroudsburg Area School District, Teacher Tenure Appeal No. 6-96A
- Joseph G. Cesari v. North Schuylkill School District, Teacher Tenure Appeal No. 2-96
- Deborah N. Collins v. Bethlehem Area Vocational-Technical School, Teacher Tenure Appeal No. 3-96
- Renee Czubowicz-Drouse v. Mid Valley School District, Teacher Tenure Appeal No. 6-95
- Margaret M. McMackin v. Pittsburgh School District, Teacher Tenure Appeal No. 8-95
- Wayne Sousa v. Palisades School District, Teacher Tenure Appeal No. 10-95
- James D. Holt v. Muncy Area School District and Board of Directors, Teacher Tenure Appeal No. 12-94
- Roland H. Holvey v. Northumberland County Area Vocational-Technical School, Teacher Tenure Appeal No. 13-94
- Sally Bollinger v. Curwensville Area School District and Board of School Directors, Teacher Tenure Appeal No. 9-94
- 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
- Patricia Peiffer v. Lake-Lehman School District, Teacher Tenure Appeal No. 9-93

Contact: Carolyn Angelo (717-787-5500)

##### **Certification Appeal Committee Decisions**

- Colleen Sheptock, Certification Appeal #96-03
- Marlene Moore, Certification Appeal #96-04
- Jenny E. Kemps, Certification Appeal #96-06
- Rita Deol, Certification Appeal #96-07
- Ronald L. Keefer, Certification Appeal #96-08
- Anet Villani, Certification Appeal #96-09
- David W. Kunkel, Certification Appeal #96-11
- Gregory Tutusko, Certification Appeal #96-12
- Edward Patrick, Certification Appeal #96-14
- Patricia Gorman, Certification Appeal #96-16
- JoAnn Prinzivalli, Certification Appeal #96-17

Contact: Jane A. Stockdale (717-787-2414)

- 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 (717-772-4737)

##### **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 Decisions**

- 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**

- James F. Reid, RE-90-02
- Belinda M. Wilson, DI-94-19

- Edward Miscavage, DI-96-06
- Julio W. Wilson, DI-96-21
- Stephen M. Landini, DI-96-07
- Johnnie E. Tazel, DI-96-13
- Fred Yoder, DI-95-19
- Jane Howell Wacker, DI-96-10
- David L. Saveri, DI-92-11
- Robin B. Gates, DI-96-08
- Ulysses G. Comer, Jr., RE-93-02
- Rodney E. Miller, RE-94-01
- Timothy J. Melesenka, DI-96-36
- Santo J. Pagnani, DI-96-33
- Allan M. Popsack, DI-96-27
- Robert Relyea, DI-96-20
- Richard Kotarsky, DI-95-01
- David J. Miller, DI-96-01
- Barbara B. Scull, DI-96-34
- Harold Brown, DI-96-31
- David Hardy, DI-96-30
- Joseph Capellini, DI-96-32
- Benjamin D. Overley, DI-96-35
- Michael A. Martino, DI-96-28
- James D. Neuman, DI-94-09
- Ulysses G. Comer, Jr., RE-93-02
- Frank C. Ceraso, DI-96-19
- Robert Relyea, DI-96-20
- John A. Carroll, DI-96-16
- Michael P. Cangi, DI-96-14
- Daniel P. Fahringer, DI-97-05
- Thomas E. Hoag, DI-97-01
- Curtis Newell, Jr., DI-94-01
- Joseph A. Vance, DI-95-21
- Michael Dohanich, 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)

**State Board of Private Licensed Schools**

- Security Officers Training Academy, 95-7

- Kittanning Truck Driving School, 95-9

Contact: James G. Hobbs (717-783-8228)

### **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 (717-783-6913)

- Bethany M., #717
- Brandon P., #718
- Monica V., #719
- Shannon T., #720
- Lisa G., #721
- Jeffrey R., #722
- Amy Jo G., #723
- Justin C., #724
- Alan G., #725
- Austin A., #726
- Mark S., #727
- Ryan D., #728
- Leanne S., #729
- Samuel L., #730
- Robert "Arie" F., #731
- Jamie F., #732
- Jessica P., #733
- Kayla R., #734
- Kayla R., #734-A
- Timothy P., #735
- Maevis J., #736
- Matthew Z., #737
- Ahmad H., #738
- Scott F., #739
- Douglas F., #740
- Anne C., #741
- John T., #742
- Grant G., #743-G



- Warren G., #743-W
- Scott B., #744
- Jesse P., #745
- Matthew C., #746
- Jared M., #747
- Matthew C., #748
- Billy Joe T., #749-A
- Michael C., #750
- Raymond I., Jr., #751
- Dwayne D., #752
- John O., #753
- Alex P., #754
- Luke B., #755
- Shawn G., #756
- Sheila G., #757
- Gregory P., #758

Contact: Samuel R. Bashore (717-783-6876)

#### **School Construction Decisions**

- In the Matter of: Reimbursement for the Rose Tree Media School District

Contact: James M. Sheehan (717-787-5500)

#### **State Board of Private Academic Schools**

- Christian Light Education Center

Contact: Carol Strait (717-783-6840)

#### **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)

#### **Deputy Secretary'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.

Contact: Dr. Warren D. Evans (717-787-6576)

#### **Scranton State School for the Deaf**

- Office of Civil Rights Complaint #03911181 and 03911182 Assurance Statement, August 1992

Contact: Dorothy S. Bambach (717-963-4040)

#### **Bureau of Vocational-Technical Education**

- Community College Variable Stipend Program

Contact: John Bonchalk (717-783-6867)

#### **INTERNAL GUIDELINES:**

##### **Bureau of Special Education**

- Compliance Monitoring System
- Procedures for Complaint Management
- Internal Policy: Transportation as a Related Service (May 13, 1997)

Contact: Jill Lichty (717-783-6917)

- Higher Education Initiative Grant Application Form

Contact: Geri Miller (717-772-3260)

- Internal Policy: Participation of Psychologists in Multidisciplinary Evaluations (May 13, 1997)
- Internal Policy: Serving as a Representative of the District at Individualized Education Program Meetings (May 16, 1997)
- Internal Policy: Signature of a Notice of Recommended Assignment (May 30, 1997)

Contact: Rick Dale (717-783-6876)

**Library Development Office**

- Commonwealth Libraries' Relationship With District Library Centers, 1994

Contact: Barbara W. Cole (717-783-5722)

**Bureau of Management Services**

- Right-to-Know Act Management Guide
- Americans with Disabilities Act (ADA) Procedures/Management Guides

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 Application 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 Preparation and Certification**

- Interstate Agreement on Qualification of Educational Personnel - Policy for Certification of Educational Professionals Across State Jurisdictions

Contact: Susan Stewart (717-772-4508)

- Policy Regarding Acceptance on Educational Testing Service Facsimile Score Reports

Contact: Ron Simanovich (717-787-3470)

- 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

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 Stockdale (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 3/15/97)

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)

- 1994-96 State Plan for Vocational and Applied Technology Education, Extended to 1996-98

Contact: Jeff Bostic (717-787-8022)

- Technical Preparation Articulation Agreements - PENN\*LINK Announcement Describing Articulation Agreements

Contact: Tom Winters (717-787-8022)

#### **Equal Educational Opportunity Office**

- Manual for Deriving Indicators of Equal Opportunity for Higher Education in The Commonwealth of Pennsylvania.

Contact: Carrie M. Patterson (717-783-9531)

- Act 101 Manual

- Act 101 Guideline

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 Teacher Preparation and Certification**

- Certification Testing Booklets

Contact: Ron Simanovich (717-787-3470)

##### **Deputy Secretary's Office of Postsecondary and Higher Education**

- Higher Education Gift Disclosure

Contact: Dr. 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)

- 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 (717-787-8804)

##### **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" United States Department of Education Publication.

- Blue Ribbon Schools Nomination Packet" United States 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: Carle Dion Earp (717-787-5480)

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**EMERGENCY MANAGEMENT AGENCY**


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**GUIDANCE & INFORMATION CIRCULARS (1997)****Bureau of Administration C97-1 Hazardous Material Response Fund Grant Program for Funding Year 97-98**

- C97-3 Requirements for Preparation of Annual Update of County Hazardous Material Emergency Response Preparedness Assessment, Reporting Year 96
- C97-5 Nuclear Power Plant Safety Grant Application Funding Guidance
- C97-6 State and Local Assistance Program Annual Submission

**Executive Office**

- C97-4 Movement of Authorized Persons on Commonwealth Highways During a Blizzard or Major Winter Storm

**Bureau of Operations and Training**

- C97-2 Weather Emergency Preparedness Exercise

**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 (HMRP) 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 HEARING BOARD****GUIDANCE MANUALS Filing Instructions**

- Practice and Procedure Manual

Contact: M. Diane Smith (717-787-3483)

**ENVIRONMENTAL PROTECTION****POLICY STATEMENTS****Office 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 Protection**

- Water Quality Toxics Management Strategy Title 25, Part 1, Subpart A, Chapter 16

Contact: Ed Brezina 717-787-9637

- Conservation District Fund Allocation Program Title 25, Part 1, Subpart C, Chapter 83

Contact: Cedric Karper 717-783-7577

**Bureau of 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: Lawrence Ruane 717-783-9586

**GUIDANCE MANUALS****Bureau of Land Recycling and Waste Management**

- Off-Site Audit Manual for Hazardous Sites Cleanup Program DEP ID: 253-5700-621

Contact: Josephine Valencia 717-787-9870

**Bureau of Air Quality**

- Continuous Source Monitoring Manual DEP ID: 274-0300-001

- Source Testing Manual DEP ID: 274-0300-002

Contact: Ralph Scanlan 717-787-9702

**Bureau of Radiation Protection**

- Nuclear Power Generating Station Incident Manual DEP ID: 292-0400-002

Contact: Marianne Hansen 717-787-02781

**Bureau of Waterways Engineering**

- Enforcement Manual DEP ID: 310-0400-001

Contact: Eugene Counsil 717-787-6826

**Bureau of Water Quality Protection**

- Industrial Waste Manual DEP ID: 362-0300-001

- National Pollutant Discharge Elimination System Technical Guidance Manual DEP ID: 362-0400-001

- Field Manual for Compliance Orders DEP ID: 362-4000-002

Contact: Milt Lauch 717-787-8184

- Design Criteria — Wetlands Replacement/Monitoring DEP ID: 363-0300-001
- Erosion and Sedimentation Pollution Control Manual DEP ID: 363-2134-008
- Earth Disturbance Permit Policies/Procedures DEP ID: 363-2134-010
- Enforcement Manual DEP ID: 363-4000-001

Contact: Ken Reisinger 717-787-6827

- Domestic Wastewater Facilities Manual DEP ID: 364-0300-001
- Small Flow Sewage Treatment Facility Manual DEP ID: 364-0300-002
- Sewage Facilities Planning: Preparing Act 537 Update Revisions DEP ID: 364-0300-003

Contact: Milt Lauch 717-787-8184

#### **Bureau of Water Supply Management**

- Field/Staff Handbook DEP ID: 383-0400-101
- Total Coliform Rule Staff Handbook DEP ID: 383-0400-102
- Bottled, Vended, Retail and Bulk Water Staff Handbook DEP ID: 383-0400-103
- Health Effects/Risk Management Staff Handbook DEP ID: 383-0400-104
- Inorganic, Volatile Organic and Synthetic Organic Chemicals Staff Handbook DEP ID: 383- 0400-105
- Surface Water Treatment Staff Handbook DEP ID: 383-0400-106
- Staff Handbook, Lead and Copper Rule DEP ID: 383-0400-107
- Permitting and Plan Review Staff Handbook DEP ID: 383-0400-108
- Data Management Staff Handbook DEP ID: 383-0400-109
- Compliance Staff Handbook DEP ID: 383-0400-110
- Safe Drinking Water Program General Information Handbook DEP ID: 383-0400-111
- Financial Assistance Manual Staff Handbook DEP ID: 383-0400-113
- Pennsylvania Drinking Water Information System (PADWIS) Inventory User's Manual DEP ID: 383-3310-109

Contact: Joe Hoffman 717-787-5017

#### **Bureau of Watershed Conservation**

- Ground Source Heat Pump Manual DEP ID: 391-0300-001
- Special Protection Waters Implementation Handbook DEP ID: 391-0300-002
- Land Application of Treated Sewage and Industrial Waste DEP ID: 391-2000-009

Contact: Ed Brezina 717-787-9637

#### **Bureau of Oil and Gas Management**

- Operator's Manual DEP ID: 550-0300-001
- Oil and Gas Wastewater Permitting Manual DEP ID: 550-2100-002
- Guidelines for Submitting Oil/Gas Bonds DEP ID: 550-2500-101

Contact: Frank Bialas 717-772-2199

#### **Bureau of Mining and Reclamation**

- Engineering Manual for Coal DEP ID: 563-0300-101
- Overburden Analysis Manual DEP ID: 563-0300-102

Contact: Dottie Shellehamer 717-787-5103

#### **Bureau of Deep Mine Safety**

- General Bureau Information DEP ID: 580-0400-001
- Engineering and Technical Support DEP ID: 580-0400-002
- Miner Training DEP ID: 580-0400-003

Contact: Matt Bertovich 412-439-7304

### **MEMORANDA OF UNDERSTANDING, AGREEMENTS, POLICY DECISIONS**

#### **Office of Policy and Communications**

- Policy to Encourage Voluntary Compliance by Means of Environmental Audits DEP ID: 012- 0840-001
- Secretary's Directive on Review of Existing Regulations/Technical Guidance Documents DEP ID: 012-0900-002

- Electronic Copies of Technical Guidance DEP ID: 012-0900-003
  - Public Participation in the Development of Regulations and Technical Guidance DEP ID: 012- 1920-001
- Contact: Nina Huizinga 717-783-8727

#### **Bureau of Land Recycling and Waste Management**

- Exclusionary Siting Criteria - Hazardous Waste Treatment and Disposal DEP ID: 251-2000- 704
- Revisions to Exclusionary Siting Criteria Document DEP ID: 251-2000-705
- Establishment of Household Hazardous Waste Program DEP ID: 251-2200-515
- Single Permit for Multiple Agricultural Usage Sites DEP ID: 254-2154-740

Contact: Josephine Valencia 717-787-9870

#### **Bureau of Air Quality**

- Waste Derives Liquid Fuel Policies DEP ID: 275-2101-009
- Air Toxics Policies DEP ID: 275-2101-010
- Volatile Organic Compounds DEP ID: 275-2101-015

Contact: Ralph Scanlan 717-787-9702

#### **Bureau of Waterways Engineering Interagency Agreement with the Susquehanna River Basin DEP ID: 310-0600-002**

- Agreement with the U.S. Army Corps of Engineers DEP ID: 310-0600-003
- Land Acquisition Policies DEP ID: 310-2139-002

Contact: Eugene Council 717-787-6826

#### **Bureau of Water Quality Protection**

- National Pollutant Discharge Elimination System Program Implementation DEP ID: 362- 0600-001
- Agreement between Oil and Gas Management and Water Quality Protection Pollution Discharge DEP ID: 362-0600-002
- Policy for Permitting Surface Water Diversions DEP ID: 362-2000-003
- Policy for Establishing New Program Direction for Act 537 Comprehensive Planning DEP ID: 362-2206-007

Contact: Milt Lauch 717-787-8184

- Wetlands Protection Action Plan DEP ID: 363-0200-001
- Delegation of Authority for Chapters 105 and 106 DEP ID: 363-0200-002
- Pennsylvania Wetland Replacement Project DEP ID: 363-0200-003
- Delegation of Chapter 105 Functions to County Conservation Districts DEP ID: 363-0600- 001
- Interagency Agreement with Susquehanna River Basin Commission DEP ID: 363-0600-002
- Agreement with Army Corps of Engineers DEP ID: 363-0600-003
- Land Acquisition Policies DEP ID: 363-2139-002
- General Policy on Review of Erosion and Sedimentation Control Plans DEP ID: 363-2200- 011

Contact: Ken Reisinger 717-787-6827

- Understanding Between Water Resources and Water Quality Protection DEP ID: 364-0600- 001

Contact: Milt Lauch 717-787-8184

#### **Bureau of Water Supply Management**

- DEP and Pennsylvania Infrastructure Investment Authority Agreement DEP ID: 381-5511- 012
- Policy for Recognizing Succession to Water Rights as a Result of Changes of Ownership DEP ID: 383-2130-012

Contact: Joe Hoffman 717-787-5017

#### **Bureau of Watershed Conservation**

- Principles for Ground Water Pollution Prevention and Remediation DEP ID: 391-0800-001

Contact: Ed Brezina 717-787-9637

- Attorney General Opinion 361 re: 1939 Water Rights Act DEP ID: 392-2130-003
- Rescission of Water Rights DEP ID: 392-2130-004
- Policy for Regulation of Interbasin Transfers DEP ID: 392-2130-005
- Metering of Withdrawals under Orders of Confirmation DEP ID: 392-2130-006
- Permit Life DEP ID: 392-2130-008

Contact: Bill Gast 717-772-4048



**Field Operations Deputate**

- Policy for Model Permit Application Process DEP ID: 400-2000-300
- Policy for Authorizing Emergency Response Expenditure DEP ID: 400-5900-102
- Policy for Emergency Response Critiques DEP ID: 400-5900103
- Policy for Authorities of DEP On-Scene Coordinators DEP ID: 400-5900-104
- Policy for Emergency Response Contracting DEP ID: 400-5900-105
- Policies for Authorities of DEP's Director of Emergency Response DEP ID: 400-5900-107
- Policy for Contracting with Fire Companies or HAZMAT Teams DEP ID: 400-5900-108
- Policy for Authorization of Emergency Transport and Storage of Hazardous Waste DEP ID: 400-5900-109
- Policy for Field Order Authorization of Emergency Response Team DEP ID: 400-5900-110
- Policy for Gasoline Fume Emergency Criteria DEP ID: 400-5900-112
- Hazardous Material and Hazardous Atmosphere Safety Policy DEP ID: 400-5900-114
- Confined Space Safety Policy DEP ID: 400-5900-115
- Policy for Electrofishing Personnel and Equipment Safety Policy DEP ID: 400-5900-116

Contact: Kris Lutz 717-787-5028

**Bureau of Mining and Reclamation**

- Interagency Agreement with Fish and Boat Commission DEP ID: 560-0600-101
- Memorandum of Understanding Between Game Commission and DEP DEP ID: 560-0600- 102
- Interagency Agreement, U.S. Department of Agriculture DEP ID: 560-0600-103
- Interagency Agreement, Historical and Museum Commission DEP ID: 560-0600-104
- Interagency Agreement, Waste Management DEP ID: 560-0600-105
- Office of Surface Mining Memorandum of Understanding DEP ID: 560-0600-204

Contact: Dottie Shellehamer 717-787-5103

**DECISIONS - POLICY AND PROCEDURES****Office of Policy and Communications**

- Policy and Procedures for Implementing the History Code DEP ID: 012-0700-001
- Implementation of the Agricultural Land Preservation Policy DEP ID: 012-0700-002

Contact: Nina Huizinga 717-783-8727

- Policy for Development, Approval and Distribution of Regulations DEP ID: 012-0820-001

Contact: Sharon Freeman 717-783-1303

- Policy for Development, Approval and Distribution of Technical Guidance DEP ID:012-0900- 001

Contact: Nina Huizinga 717-783-8727

**Bureau of Land Recycling and Waste Management**

- Policy and Procedures for Municipal Waste Facilities - Equivalency Approvals DEP ID: 251- 2100-727
- Reimbursement to Host County for Hazardous Review DEP ID: 251-5500-758
- Environmental Emergency Response Actions DEP ID: 253-4500-608
- Environmental Emergency Response Program Response Actions DEP ID: 253-5800-638
- Local Municipality Involvement Process DEP ID: 254-2100-100
- Environmental Assessment Process, Phase I Review DEP ID: 254-2100-101
- Municipal Waste Facility Review - Traffic Analysis DEP ID: 254-2100-102
- Process for Evaluating Daily Volume DEP ID: 254-2100-103
- Municipal Sludges Allowed at Agricultural Utilization Sites DEP ID: 254-2154-720
- Policy and Procedures for Infectious Waste Definition DEP ID: 254-2167-726

Contact: Josephine Valencia 717-787-9870

**Bureau of Air Quality**

- Employer Trip Reduction Policy DEP ID: 271-5000-001
- Compliance Assurance Policy for Cement Kilns with CEMS DEP ID: 273-4000-001
- Compliance Assurance Policy for Hospital Waste Incinerators DEP ID: 273-4000-002
- Compliance Assurance Policy for Municipal Waste Incinerators, Including Revisions DEP ID: 273-4000-003

- Enforcement Policy for CEMS on Fluid Catalytic Cracking Units DEP ID: 273-4000-004
- Enforcement Policy — CEMS and Coal Sampling/Analysis Systems DEP ID: 273-4000-005
- Air Pollution Control Act/Compliance History Review/Civil Penalty Assessment Procedure DEP ID: 273-4100-005

Contact: Ralph Scanlan 717-787-9702

#### **Bureau of Radiation Protection**

- Policy and Procedures Summary, Radiation Control Division DEP ID: 291-0400-001
- Policy and Procedures, Nuclear Safety Division, Nuclear Safety Section DEP ID: 293-0400- 001
- Low Level Radioactive Waste Section Policies and Procedures DEP ID: 293-0400-002
- Radon Certification Policy DEP ID: 294-2309-001

Contact: Marianne Hansen 717-787-3720

#### **Bureau of Water Quality Protection**

- Determination and Documentation/Sewage Facilities/Act 537 Planning DEP ID: 364-2206- 001
- PA Sewage Facilities Act 537, Enforcement Reimbursement DEP ID: 364-5512-001
- Act 537 Sewage Facilities Planning Grants DEP ID: 364-5512-002

Contact: Milt Lauch 717-787-8184

#### **Bureau of Water Supply Management**

- Capital Grants for Sewerage Construction DEP ID: 381-5500-001
- PENNVEST Wastewater Projects Inspection/Change Order Review DEP ID: 381-5511-001
- Performance Certification for PENNVEST Funded Projects DEP ID: 381-5511-002
- Wage Rate Determinations/Water Pollution Control Revolving Fund DEP ID: 381-5511-003
- Value Engineering Analysis, Water Pollution Control Revolving Fund DEP ID: 381-5511-005
- Capital Financing Plan - PENNVEST Funded Projects DEP ID: 381-5511-006
- Cost Effectiveness Review - PENNVEST Funded Projects DEP ID: 381-5511-007
- Innovative/Alternative Technology Review - PENNVEST Funded Projects DEP ID: 381- 5511-008
- Recreation and Open Space Opportunities - PENNVEST Funded Projects DEP ID: 381- 5511-009
- User Charge System and Sewer Use Ordinance Review DEP ID: 381-5511-010
- Infiltration and Inflow Analysis - PENNVEST Funded Projects DEP ID: 381-5511-011
- Reviewing, Approving, Certifying Proposals for WPCRF DEP ID: 381-5511-014

Contact: Bob Gibson 717-787-3481

- Act 339 Subsidy Grants DEP ID: 381-5513-001

Contact: Tony Maisano 717-772-4055

#### **Bureau of Watershed Conservation**

- Establishment of Alternate Thermal Effluent Limitations DEP ID: 391-2000-002

Contact: Ed Brezina 717-787-9637

- General Policy and Procedures for the Review of Water Allocation Permit Applications DEP ID: 392-2130-001

Contact: Bill Gast 717-787-4048

- Implementation of Act 34 DEP ID: 393-0900-016
- Requirements for Registration of Aboveground Storage Tanks and Underground Storage Tanks DEP ID: 393-0900-017

Contact: Vic Funk 717-772-5551

#### **Bureau of Oil and Gas Management**

- Technical Services Manual DEP ID: 550-2100-003
- Compliance Monitoring and Enforcement Policy DEP ID: 550-4000-001

Contact: Frank Bialas 717-772-2199

#### **Bureau of Mining and Reclamation**

- Coordination with the PHMC DEP ID: 560-0700-301
- Fish and Boat Commission Coordination DEP ID: 560-0700-302
- Game Commission Coordination DEP ID: 560-0700-303

Contact: Dottie Shellehamer 717-787-5103

**INTERNAL GUIDELINES - PROCEDURES FOR DEP STAFF****Office of Policy and Communications**

- Data Standards for Names and Addresses DEP ID: 012-0830-001
- Data Standards for Pennsylvania Municipality Codes and Names DEP ID: 012-0830-002

Contact: Kim Nelson 717-787-3534

**Bureau of Land Recycling and Waste Management**

- Permit Applications with Out-of-State Notarizations DEP ID: 250-2100-751
- Quality Assurance Program DEP ID: 250-3100-401
- Execution of Release Forms by BWM Field Inspectors DEP ID: 250-3120-320
- Purge Water from Ground Water Sampling DEP ID: 250-3130-763
- Calculation of Civil Penalties DEP ID: 250-4180-302
- Risk Assessment Guidelines for Facilities Burning Hazardous Waste DEP ID: 251-0300-402
- Time Frames for Application of Hazardous Waste Exclusionary Siting Criteria DEP ID: 251- 2000-706
- Hazardous Sites Cleanup Act, Pre-Application Meetings DEP ID: 251-2100-203
- Change of Ownership/Transfer of Permit DEP ID: 251-2100-754
- Review Procedure for Hazardous Waste Transfer Facilities for PBR Status DEP ID: 251- 2149-713
- Household Hazardous Waste Collection Program DEP ID: 251-2200-502
- Review of Residual and Hazardous Waste Source Reduction Strategy DEP ID: 252-6600-516
- Pennsylvania Applicable, Relevant and Appropriate Requirements (ARARs) DEP ID: 253- 4500-606
- Mitigating Remedies under the Orphan Sites Program DEP ID: 253-4500-613
- Issuance of Grants for Technical Evaluations under HSCA DEP ID: 253-5500-612
- Community Relations Activities for State HSCA and Federal Superfund Programs DEP ID: 253-5700-632
- Preparation of the Analysis of Alternatives/HSCA Proposed Response Document DEP ID: 253-5700-634
- End of Project Report DEP ID: 253-5800-610
- Change Orders for Hazardous Sites Cleanup Program Contract Management DEP ID: 253- 5800-618
- Subcontractor Approval Process in HSCA Contracts DEP ID: 253-5800-625
- Differences between Construction/Demolition Waste and Clean Fill Definitions DEP ID: 254- 2000-715
- Areas where Municipal Waste Landfills are Prohibited DEP ID: 254-2153-721
- Leak Detection Tests for Installed Liners DEP ID: 254-2153-723
- Use of Waste Tires/Tire Derived Materials at Landfills DEP ID: 254-2153-748
- Pumping Requirements for Construction/Demolition Landfills in Noncoal Mines DEP ID: 254-2157-717
- Liners for Construction/Demolition Waste Landfills DEP ID: 254-2157-718
- Issue of Emergency Municipal Waste Transfer DEP ID: 254-2158-745
- Management of Municipal Ash Waste from Resource Recovery Facility DEP ID: 254-2160- 762
- Approval of Beneficial Use by Order of DEP DEP ID: 254-2163-719
- Management of Waste Tires DEP ID: 254-2163-742
- Clarification of the Identification of Infectious Waste Generators DEP ID: 254-2167-702
- Co-Mingling of Infectious & Chemotherapeutic Waste in One Container DEP ID: 254-2167- 703
- Procedures for Container/Vehicle Decontamination & Small Spill Cleanup DEP ID: 254- 2167-708
- Clarification of Requirements Related to Storage Bags DEP ID: 254-2167-709
- Clarification of Permit-by-Rule Provision for Mixed Waste with Residual Waste DEP ID: 254-2167-712
- Temporary Storage & In-Transit Provisions during Transport or Transfer DEP ID: 254-2167- 725
- Approval of Act 101 Municipal Waste Management Plan Revisions DEP ID: 254-2212-504
- Proper Identification and Disposal of Mixed Loads of Municipal and Residual Waste DEP ID: 254-4000-749
- County Option to Retain or Eliminate Municipal Waste Flow Control DEP ID: 257-2212-501
- New Waste Streams Review DEP ID: 258-2000-764
- General Permitting Procedure DEP ID: 258-200-765
- Municipal Waste-Like Permitting Guidance DEP ID: 258-2000-766
- Chemical Analysis DEP ID: 258-2000-767

- Implementation Guidance DEP ID: 258-2000-768
- Disposal of Municipal-Like Residual Waste DEP ID: 258-2100-747
- Co-Product Determinations in Residual Waste Program DEP ID: 258-2100-769
- Interim Operating Requirements for Permitted and Unpermitted Facilities DEP ID: 258-2181- 771
- Residual Waste Facility Operation DEP ID: 258-2181-774
- Criteria/Use of Various Materials as Clean Fill DEP ID: 258-2182-773
- Cleanup Standards under the Residual Waste Regulations DEP ID: 258-5100-761

Contact: Josephine Valencia 717-787-9870

#### **Bureau of Air Quality**

- Interim Compliance Strategy on RACT for NOx Sources with CEMS DEP ID: 273-4000-007
- DEP/EPA Asbestos Demolition/Renovation Civil Penalty Policy DEP ID: 273-4130-001
- Guidance for Application of Regional Civil Assessment Procedure DEP ID: 273-4130-003
- Compliance Docket Procedure DEP ID: 273-4130-006
- Stage I Penalty Assessment Guidance DEP ID: 273-4130-006
- Stage II Enforcement Strategy DEP ID: 273-4130-007
- Air Quality Operating Permit Protocol DEP ID: 275-2101-001
- Air Quality Operating Permit Permitting Procedures DEP ID: 275-2101-002
- Air Quality Operating Permit Exemptions DEP ID: 275-2101-003
- Air Quality Operating Permit Modification/Reactivation DEP ID: 275-2101-004
- Delegation Conditions and Policy Performance Test Waivers DEP ID: 275-2101-005
- Air Quality Operating Permit Requirements DEP ID: 275-2101-006
- Best Available Technology and Other Permitting Criteria DEP ID: 275-2101-007
- Hazardous Waste Incineration DEP ID: 275-2101-008 Public Notification DEP ID: 275-2101-011
- Prevention of Significant Deterioration DEP ID: 275-2101-014
- Continuous Source Monitors DEP ID: 275-2101-016

Contact: Ralph Scanlan 717-787-9702

#### **Bureau of Waterways Engineering**

- Criteria and Fees for Dam Safety Limited Power Permits DEP ID: 310-2140-001
- Annual Inspection Policy DEP ID: 310-3120-001
- Category 3 Dam Inspection Report Form DEP ID: 310-3140-002

Contact: Eugene Council 717-787-6826

#### **Bureau of Water Quality Protection**

- Chesapeake Bay Nonpoint Source Pollution Abatement Program DEP ID: 361-5500-002
- Chesapeake Bay Financial Assistance Funding Program Guidance DEP ID: 361-5500-004

Contact: Cedric Karper 717-783-7577

- Permitting DEP ID: 362-2000-001
- Permitting Guidance Conditioned Water Discharges DEP ID: 362-2000-004
- Subsurface Disposal of Car Wash Waste DEP ID: 362-2000-005
- Permit Requirements for Car Washes and Laundries DEP ID: 362-2000-006
- Conducting Technical Reviews of Water Quality Protection (Part II) Permit DEP ID: 362- 2000-007
- Conducting Technical Reviews of Minor NPDES Renewal Applications DEP ID: 362-2000- 008
- Technical Guidance for Permitting Landfill Leachate Discharges DEP ID: 362-2183-001
- Pollution Discharge Elimination/Petroleum Marketing Terminals DEP ID: 362-2183-002
- Technology-Based Control Requirements for Water Treatment Plant Wastes DEP ID: 362- 2183-003
- Development of Permit Requirements for Steam Electric Industry DEP ID: 362-2183-004
- Calculating Effluent Limitations for Sequencing Batch Reactors DEP ID: 362-2187-001
- Review/Coordination of Chapter 94 Reports and Act 537 Planning DEP ID: 362-2206-001
- Calculation of Contingent Penalties for Effluent Violations DEP ID: 362-4000-001
- Guidance for Civil Penalty Calculation for Effluent Violations DEP ID: 362-4180-001

- Civil Penalty Assessment Procedures for Pollution Incidents DEP ID: 362-4180-002
- Calculation of Civil Penalties for Willfulness DEP ID: 362-4180-003

Contact: Milt Lauch 717-787-8184

- Criteria and Fees for Waterways Management Limited Power Permits DEP ID: 363-2140-001
- Chapter 105 General Permits DEP ID: 363-2141-001
- NPDES Permit: Discharge of Storm Water from Construction Activities DEP ID: 363-2191- 014
- Erosion/Sedimentation Control: Plan Development/Checklists/Worksheets/Details/Notes DEP ID: 363-2218-009
- Guidelines for Determining Bonds DEP ID: 363-2505-001
- Complaint Handling/Problem Assessment for Conservation Districts DEP ID: 363-3000-012
- Inspection of Earth Disturbance Sites DEP ID: 363-3000-013

Contact: Ken Reisinger 717-787-6827

- Impact/Subsurface Disposal on Ground Water Nitrate-Nitrogen Levels DEP ID: 364-2207- 004
- Administration of Fee Collection for Planning Module Reviews DEP ID: 364-2207-008
- Municipal Guidance Reconstructive Planning DEP ID: 364-2208-002

Contact: Milt Lauch 717-787-8184

### **Bureau of Water Supply Management**

- Guidance for Construction and Operation Permits DEP ID: 383-2000-108
- Pilot Plant Filtration Studies for Filtration of Surface Sources DEP ID: 383-2000-208
- Permitting of Vended Water Systems DEP ID: 383-2126-103
- Permitting of Retail Water Facilities DEP ID: 383-2126-203
- Permitting of Bulk Water Hauling Systems DEP ID: 383-2127-103
- Review/Approval of Existing Well Water Source Public System Use DEP ID: 383-2200-108
- Field Related Compliance DEP ID: 383-3000-101
- Program Guidance on the Total Coliform Rule DEP ID: 383-3000-102
- Lead and Copper Rule Compliance Issues DEP ID: 383-3000-107
- Understanding Compliance Reports DEP ID: 383-3000-109
- Understanding TCR Compliance Reports DEP ID: 383-3000-202
- Lead and Copper Rule Questions and Answers DEP ID: 383-3000-207
- Surveillance Strategy and Implementation Guidelines DEP ID: 383-3120-101
- Filter Plant Performance Evaluations and Response DEP ID: 383-3120-106
- Giardia Sampling and Response DEP ID: 383-3130-106
- New Source Sampling Requirements for Surface Water Sources DEP ID: 383-3130-108
- Community and Non-Transient, Non-Community: New Source Sampling Requirements DEP ID: 383-3130-208
- Transient, Non-Community Water Systems: New Source Sampling Requirements DEP ID: 383-3130-308
- Model State Information System (MSIS) Public Water File Users Manual DEP ID: 383-3310- 109
- MSIS Public Water File Inventory Report Print Modules DEP ID: 383-3310-209
- MSIS Users Manual Connecting Wang to a PC DEP ID: 383-3310-309
- MSIS Violation Creation and Maintenance Assistance Instructions DEP ID: 383-3310-409
- Customized Reports from MSIS DEP ID: 383-3310-509
- Pennsylvania Vulnerability Assessment Summary DEP ID: 383-3500-105
- Guidance for Surface Water Identification DEP ID: 383-3500-106
- PENNVEST Guidance DEP ID: 383-5500-113
- Small Water Systems Regionalization Grant Program DEP ID: 383-5500-213
- County Water Supply Planning/Wellhead Protection Grant Program DEP ID: 383-5500-313
- Formation of Water Authorities Grant Program DEP ID: 383-5500-413

Contact: Joe Hoffman 717-787-5017

### **Bureau of Watershed Conservation**

- Determining Water Quality Based Point Source Effluent Limits DEP ID: 391-2000-003
- Implementation Guidance Design Conditions DEP ID: 391-2000-006

- Water Quality Analysis Model (6.3) DEP ID: 391-2000-006

Contact: Ken Bartal 717-787-5267

- Osmotic Pressure DEP ID: 391-2000-008

Contact: Ed Brezina 717-787-9637

- Implementation Guidance/Sec. 95.6 Phosphorus Discharges in Lakes, Ponds and Impoundments DEP ID: 391-2000-010
- PENTOXSD Technical Reference Guide DEP ID: 391-2000-011
- PENTOXSD Users Guide DEP ID: 391-2000-012

Contact: Ken Bartal 717-787-5267

- Ambient Fixed Station Water Quality Network Monitoring DEP ID: 391-3200-002
- Cause/Effect Surveys DEP ID: 391-3200-003
- Aquatic Life Use Attainability Studies: Flow Water & Impoundment DEP ID: 391-3200-004
- Aquatic Life Special Water Quality Protection Survey DEP ID: 391-3200-005
- Toxics Surveys DEP ID: 391-3200-006
- Stream Enrichment Risk Analysis DEP ID: 391-3200-007
- Advanced Treatment Model Calibration Verification Surveys DEP ID: 391-3200-008
- Standardized Biological Field Collection DEP ID: 391-3200-010
- Evaluation of Phosphorus to Lakes, Ponds and Impoundments DEP ID: 391-3200-013
- Quality Assurance Work Plan for Ground Water Quality Monitoring Stations DEP ID: 391- 3200-016

Contact: Ed Brezina 717-787-9637

- Subsidiary Water Allocation Permit Requirement DEP ID: 392-2130-002
- Constant Gallons per Capita per Day (GPCD) DEP ID: 392-2130-007
- Recognizing Succession to Water Rights as a Result of Changes of Ownership DEP ID: 392- 2130-012

Contact: Bill Gast 717-787-4048

- Stationary/Non-Stationary Tanks DEP ID: 393-0900-006
- Exemption from Registration Fees for Volunteer Fire Companies/Volunteer EMS Organizations DEP ID: 393-0900-009
- Modification and Maintenance Issues DEP ID: 393-0900-011
- Storage Tank Cleaning Activities DEP ID: 393-0900-012
- Applicability of 40 CFR, Subpart 280, Sub G to Previously Closed Tanks DEP ID: 393-0900- 014
- Implementation of Act 16 DEP ID: 393-0900-015
- ASNT Level II Certification DEP ID: 393-2318-001
- PE Certification for Aboveground Storage Tanks (ASTs) DEP ID: 393-2318-002
- Upgrade Requirements/Substantial Modification of Underground Storage Tanks DEP ID: 393-2318-003
- Permeability of Secondary Containment & Emergency Containment DEP ID: 393-3300-002

Contact: Vic Funk 717-772-5551

#### **Field Operations Deputate**

- Emergency Operations Plan DEP ID: 400-5900-101
- Procedures for Emergency Contracting to Extinguish Mine Fire DEP ID: 400-5900-111
- Chlorine Safety Procedures DEP ID: 400-5900-113

Contact: Kris Lutz 717-787-5028

#### **Bureau of Oil and Gas Management**

- Administrative Policies and Procedures Manual DEP ID: 550-2000-001

Contact: Frank Bialas 717-772-2199

#### **Bureau of Mining and Reclamation**

- Scheduling Inspections DEP ID: 560-0600-201
- Technical Review, Applicant Liability DEP ID: 560-2305-601
- Licensing, Name Changes DEP ID: 562-2000-703
- Licensing, Municipal Mining DEP ID: 562-2100-704
- Sealing Mine Openings, Bituminous DEP ID: 562-2112-316
- Sealing Mine Openings, Anthracite DEP ID: 562-2112-317

- Bituminous Coal Surface Mining/Blasting near Utilities and Pipelines DEP ID: 562-2112-503
- Blasting, Licensing DEP ID: 562-2402-501
- Insurance Requirements and Water Supply Replacement Assurance DEP ID: 562-2500-702
- Applicant Violator System (AVS) Inspections DEP ID: 562-3000-110
- Applicant Violator System (AVS) Compliance DEP ID: 562-3000-802
- Sample Identification DEP ID: 562-3200-202
- Fixing Water Samples DEP ID: 562-3200-203
- Samples Criteria DEP ID: 562-3200-205
- Citizen's Requests, Investigation DEP ID: 562-3900-402
- Citizen's Request, Appeals DEP ID: 562-3900-403
- Compliance/Enforcement Procedures DEP ID: 562-4100-301
- Enforcement, Alternative DEP ID: 562-4100-307
- Bond Forfeiture DEP ID: 562-4170-308
- Civil Penalty Assessments DEP ID: 562-4180-306
- Reclamation in Lieu of Cash Payment for Civil Penalties DEP ID: 562-4180-309
- Bond Replacement DEP ID: 562-4180-310
- Civil Penalty Collections DEP ID: 562-4180-311
- Coal Exploration DEP ID: 563-2000-102
- Exploration, Anthracite Mines DEP ID: 563-2000-105
- Permit Review, Administration/Technical DEP ID: 563-2000-203
- Homeowner Notification of Right to Pre-Blast Survey (Industrial Minerals) DEP ID: 563- 2000-204
- Valid Existing Rights DEP ID: 563-2000-207
- Right-of-Entry DEP ID: 563-2000-208
- Review Process, Bituminous Coal Blast Plan DEP ID: 563-2000-223
- Technical Review, Coal Mining DEP ID: 563-2000-609
- Technical Review, Perennial Streams DEP ID: 563-2000-655
- Noncoal SMCRA DEP ID: 563-2111-101
- Noncoal SMCRA, Construction Projects DEP ID: 563-2111-102
- Noncoal Operations DEP ID: 563-2111-111
- Application Review, Boundary Corrections DEP ID: 563-2112-203
- Application Review, Mining Permit DEP ID: 563-2112-205
- Application Review, Coal Mining Activity Completeness DEP ID: 563-2112-211
- Application Review, Land Use Changes DEP ID: 563-2112-212
- Application Review, Coal Mining Activity Pre-Application DEP ID: 563-2112-214
- Application Review, Accepted Coal Mining Activity DEP ID: 563-2112-215
- Application Review, Cumulative Hydrologic Impact Assessment DEP ID: 563-2112-219
- Application Review, Coal Extraction DEP ID: 563-2112-222
- Technical Review, Innovative Mining Techniques DEP ID: 563-2112-603
- Technical Review, Auger Mining DEP ID: 563-2112-604
- Technical Review, Water Supply Replacement DEP ID: 563-2112-605
- Technical Review, Anthracite Coal Rejects DEP ID: 563-2112-607
- Technical Review, Constructed Wetlands DEP ID: 563-2112-608
- Determining Eligibility of Pre-Existing Pollutational Discharges DEP ID: 563-2112-610
- Determination of Effluent Standards for Pre-Existing Pollutational Discharges DEP ID: 563- 2112-611
- Technical Review, Underground Coal Mining DEP ID: 563-2112-652
- Technical Review, Ventilation Bore-holes DEP ID: 563-2112-653
- Technical Review, Liners DEP ID: 563-2112-656
- Technical Review, Public Water Protection Zones DEP ID: 563-2112-657
- Bonding, Noncoal In-Lieuity DEP ID: 563-2500-401

- Bonding, Special Conditions DEP ID: 563-2504-401
- Bonding, Processing DEP ID: 563-2504-402
- Bonding, Anthracite Deep Mine Emergency Program DEP ID: 563-2504-405
- Bonding, Direct Submittal DEP ID: 563-2504-407
- Bonding, Methods DEP ID: 563-2504-408
- Bonding, Phased Deposit DEP ID: 563-2504-409
- Bonding, Surface Mine with Post Mining Discharges DEP ID: 563-2504-412
- Bonding, Adjustments for Post Mining Discharges DEP ID: 563-2504-450
- Bonding, Interim Bond Rates DEP ID: 563-2504-451
- Qualifying, Processing and Tracking Financial Guarantees and Bond Credits DEP ID: 563- 2504-501
- Monitoring and Compliance and Bond Release for Subchapters F and G Permits DEP ID: 563-2504-612
- Inspection at Citizen's Request/Act 54 Implementation Procedures DEP ID: 563-3900-404

Contact: Dottie Shellehamer 717-787-5103

#### **Bureau of Deep Mine Safety**

- Equipment/Mine Plan Approval DEP ID: 580-2200-001
- Procedures for Processing Requests to Adopt New Items or Methods DEP ID: 580-2200-004
- Miner Certification DEP ID: 580-2300-001
- Mine Safety Inspections DEP ID: 580-3000-001
- Mine Safety Electrical Inspections DEP ID: 580-3000-002
- Accident Investigations DEP ID: 580-3000-003
- Mine Subsidence Safety Inspections DEP ID: 580-3000-004
- Clarification of Pertinence of DEP Statutes re: Coal Processing Facilities DEP ID: 580-3000- 005
- Emergency Response DEP ID: 580-5900-001

Contact: Matt Bertovich 412-439-7304

#### **EXTERNAL GUIDELINES - PROCEDURES FOR MEMBERS OF THE PUBLIC**

##### **Bureau of Land Recycling and Waste Management**

- Guidelines for Yard Waste Composting Facilities DEP ID: 254-5403-100

Contact: Josephine Valencia 717-787-9870

##### **Bureau of Water Supply Management**

- Working Guide to the Lead and Copper Rule DEP ID: 383-0300-107
- Summary of Key Requirements, Community Water Systems DEP ID: 383-0810-101
- Summary of Key Requirements for Total Coliform Rule DEP ID: 383-0810-102
- Summary of Key Requirements for Phase 2 & Phase 5 Wellhead Protection Rule DEP ID: 383-0810-105
- Surface Water Filtration Rule DEP ID: 383-0810-106
- Summary of Key Requirements for Lead and Copper Rule DEP ID: 383-0810-107
- Public Water Supply Manual, Part 1 DEP ID: 383-0810-111
- Summary of Key Requirements for Transient, Non-Community Water Systems DEP ID: 383- 0810-201
- Summary of Key Requirements for Bottled Water Systems DEP ID: 383-0810-203
- Surface Water Identification Protocol DEP ID: 383-0810-206
- Summary of Key Requirements, Non-Transient, Non-Community Water Systems DEP ID: 383-0810-301
- Summary of Key Requirements for Vended/Bulk Water Hauling DEP ID: 383-0810-303
- Public Water Supply Manual, Part 2 DEP ID: 383-2125-108
- Public Water Supply Manual, Part 3 DEP ID: 383-2126-303
- Public Water Supply Manual, Part 4 DEP ID: 383-2128-108
- Public Water Supply Manual, Part 7 DEP ID: 383-3100-111
- Public Water Supply Manual, Part 5, Sections 1 & 2 DEP ID: 383-3110-111
- Public Water Supply Manual, Part 5, DEP ID: 383-3110-211
- Laboratory Reporting Instructions for Total and Fecal Coliform Bacteria DEP ID: 383-3301- 102
- Laboratory Reporting Instructions for Bottled and Vended Water DEP ID: 383-3301-103



- Laboratory Reporting Instructions for Chemical Contaminants DEP ID: 383-3301-105
- Laboratory Reporting Instructions for Public Water Systems Using Filtered Surface Water DEP ID: 383-3301-106
- Laboratory Reporting Instructions, Lead and Copper Rule DEP ID: 383-3301-107
- Laboratory Reporting Instructions for Public Systems Using Unfiltered Surface Water DEP ID: 383-3301-206
- Laboratory Reporting Instructions for Total Trihalomethanes DEP ID: 383-3301-305
- Laboratory Reporting Instructions for Unregulated Chemical Contaminants DEP ID: 383- 3301-405
- Public Water Supply Manual, Part 6 DEP ID: 383-5900-111

Contact: Joe Hoffman 717-787-5017

#### **Bureau of Watershed Conservation**

- Guidance for the Bluff Recession and Setback Act DEP ID: 394-5402-001

Contact: Shamus Malone 717-787-5259

#### **LISTINGS**

##### **Office of Policy and Communications**

- Guidance Document Inventory DEP ID: 012-0900-004

Contact: Nina Huizinga 717-783-8727

##### **Bureau of Water Quality Protection**

- Certification for Corps Nationwide Permits DEP ID: 363-2316-001

Contact: Ken Reisinger 717-787-6827

### **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: Joseph W. Nugent (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: Thomas E. Stanback (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: Joseph W. Nugent (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: Thomas E. Stanback (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: Joseph W. Nugent (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****Bureau of Drug and Alcohol Programs**

- 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 (717) 783-8200

**Bureau of Health Planning**

- State Health Services Plan

Contact: Lewis H. Wolkoff (717) 783-1410

**Bureau of Managed Care**

- Statement of Policy: Approval of Provider Contracting Arrangements Between HMOs, PHOs and IDs
- Statement of Policy: Health Maintenance Organizations and Preferred Provider Organizations

Contact: Debra Cohen (717) 787-5193

**GUIDANCE MANUALS****Bureau of Community Health Systems**

- Bathing Place Manual, Part I: Swimming Pools
- Bathing Place Manual, Part II: Bathing Beaches
- Bathing Place Manual, Part III: Hot Tubs and Spas

Contact: Stephen H. Male (717) 787-4366

**Bureau of Community Program Licensure and Certification**

- 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 (717) 783-8765

**Emergency Medical Services Office**

- 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. (717) 787-8740



**Bureau of Family Health**

- Case Management and Tracking Protocol for Community Health Nurses, including Protocols for Early Intervention Referrals, August 1995 revision.
- Newborn Screening Procedural Manual for Health Care Practitioners, guidelines under development.

Contact: Debbie Stubljar (717) 787-7192

**Bureau of Health Planning**

- Primary Health Care Practitioner Loan Repayment Program
- Loan Forgiveness for Primary Care Practitioners
- Commonwealth of Pennsylvania Appalachian Regional Commission J-1 Visa Waiver Application Procedure
- J-1 Visa Waiver Program Appalachian Regional Commission Fact Sheet
- State 20 J-1 Visa Waiver Program Application Policy and Procedure
- State 20 J-1 Visa Waiver Program Fact Sheet

Contact: Leslie Best (717) 772-5298

**Bureau of 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 (717) 783-2548

**INTERNAL GUIDELINES****Bureau of Health Statistics and Research**

- Policy and Procedures for Assisted Conception Birth Registrations, September 1995.

Contact: Donna Ritchey (412) 656-3287

**OTHER****Bureau of Community Program Licensure and Certification**

- 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.
- Minimum Content Requirements for Pennsylvania Department of Health Approved HIV/AIDS Curriculum, Licensing alert 1-97, February, 1997.
- 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.
- Restrictions on Licenses/Certificates of Compliance/Approval, Licensing Alert 2-97, February, 1997.
- Scheduling of Licensing Inspections, Licensing Alert 3-96, April 19, 1996.
- Unannounced Visits, Licensing Alert 5-96, April 19, 1996.

Contact: Cheryl Williams (717) 783-8765

- Abortion Control Act (footnoted)
- Ambulatory Gynecological Surgery in Hospitals and Clinics Regulations (footnoted)
- Transfer Agreement vs. Policy and Procedure for Routine Emergency Services as a Requirement for Abortion

Contact: Robert Bastian (717) 783-1379

**Emergency Medical Services Office**

- Prehospital Care Response Report
- State Emergency Medical Services System Development Plan

Contact: Kum S. Ham Ph.D. (717) 787-8740

**Bureau of Facility Licensure and Certification (Long Term Care Provider Bulletins)**

- 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
- Pennsylvania Nurse Aide Registry on Worldwide Web
- Surety Bond Requirements - Clarification of "Obligee"
- Department Access to Records at Nursing Homes Pursuant to 35 P. S. § 448.813

Contact: William A. Bordner (717) 787-1816

- Notice of Intent to Apply Uniform Standard to Both Skilled and Intermediate Care Patients in Long Term Care Facilities (Nursing Hours)

Contact: William A. Bordner (717) 787-1816

- Inpatient Care in Outpatient Settings

- Guidelines to Determine the Issuance of Separate or Multiple Hospital License(s)
- Immediate Presence

Contact: Jack Means (717) 783-8980

#### **Bureau of Family Health**

- Preventing Lead Poisoning in Children, statement by the Centers for Disease Control, October 1991 edition (federal guidelines adopted by PA).

Contact: Debbie Stubljar (717) 787-7192

#### **Bureau of Health Statistics and Research**

- Application for Certified Copy of Birth or Death Record, Form H105.102.
- Applying for a Birth Certificate, Form H302.145P.
- Searching Your Family Tree, Form H105.182P
- Publication Request Form

Contact: Donna Ritchey (412) 656-3287 (except Publication Request Form, contact Donna Livering (717) 783-2548)

#### **Bureau of Managed Care**

- Requirements Regarding Prior Approval of Special Delivery Systems to Serve MA Recipients
- Service Area Expansion Guidelines
- Technical Advisory 1996-1: Criteria for HMO Approval of Special Needs Members Selection of a Specialist as Their Primary Care Physician-Health Choices Program
- HMO Technical Assistance Advisory 95-1: Exemption Request for CRNPs to Serve as Primary Care Providers
- Guidelines and Technical Advice to HMO Applicants Regarding Provider Contracts
- Guidelines and Technical Advice to HMO Applicants Regarding Member Grievance Procedures
- Guidelines and Technical Advice to HMO Applicants Regarding Quality Assurance Program Standards
- Guidelines and Technical Advice Regarding Credentialing Systems

Contact: Debra Cohen (717) 787-5193

#### **Deputy Secretary for Public Health Programs**

- Directory of Services

Contact: Gloria Martin-Payne (717) 783-5900

### INSURANCE

#### **NOTICES:**

##### **Executive Office**

- | No.         | Description   |
|-------------|---|
| • 1986      | <u>Ceding Credit Life/Accident and Health Insurance to Insurers Owned by Agents, Brokers or Creditors</u>             |
| • 1987      | <u>Ceding Credit Life/Accident and Health Insurance to a Single Producer-Owned Captive Reinsurer</u>                  |
| • 1992-07   | <u>Change of Insurer Notification Form (Form D) For Credit Insurance</u>  |
| • 1992-08   | <u>Pre-Existing Condition Exclusions - Credit Life And Credit Accident and Health Insurance</u>                       |
| • 1992-10   | <u>Joint Credit Accident and Health Insurance</u>   |
| • 1992-13A  | <u>Non-Forfeiture and Valuation - Statutory Maximum Interest Rates</u>  |
| • 1992-14   | <u>Credit Life and Accident and Health Insurance Connection with Fixed Residual Value Financing of Motor Vehicles</u> |
| • 1992-15   | <u>Suicide Exclusion - Credit Life Insurance</u>  |
| • 1993-11   | <u>Joint Credit Life Insurance and Joint Credit Accident and Health Insurance Refund Calculation</u>                  |
| • 1993-1921 | <u>PA Code, Chapter 25, Rules and Procedural Requirements for Insurance Holding Company Systems</u>                   |
| • 1994-01   | <u>Guidelines for Record Retention</u>  |
| • 1994-11   | <u>General Account Modified Guaranteed Annuity</u>  |
| • 1994-12   | <u>Separate Account Modified Guaranteed Annuity</u>   |
| • 1994-13   | <u>General Account Modified Guaranteed Life Insurance</u>   |
| • 1994-14   | <u>Separate Account Modified Guaranteed Life Insurance</u>  |
| • 1994-15   | <u>Nonforfeiture and Valuation Statutory Interest Rates</u>   |
| • 1994-18   | <u>Guidelines for Record Retention</u>  |
| • 1995-01   | <u>Valuation Standards for Life and Health and Accident Insurance</u>   |

- 1995-07 Modification of Contract for Use When an Annuity Premium Tax is Not Applicable
- 1995-09 Deregulation of Commercial Lines Property And Casualty Forms
- 1996-01 Deregulation of Accident and Health Forms
- 1996-03 Calculation of Maximum Interest Rate Chargeable By Insurance Premium Finance Companies
- 1996-05 Prepaid Pennsylvania Premium Taxes
- 1996-13 Deregulation of Life Insurance Forms
- 1996-18 Addition to Pennsylvania Insurance Department Eligible Surplus Lines Insurer List
- 1996-19 Surplus Lines Advisory Organization
- 1997-01 Flood Insurance

Contact: Tim Knapp, Chief of Staff to the Commissioner, 717-705-0009

## II. 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: James Johnson, Chief Hearing Officer, 717-783-2126; fax 717-787-8781

### Bureau of Administration

- Public Documents Room Procedures

Contact: Tracey Pontius, Director, Bureau of Administration, 717-787-4298; fax 717-7831059

## LABOR AND INDUSTRY

### POLICY STATEMENTS:

#### Bureau of Labor Law Compliance, 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 Individual Self Insurance Actuarial Evaluations
- Guidelines for Group Self Insurance Actuarial Evaluations
- Application to Renew Self Insurance Status under the Workers' Compensation Act and the Pennsylvania Occupational Disease Act
- Application to Initiate Self Insurance Status under the Workers' Compensation Act and the Pennsylvania Occupational Disease Act
- Addendum to Application for Self Insurance Status Notice of Affiliates' Initial Inclusion in a Consolidated Program
- Addendum to Application for Self Insurance Status Notice of Affiliates' Renewal in a Consolidated Program

Contact: 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: Robert E. Moore (717-787-4763)

**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: Robert E. Moore (717-787-4763)

### **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: Linda Leese (717) 861-8853

- 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: Linda Leese (717) 861-8853

- Discrimination complaint 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
- Organizational and functional statement for the DMVA
- 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

- Equal Employment Opportunity
- Contract compliance plan for DMVA
- DMVA workforce profile 1996

Contact: John Cutler (717) 861-8796

- Index of administrative publications (contains classified information) Pamphlet 310-1
- Military publications index of blank forms (contains classified information) Pamphlet 25-32

Contact: CW4 Edward Spittle (717) 861-8346

- 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: Public Affairs Office (717) 861-8720

- Directory of agencies providing information to veterans
- PA Veterans' Memorial
- Telephone directory for Veterans organizations
- Scotland Schools admission packet

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: Lt Col Cleaver (717) 861-8468

#### PENNSYLVANIA BOARD OF PROBATION AND PAROLE

- Annual Report (1992-93)
- Brochures:
  - General Information on Board
  - General Information on Parole Supervision
  - SAVE (Substance Abuse Violators Effort)

Contact: Doris Geiger 787-6208

#### PENNSYLVANIA HOUSING FINANCE AGENCY

##### **POLICY STATEMENTS:**

- Rental Housing Program; Title 16, Part I, Subpart H, Chapter 40, Subchapter A., Sections 40.11 - 40.25

Contact: William Koons 717-780-3882

- Owner-Occupied Residential Housing Program; Title 16, Part I, Subpart H, Chapter 40, Subchapter A., Sections 40.101 - 40.105

- Programs Generally; Title 16, Part I, Subpart H, Chapter 40, Subchapter A., Sections 40.111 - 40.117

Contact: Donald Plunkett 717-780-3871

- Policy Statement on Homeowner's Emergency Mortgage Assistance Program; Title 16, Part I, Subpart H, Chapter 40, Subchapter B., Section 40.201

Contact: Daryl Rotz 717-780-3922

##### **GUIDANCE MANUALS:**

###### **Development Division**

- PHFA 1997 Multifamily Housing Application Package and Guidelines (contains PennHOMES and Tax Credit Guidelines)
- PHFA/City of Philadelphia Partnership Program (Bridge Loan Program)

Contact: Shirley Stark 717-780-3876

- Federal Low-Income Housing Tax Credit Program Guide
- PHFA Low-Income Housing Tax Credit Program Allocation Plan (published annually)

Contact: Diane Brodbeck 717-780-3948

###### **Technical Services Division**

- Architectural Submission Guide
- Submission Guide for Small Projects
- PHFA Preconstruction Meeting Guide

Contact: Riitta Lukkari 717-780-3859

###### **Management Division**

- PHFA Policies, Procedures and Compliance Manual (PennHOMES Program)
- PHFA Management Office Policies and Procedures Manual - Rental Housing Programs
- PHFA Management Office Policies and Procedures Manual - Section 8 New Construction and Substantial Rehabilitation Programs
- PHFA Low-Income Housing Tax Credit Compliance Manual
- PHFA Management Division Marketing and Management Manual Accounting and Financial Reporting

Contact: Alan Shenk 717-780-3819



**Single Family Housing Division**

- PHFA Seller's Guide
- HOMESTEAD Program Guidelines
- Individual On-Lot Sewage Disposal System Loan Program Guidelines
- PHFA Servicing Manual

Contact: Donald Plunkett 717-780-3871

**INTERNAL GUIDELINES:**

- Homeowner's Emergency Mortgage Assistance Program Policies and Procedures

Contact: Daryl Rotz 717-780-3922

- PHFA Compliance Monitoring Guidance Documents (Multifamily Program)

Contact: Shirley Stark 717-780-3882

- PHFA Board Minutes and Resolutions
- PHFA Employee Manual
- Bylaws of the Pennsylvania Housing Finance Agency
- PHFA Right To Know Act Policy

Contact: Carrie Barnes 717-780-3846

**OTHER:**

- PHFA Annual Reports
- 1995 Inventory of Assisted Rental Housing
- PHFA Statewide Homeownership Program Homebuyers Workbook
- Report on the Use of Act 137 - The County Affordable Housing Trust Fund Legislation
- PHFA Possibilities (newsletter)
- The Service Connection (supportive services newsletter)
- PHFA Pamphlets:
  - Programs of the Pennsylvania Housing Finance Agency
  - Statewide Homeownership Program
  - Lower Income Homeownership and Closing Cost Assistance Programs
  - Questions & Answers about the Federal Recapture Tax
  - Home Energy Efficiency and Home Buying
  - Homeowners' Emergency Mortgage Assistance Program
  - Supportive Services Program
  - Tax Credit Program

Contact: Phil Friday 717-780-3915

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**PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY  
- PENNVEST -**

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**POLICY STATEMENTS:**

Internal Guidelines:

- Policy and Procedure for Application, Permit and Right of Way Deadlines and Application Retainage, A-1, September 21, 1992
- Policy and Procedure for the Renegotiation of Financial Assistance Terms, A-5, August 20, 1991.
- Policy and Procedure for Project Cost Increases, A-6, November 1, 1995
- Policy and Procedure for Emergency Work Undertaken Without A Letter of No Prejudice, A-10, 1991.
- Policy and Procedure for Funding Tap in Fees, A-11, February 14, 1995
- Policy and Procedure for Force Account Work, A-12, May 24, 1993.
- Policy and Procedure for Eligible Amount of Acquisition Cost, A-13, November 19, 1992.
- Policy and Procedure for Eligibility of Street Resurfacing Costs, A-14, November 19, 1992
- Policy and Procedure for Project Costs and Loan Closings, B-1, August 20, 1991
- Policy and Procedure for the Selection of Contractors By Borrowers, B-7, August 20, 1991.
- Policy and Procedure for Establishment of Borrowers' Accounts, B-8, August 20, 1991.
- Policy and Procedure for Commitment Acceptance and Closing Deadline, B-9, May 24, 1993

Contact: Elaine Keisling 717 783-4494

Other:

- PENNVEST: Pennsylvania's Doorway to the Future, 1994.
- On-Lot Sewage Disposal System for the Individual Homeowner Funding Program August ,1997.
- A Water, Sewer and Stormwater Utility's Guide to Financial and Technical Assistance Program, May, 1997
- Pennsylvania Infrastructure Investment Authority Application, April, 1996.
- Pennvest Annual Report, November , 1996.
- Liquid Assets/ Newsletter; July, 1997.

Contact: Lou Ann Buffington (717) 787-8138.

**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

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**PUBLIC WELFARE**


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(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>
• <u>1983</u>	<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 Recept. Indicator for Appeals and for Requests for Reconsideration</u>	<u>03/15/84</u>	<u>275-84-10</u>
• <u>1984</u>	<u>Ch. 297</u>	<u>Change in Reimbursement Policy for AFDC/SSI</u>	<u>03/15/84</u>	<u>297-84-1</u>
• <u>1985</u>	<u>Ch. 187</u>	<u>Definition of Child Born Out-of-Wedlock</u>	<u>11/08/85</u>	<u>00-85-23(T)</u>
• <u>1988</u>	<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>
• <u>1989</u>	<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>
• <u>1991</u>	<u>*CH. 289</u>	<u>EMERGENCY ASSISTANCE</u>	<u>07/05/91</u>	<u>0289-91-01</u>
	<u>*CH. 140</u>	<u>MANDATORY CONTINUATION OF MA THROUGHOUT PREGNANCY AND POSTPARTUM PERIOD</u>	<u>08/20/91</u>	<u>0140-91-01</u>
• <u>1993</u>	<u>*CH. 178</u>	<u>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 2</u>	<u>06/18/93</u>	<u>178-93-01</u>
	<u>*CH. 141</u>	<u>CHRONICALLY NEEDY NON- FINANCIAL ELIGIBILITY DETERMINATION</u>	<u>07/19/93</u>	<u>141-93-01</u>

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
	<u>*CH. 166</u>	<u>PROVIDING SUPPORTIVE SERVICES TO PARTICIPANTS IN THE COMMUNITY WORK EXPERIENCE PROGRAM</u>	<u>08/21/93</u>	<u>166-93-01</u>
• <u>1994</u>	<u>*CH. 257</u>	<u>REVISIONS TO 55 PA. CODE CHAPTER 177 (RESOURCES) AND 257 (REIMBURSEMENT)</u>	<u>06/24/94</u>	<u>257-94-01</u>
<u>*CH. 141</u>	<u>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</u>	<u>09/01/94</u>	<u>141-94-01</u>	
	<u>*CH. 227</u>	<u>REVISIONS TO 55 PA. CODE CHAPTER 227 CORRECTION OF UNDERPAYMENTS TO FORMER RECIPIENTS</u>	<u>11/22/94</u>	<u>227-94-01</u>
• <u>1995</u>	<u>*CH. 257</u>	<u>MA ESTATE RECOVERY - CHAPTER 178 - MEDICAL ASSISTANCE RESOURCES; CHAPTER 257 - REIMBURSEMENT</u>	<u>06/01/95</u>	<u>257-95-01</u>
	<u>*CH. 141</u>	<u>REVISIONS TO 55 PA. CODE CHAPTERS 141, 178, AND 181: ELIMINATION OF THE TRANSITIONALLY NEEDY (TN) COMPONENT OF THE GENERAL ASSISTANCE (GA) PROGRAM</u>	<u>07/12/95</u>	<u>141-95-01</u>
• <u>1996</u>	<u>CH. 125</u>	<u>ACT 1995-20 PROVISIONS RELATING TO PERSONS SENTENCED OR CHARGED FOR A FELONY OR MISDEMEANOR</u>	<u>04/05/96</u>	<u>125-96-01</u>
	<u>CH. 141</u>	<u>CHANGES TO AFDC, GA AND MA REQUIREMENTS AS MANDATED BY THE WELFARE REFORM ACT OF 1996, ACT NO. 1996-35</u>	<u>07/05/96</u>	<u>141-96-01</u>
	<u>*CH. 501</u>	<u>FOOD STAMP DISQUALIFICATION IMPLEMENTATION</u>	<u>11/16/96</u>	<u>501-96-01</u>
• <u>1997</u>	<u>*CH. 141</u>	<u>MINOR PARENT PROVISIONS FOR THE TANF AND GA PROGRAMS</u>	<u>03/03/97</u>	<u>141-97-01</u>
	<u>*VARIOUS</u>	<u>CHANGES TO AFDC, GA, AND MA REQUIREMENTS AS MANDATED BY THE WELFARE REFORM ACT OF 1996, ACT NO. 1996-35, AND AFDC REQUIREMENTS AS MANDATED BY THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996</u>	<u>03/03/97</u>	<u>99-97-1</u>

**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	<u>Ch. 1251</u>	<u>Clarification of M.A. Bulletin # 22-80-01</u>	<u>08/19/81</u>	<u>22-81-01</u>
	<u>Ch. 1121</u>	<u>Info. Concerning Claims Submitted as Compounded Prescriptions</u>	<u>06/30/82</u>	<u>19-82-02</u>
• 1983	<u>Ch. 1181</u>	<u>Req. to Hold &amp; Report Unclaimed Patient Funds</u>	<u>12/01/83</u>	<u>24-83-04</u>
• 1984	<u>Ch. 1101</u>	<u>Third Party Resource and Copay</u>	<u>11/01/84</u>	<u>99-84-15</u>
	<u>Ch. 1163</u>	<u>Physician Attestation Statement</u>	<u>12/31/84</u>	<u>01-84-15</u> <u>11-84-25</u>
• 1985	<u>Ch. 1141</u>	<u>Decision Concerning Prof. Component Billing</u>	<u>01/25/85</u>	<u>01-85-01</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 &amp; Ability to Pay</u>	<u>10/17/85</u>	<u>99-85-12</u>
	<u>Ch. 1153</u>	<u>Require. for Treatment Plans &amp; 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>
	• 1986	<u>Ch. 1181</u>	<u>Bona Fide Use of a Recipients' \$25 Personal Care Allowance</u>	<u>03/14/86</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>
• 1987		<u>Ch. 1101</u>	<u>Physicians' Response. Home Health Services</u>	<u>01/12/87</u>
	<u>Ch. 1223</u>	<u>Letter of Agreement-D&amp;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>Ch. 1101</u>	<u>Records Maint. and Avail. Require. for Chiropractors</u>	<u>04/27/87</u>	<u>07-87-01</u>
• 1987	<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>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</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/</u> <u>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>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 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>
1991	<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>

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• <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>BASIC HEALTH CARE FOR ADULT GENERAL ASSISTANCE RECIPIENTS (FELIX ET. AL. V. CASEY ET. AL.) STIPULATION OF SETTLEMENT</u>	<u>07/21/93</u>	<u>1101-93-03</u>
• <u>1993</u>	<u>*CH. 1101</u>	<u>UPDATE TO EXCEPTIONS PROCESS AND CRITERIA UNDER THE GENERAL ASSISTANCE BASIC HEALTH CARE PACKAGE</u>	<u>07/21/93</u>	<u>1101-93-04</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>
• <u>1994</u>	<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>PRIOR AUTHORIZATION OF HOME HEALTH SERVICES (REVISED)</u>	<u>07/01/94</u>	<u>1249-94-02</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>
• <u>1994</u>	<u>*CH. 1121</u>	<u>TREATMENT OF INFERTILITY DISCONTINUED COVERAGE FOR DRUGS AND RELATED SERVICES</u>	<u>08/30/94</u>	<u>1121-94-03</u>
	<u>CH. 1126</u>			<u>1126-94-01</u>
	<u>CH. 1129</u>			<u>1129-04-01</u>
	<u>CH. 1141</u>			<u>1141-94-01</u>
	<u>CH. 1163</u>			<u>1163-94-01</u>
	<u>CH. 1221</u>			<u>1221-94-01</u>
	<u>CH. 1225</u>			<u>1125-94-01</u>
	<u>CH. 1242</u>			<u>1242-94-01</u>
	<u>*CH. 1101</u>	<u>GENERAL ASSISTANCE RESTRUCTURE AS A RESULT OF ACT 49</u>	<u>09/02/94</u>	<u>1101-94-01</u>
• <u>1995</u>	<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 &amp; Alcohol Services</u>	<u>11/06/95</u>	<u>1163-95-01</u>
• <u>1995</u>	<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>



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• <u>1996</u>	<u>CH. 1101</u>	<u>LIMITS ON OFFICE VISITS UNDER THE GENERAL ASSISTANCE (GA) BASIC HEALTH CARE PACKAGE</u>	<u>03/18/96</u>	<u>1101-96-01</u>
	<u>Ch. 1101</u>	<u>Medical Assistance Deductible</u>	<u>09/20/96</u>	<u>1101-96-02</u>
	<u>Ch. 1141</u>	<u>Revision to Physician Assistant and Nurse Midwife Supervision Requirement</u>	<u>11/22/96</u>	<u>1141-96-01</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 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>
• <u>1993</u>	<u>Ch. 2620</u>	<u>Increase in Personal Needs Allowance for Residents of Personal Care Homes</u>	<u>08/16/93</u>	<u>2620-93-02</u>

**GUIDANCE MANUALS:****Bureau of Social Services**

- Attendant Care Program Fiscal Manual
- 996-1997 Attendant Care Program Requirements (Note: Revised/Reissued Annually.)
- Home and Community-Based Services Waiver (Note: A CSPPPD Document on the Omnibus Budget Reconciliation Act Waiver, #0235.)
- Office of Social Programs Independence Waiver
- Homeless Assistance Program — Instructions and Requirements for 1997-1998 - (Note: Revised/Reissued Annually.)
- Human Services Development Fund — 1997-1998 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
- 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>
• <u>1980</u>	<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>
• <u>1981</u>	<u>Ch. 3490</u>	<u>Reporting Suspected Child Abuse in Institutions, Schools, Facilities &amp; Agencies</u>	<u>09/30/81</u>	<u>3490-81-02</u>
• <u>1982</u>	<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>
• <u>1983</u>	<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 &amp; 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 &amp; 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>
• <u>1983</u>	<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>

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• <u>1984</u>	<u>Ch. 3140</u>	<u>Reimbursement Rates for Placements in VisionQuest Wilderness &amp; 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>
• <u>1984</u>	<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>
• <u>1985</u>	<u>Ch. 3001.5</u>	<u>Unannounced Visits to Licensed &amp; 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. &amp; Older with PA Adoption Cooperative Exch.</u>	<u>09/16/85</u>	<u>99-85-24</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>4/15/86</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>06/06/9</u>	<u>3350-89-01</u>
	<u>Ch. 3490</u>		<u>06/08/89</u>	<u>3490-89-01</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 Child Care Space</u>	<u>07/30/94</u>	<u>3001-94-01</u>
	<u>Ch. 3280</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 Professional 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 the Facility Premises</u>		<u>3001-96-04</u>
	<u>Ch. 3140</u>	<u>AFCARS</u>		<u>3140-96-01</u>
	<u>Ch. 3140</u>	<u>Title IV-A Emergency Assistance Fiscal Procedures/EA Delinquency Prohib.</u>		<u>3140-96-02</u>

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	<u>Ch. 3140</u>	<u>FY 1997-98 County Children and Needs-Based Plan and FY 1996-97 Imp. Plan Instructions</u>		<u>3140-96-03</u>
	<u>Ch. 3140</u>	<u>1996-97 Title IV-E Independent Living Program Guidelines and Application Process</u>		<u>3140-96-04</u>
	<u>Ch. 3140</u>	<u>Emergency Assistance Invoicing Requirements</u>		<u>3140-96-05</u>
	<u>Ch. 3170</u>	<u>Maximum Rate of Participation for County Children and Youth Agencies</u>		<u>3170-96-01</u>
	<u>Ch. 3490</u>	<u>Act 151 Amendments</u>		<u>3490-96-01</u>
	<u>Ch. 3490</u>	<u>Clearance Statements for School Employees</u>		<u>3490-96-02</u>
	<u>Ch. 3490</u>	<u>Certification and Training for Children and Youth Workers</u>		<u>3490-96-03</u>
	<u>00</u>	<u>OCYF Bulletin Board Systems</u>		<u>00-96-02</u>
	<u>00</u>	<u>Update of Policies and Procedures for Juveniles in Detention</u>		<u>00-96-03</u>
	<u>00</u>	<u>Maximization of the OCYF's Grant Funds</u>		<u>00-96-04</u>
	<u>00</u>	<u>Surveying and Evaluating Child Welfare Agencies Implementation and Compliance with MEPA</u>		<u>00-96-06</u>
	<u>00</u>	<u>Megans Law</u>		<u>00-96-07</u>
	<u>00</u>	<u>FFP Rate and Reporting Change for Title IV-E Placement Maintenance and Adoption</u>		<u>00-96-08</u>
	<u>00</u>	<u>Title IV-E and Title IV-A Invoicing/ Two Year Limit</u>		<u>00-96-09</u>
• <u>1997</u>	<u>Ch. 3001</u>	<u>Day Care - Exemption from Immunization Requirements</u>	<u>03/29/97</u>	<u>3001-97-01</u>
	<u>Ch. 3001</u>	<u>Day Care - Ground Surface Requirements</u>	<u>06/01/97</u>	<u>3001-97-02</u>
	<u>Ch. 3140</u>	<u>Needs-Based Budget Plan/Budget Amendment Review Criteria</u>	<u>01/03/97</u>	<u>3140-97-01</u>
	<u>Ch. 3140</u>	<u>Availability of Federal Financial Participation For Profit Residential Child Care Facilities</u>		<u>3140-97-02</u>
	<u>Ch. 3140</u>	<u>AFCARS/SACWIS</u>		<u>3140-97-03</u>
	<u>Ch. 3140</u>	<u>1997/98 Final Child Welfare Needs-Based Allocations</u>		<u>3140-97-04</u>
	<u>Ch. 3140</u>	<u>1997/98 Title IV-E Independent Living Program Guidelines</u>		<u>3140-97-05</u>
	<u>Ch. 3490</u>	<u>County Children and Youth Risk Assessment Policies and Procedures</u>	<u>04/15/97</u>	<u>3490-97-01</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
- Megan's Law, Directions for Distributing/Administering Information Regarding Sexually Violent Predators 5/5/97, Class I Bulletin, 00-97-03

**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>
• <u>1981</u>	<u>Ch. 4000</u>	<u>Procedures for Charging &amp; Collecting of Tuition Expenses for School-Age Residents in MR &amp; MH Residential Facilities</u>	<u>09/02/81</u>	<u>199-81-01</u>
• <u>1982</u>	<u>Ch. 4000</u>	<u>Respon. for Collection of Tuition Exp. Under Act 199 of 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>
• <u>1985</u>	<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>
• <u>1986</u>	<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>
• <u>1987</u>	<u>Ch. 4305</u>	<u>Community MH/MR Liability</u>	<u>05/21/87</u>	<u>4305-87-2</u>
• <u>1988</u>	<u>Ch. 4305</u>	<u>Quarterly Liability Summaries</u>	<u>01/29/88</u>	<u>4305-88-01</u>
• <u>1995</u>	<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>
• <u>1981</u>	<u>Ch. 5001</u>	<u>Expiration of 4th Provisional Cert. of Compliance</u>	<u>12/15/83</u>	<u>99-83-49</u>
• <u>1984</u>	<u>Ch. 5250</u>	<u>Guidelines for Delivery of MH Forensic Svcs. to Persons in Co. Jails &amp; Persons on Prob. or Parole</u>	<u>08/27/84</u>	<u>99-84-38</u>
• <u>1985</u>	<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 Protesting Patients</u>	<u>03/11/85</u>	<u>99-85-10</u>
• <u>1986</u>	<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>
• <u>1987</u>	<u>Ch. 4210</u>	<u>Dis. Plan. Response. for SMH Child/Adoles. Prog. &amp; Co. MH/MR Program</u>	<u>01/16/87</u>	<u>99-87-10</u>
	<u>Ch. 5100</u>	<u>Guidelines for Assessing &amp; 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 &amp; Appeal Proc. Involuntary Outpatient Commitment</u>	<u>09/08/87</u>	<u>99-87-23</u>
• <u>1993</u>	<u>Ch. 5221</u>	<u>Intensive Case Management Record Requirements</u>	<u>09/21/93</u>	<u>5221-93-01</u>

**Office of Mental Retardation - Contact: 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>
• <u>1981</u>	<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>
• <u>1982</u>	<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>
• <u>1983</u>	<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>
• <u>1984</u>	<u>Ch. 6000</u>	<u>Therapeutic Leave Gdlines for 2176 Waiver Facilities &amp; 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 Requirement</u>	<u>08/30/84</u>	<u>42.456.1-84-01</u>
	<u>Ch. 6000</u>	<u>Community Residential Program Slot &amp; Funding Adj.</u>	<u>12/27/84</u>	<u>99-84-20</u>
	<u>Ch. 6000</u>	<u>Supplement &amp; 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>
• <u>1985</u>	<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 &amp; Elig. Procedures for Persons in the 2176 Waiver Prg.</u>	<u>04/01/85</u>	<u>99-85-04</u>
• <u>1986</u>	<u>Ch. 6000</u>	<u>Need for ICF/MR Level of Care</u>	<u>12/31/86</u>	<u>99-86-11</u>
• <u>1987</u>	<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 Workers' 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>Ch. 6000</u>	<u>Conversion of Comm. Res. MR Facilities to ICF/MR</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>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</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 Waiver</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

#### **Bureau of Administrative Services (1-800-362-2050)**

- PA-100 Combined Application/Registration Booklet
- PA-40 Personal Income Tax Instruction Book-Resident/Nonresident (order by year needed)
- PA-40EZ Personal Income Tax Instruction Book (order by year needed)
- PA-40NR Personal Income Tax Instruction Book/Nonresidents (1995 & prior-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
- PA1347 Federal/State Electronic Filing Program Brochure
- PA8453 Declaration of Electronic Filing/PIT
- PA20S-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 Coupons/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-413I Instructions for Estimated Tax/PIT (Individuals)
- REV-413F Instructions for Estimated Tax/PIT (Fiduciaries)
- REV-413P/S Instructions for Estimated Tax/PIT (Partnership/Shareholders)
- REV-414I Worksheet for Estimated Tax/PIT (Individuals)
- REV-414F Worksheet for Estimated Tax/PIT (Fiduciaries)
- REV-414P/S Worksheet for Estimated Tax/PIT (Partnership/Shareholders)
- REV-415 Employer Withholding Instruction Book
- REV-439 Pamphlet/General Information on PIT and PT/RR
- REV-443 IFTA Compliance Manual
- REV-446 IFTA Top 20 Questions
- REV-460 Information Concerning Time Limitations for Filing Refund Petitions
- REV-467 Authorization for Release of Tax Records
- REV-489 Article XI Safe Deposit Box
- REV-491 EDI Brochure (Electronic Data Interchange)
- REV-493 Prop. Tax/Rent Rebate Pamphlet (PATAXES)

- [REV-502 FACT Line Brochure/ PATAXES](#)
- [REV-525 Corp Tax Bulletin #119 Motor Carrier Gross Rec. Tax-Ambulance Services](#)
- [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**

- [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 61 Construction of Exempt Public Utility Facilities](#)
- [Ruling 62 Construction Contractor Installing Stained Glass Windows](#)
- [Ruling 64 Outdoor Advertising Signs](#)
- [Ruling 72 Frozen Food Lockers](#)
- [Ruling 73 Golf Bag Carts and Lockers](#)
- [Ruling 80 Saws & Blades to Butchers](#)
- [Ruling 81 Soda Fountains](#)
- [Ruling 102 Sacramental Wines](#)
- [Ruling 111 Game/Fish/Animals & Birds](#)
- [Ruling 130 Purchase Replacement Parts/Auto](#)

- Ruling 140 Purchase of Medical Supplies & Equipment
- Ruling 141 Fabrication of Dental Prosthetics
- Ruling 143 Manufacture/Sale/Repair Optical Lenses
- Ruling 150 Clothing
- Ruling 170 Automobile Towing Services
- Ruling 173 Taxidermy Service
- Ruling 190 Carbonator for Soda Fountain
- Ruling 192 Ice Making 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 206 Trading Stamps
- Ruling 208 School Textbook Exemption
- Ruling 212 Flags
  
- 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
- SEC32.06 Wrapping Supplies
- SEC32.21 Charitable, Volunteer Firemen's, Religious Org/Nonprofit Education Inst.
- SEC32.23 Sales to Comm. of PA and Political Subdivisions and Sales to Commonwealth
- SEC32.31 Dairying
- SEC32.32 Manufacturing/Processing
- SEC32.33 Farming
- SEC32.34 Public Utilities
- SEC32.35 Mining
- SEC32.36 Printing
- SEC33.02 Purchase Price
- SEC33.03 Cancellationns, Returns, Allowances & Exchanges

- SEC34.01-Registration
- SEC34.03 Tax Returns
- SEC34.04 Direct Payment Permit
- SEC35.01 Tax Examinations & Assessments
- SEC35.02 Interest/Additions/Penalties/Crimes & Offenses
- SEC35.03 Lien for Taxes
- SEC38.03 Hotel Occupancy
- SEC41.02 Concrete Transit Mixing Unit
- SEC41.03 Dry Ice for Packaging Ice Cream
- 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
- SEC44.03 Farm Water Heaters
- SEC44.04 Guns & Ammunition
- SEC45.02 Automobiles for Attorneys
- SEC45.03 Street Repairs
- SEC46.01 Construction Contractor Cutting or Bending Steel Beam
- SEC46.04 Fixed Price Construction Contract
- SEC46.06 Contractor Renting Equipment to Others
- 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
- SEC47.16 Rental of Equipment Between Affiliated Interests
- SEC47.17 Lease or Rental of Vehicles and Rolling Stock
- SEC47.18 Totalizator Equipment
- SEC48.01 Utility Services Used by Exempt Organizations
- SEC48.02 Religious Articles
- SEC48.04 Credit Unions
- SEC50.01 Purchases & Sales by Wholesalers
- SEC51.02 Use of Automobile Other than for Resale
- SEC51.04 Remittances for Payment of Sales Tax on Certain Vehicles
- SEC53.02 Footwear, Footwear Accessories and Footwear Repairs
- SEC54.01 Delivery Charges
- SEC54.02 Sign Painters
- SEC55.05 Cleaning of Animals
- SEC56.01 Maintaining Place of Business w/in Commonwealth
- SEC57.02 Gas Used by Restaurants
- SEC57.04 Merchandising Equipment
- SEC57.07 Purchase of Soft Drinks by Liquor Licensees
- SEC58.01-58.02 Taxable & Exempt Personal Property
- SEC58.03 Timbering Operations

- SEC58.06 Barbers & Beauticians Supplies, Materials, Tools and Equipment
- SEC58.08 Commercial Airport and Aircraft Operators
- SEC58.10 Water Softeners & Conditioners
- SEC58.11 Taxes Paid/Purchases Resold
- 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 (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 (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
- EV-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 (717-783-1025)**

- DMF49 Policy Statement Motor Carrier

**Bureau of Audits (717 787-6499)**

- DAU14 Pamphlet Criminal Tax Evasion

**Press Office (717-787-6960)**

- DPO4 Tax Update

**Bureau of Research (717- 787-6300)**

- DOP3 Compendium of Revenue
- DOP4 Personal Income Tax Statistics
- DOP7 Statistical Supplemental to Tax Compendium

**Bureau of Individual Taxes (717-783-1159)**

- DEX42 Property Tax Statistical Report
- PA1345 Handbook for Electronic Filers
- PA1346 Electronic Return Filing Specifications for Individual Tax Forms
- PA1436 Electronic Filing Test Package

**Office of Chief Counsel (717 787-1382)**

- OCCPLR Office of Chief Counsel Private Letter Rulings (Fee Charged)

**PA State Lottery (717) 986-4714**

- 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**

- Commissioner of Professional and Occupational Affairs- Schedule of Civil Penalties and Procedures for Appeal, 49 Pa. Code §§ 43a.1-43a.11

Contact: Commissioner's Office - (717) 787-8503

**State Board of Dentistry**

- Amalgams, 49 Pa. Code § 33.213
- Referrals, 49 Pa. Code § 33.214
- Lasers, 49 Pa. Code § 33.215
- Requirement of anesthesia permit for nonparenteral premedication of dental patients, 49 Pa. Code § 33.344

Contact: June Barner - (717) 783-7162

**State Board of Funeral Directors**

- Funeral supervisors and funeral directors on active duty, 49 Pa. Code § 13.251

Contact: Linda Dinger - (717) 783-3397

**State Board of Medicine**

- Disciplinary guidelines for use of anabolic steroids, 49 Pa. Code § 16.97

Contact: Cindy Warner - (717) 783-1400

**State Board of Nursing**

- Interpretations; Scope of Practice, 49 Pa. Code §§ 21.401-21.414
- 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 Examiners of Nursing Home Administrators**

- Temporary permits, 49 Pa. Code § 39.17
- Continuing education course content, 49 Pa. Code § 39.32

Contact: Cheryl Lyne - (717) 783-7155

**State Board of Occupational Therapy Education and Licensure**

- Policy re: Occupational Therapy in Non-Medical Practice

Contact: Clara Flinchum - (717) 783-1389



**State Board of Optometry**

- Disclosure of Financial or Ownership Interest, 49 Pa. Code § 23.101

Contact: Deb Smith - (717) 783-7155

**State Board of Osteopathic Medicine**

- Disclosure of Financial or Ownership Interest, 49 Pa. Code § 25.291

Contact: Gina Bittner - (717) 783-4858

**State Board of Pharmacy**

- Emergency Access to Pharmacy
- Sale of Outdated Over-the-Counter Drugs
- Radiopharmaceutical Prescriptions, 49 Pa. Code § 27.101

Contact: W. Richard Marshman - (717) 783-7156

**State Board of Physical Therapy**

- Disclosure of Financial or Ownership Interest, 49 Pa. Code § 40.54

Contact: Robert Kline - (717) 783-7134

**State Board of Psychology**

- Qualified members of other recognized professions, 49 Pa. Code § 41.7
- Department of Health licensing of substance abuse services provided by psychology practices, 49 Pa. Code § 41.8

Contact: Cheryl Lyne - (717) 783-7155

**State Board of Examiners in Speech-Language and Hearing**

- Disclosure of Financial or Ownership Interest, 49 Pa. Code § 45.3

Contact: Clara Flinchum - (717) 783-1389

**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: Linda Dinger - (717) 783-3402

**State Board of Certified Real Estate Appraisers**

- Policy Manual

Contact: Shirley Klinger - (717) 783-3398

**State Board of Cosmetology**

- Policy Manual

Contact: Sara Sulpizio - (717) 783-3402

**State Board of Dentistry**

- Assignment of Duties: Guidelines

Contact: June Barner - (717) 783-7162

**State Board of Medicine**

- Policy Manual

Contact: Cindy Warner - (717) 783-1400

**State Board of Nursing**

- Staff suggestions for the development and submission of feasibility and curriculum proposals

Contact: Ann Steffanic - (717) 783-7142

**State Board of Physical Therapy**

- Policy Manual

Contact: Robert Kline - (717) 783-7134

**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: Linda Dinger - (717) 783-3398

**State Board of Nursing**

- Education-related policies adopted by Board action:  
Definition of a nursing education "program" (5/95)  
Use of preceptors to supervise clinical practice of students (1/95)
- Letters related to specific Board decisions:  
Board Position re: ICFs/MR & CLAs as patient's/clients home  
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 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  
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)  
Alternative/Complementary Therapies (1997)

Contact: Ann Steffanic - (717) 783-7142

**State Board of Optometry**

- Probable Cause Screening Committee

Contact: Deb Smith - (717) 783-7155

**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) 783-7134

**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 EMPLOYES' RETIREMENT SYSTEM**

- SERS Board of Trustees Adjudications by Topic:
  - 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)
  - Information on Tax Form 1099-R for Tax Year 1996
- Management Directives and Administrative Circulars issued by SERS:
  - SERS Mission Statement
  - SERS Investment Policy
  - SERS Investment Guidelines
  - SERS current five-year investment plan ("1997 Annual Five Year Investment Plan")

- SERS Policy on Public Information (current January 1997)
- 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 five-year)
- Actuarial Tables
- Memoranda of Understanding currently in effect:
- Memorandum of Understanding with the Department of Aging - PACE Program (dated February 14, 1997)
- Memorandum of Understanding with the Office of Administration - Backup Computer Disaster Recover Site at the Central Management Information Center (CMIC) (dated August 1, 1995)
- Memorandum of Understanding with the State System of Higher Education - SERS calculation of state service purchase costs by those enrolled in the TIAA-CREF retirement program (dated July 1, 1995)
- Memorandum of Understanding with the State System of Higher Education - SERS calculation of military and out-of-state service purchase costs by those enrolled in the TIAA-CREF retirement program (dated July 1, 1995)
- Memorandum of Understanding with the Pennsylvania Housing Finance Agency and the Pennsylvania Public School Employes' Retirement System - Payment of fees for services to the certified public accounting firm of Kuntz, Leshner, Siegrist & Martini (dated February 1993)

For additional information on the listed items, contact SERS Information Officer Geoffrey S. Yuda at (717) 787-9657.

#### 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 Low-Cost Glulam Timber Bridge Design (Pub. 6)
- Design Manual Part 1 (Pub.10)
- Design Manual Part 2 (Pub. 13)
- Design Manual Part 2, Metric (Pub. 13M)
- Design Manual Part 3 (Pub. 14)
- esign Manual Part 3, Metric (Pub. 14M)
- Design Manual Part 4 (Pub. 15)
- Pile Load Test Summaries (Pub. 15A)
- Design Manual Part 4, Metric (Pub. 15M)

- Design Manual Part 5 (Pub. 16)
- Design Manual Part 5, Metric (Pub. 16M)
- Design of Local Roads (Pub. 70)
- Roadway Construction Standards (Pub. 72)
- Roadway Construction Standards, Metric (Pub. 72M)
- 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. 408M-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)

#### **Bureau of Construction & Materials**

- Geotechnical Engineering Manual (Pub. 293, 1/97)

#### **Bureau of Highway Safety & Traffic Engineering**

- School Student Walking Routes (Pub. 46, Chapter 9, 2/96)
- 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. 236M, 5/92)
- Sign Blank Specifications (Pub. 306M, 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 Motor Vehicles**

- PA License Plates (A Guide)

##### **Driver/Vehicle Program Services**

- Safety Administration Forms Manual

##### **Bureau of Equal Opportunity**

- Harassment/Sexual Harassment Manual
- Minority and Female Resource Directory

- OJT Construction Training 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

#### **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, 2/97)
- 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
- Public Involvement Program for Transportation Planning and 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
- Title VI Plan

#### **INTERNAL GUIDELINES:**

#### **Bureau of Motor Vehicles**

- Vehicle Registration Process Training Module

#### **Bureau of Driver Licensing**

- Driver License Process Training Module
- Guidelines to Determine Medical Competency for Drivers

**Bureau of Office Services**

- Model Stockpile Guidelines
- Procurement Manual
- RFP/Contracting Procedures Manual (Pub. 300)

**Bureau of Design**

- Administration of Consultant Agreements (Pub. 93)
- Appraisal Guide (Pub. 94M)

**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)
- Drainage Condition Survey Field Manual (Pub. 73)
- Pavement Policy Manual (Pub. 242)

**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)
- Subsurface Boring, Sampling and Testing Contract (Pub. 222)
- Slope Stability Program, PASTABL (Metricated) (Pub. 318, 9/96)
- Prequalification and Contractor Evaluation (MPS #405)
- Highway Contract Claims (MPS #406)

#### **Bureau of Highway Safety & Traffic Engineering**

- Bicycling Directory of Pennsylvania (Pub. 316)

#### **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**

- 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: (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. 97-1229. Filed for public inspection August 1, 1997, 9:00 a.m.]

## **INDEPENDENT REGULATORY REVIEW COMMISSION**

### **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>
10-151	Department of Health School Immunization	7/17/97
11-140	Insurance Department Pennsylvania FAIR Plan	7/23/97
11-142	Insurance Department Certificates of Insurance	7/23/97

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 97-1230. Filed for public inspection August 1, 1997, 9:00 a.m.]

## **INSURANCE DEPARTMENT**

Ronald V. Migliorino; Doc. No. SC97-04-012

A hearing is scheduled for September 4, 1997, at 11 a.m. in the Administrative Hearing Office at 901 North Seventh Street, Suite 200, Harrisburg, PA 17102.

Prehearing Conference is scheduled for July 21, 1997, at 2 p.m. in the Administrative Hearing Office at 901 North Seventh Street, Suite 200, Harrisburg, PA 17102.

Motions preliminary to those at hearing, protest petitions to intervene, or notices of intervention, if any, must be filed with the Docket Clerk on or before July 21, 1997.

The Docket Clerk shall file cause notice of the scheduled hearing and the due date for preliminary filings to be published in the *Pennsylvania Bulletin*.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1231. Filed for public inspection August 1, 1997, 9:00 a.m.]



**Brian L. Shegon; Doc. No. SC97-05-026; Hearing**

A hearing is scheduled for August 28, 1997, at 11 a.m. in the Administrative Hearing Office at 901 North Seventh Street, Suite 200, Harrisburg, PA 17102.

A Prehearing Teleconference Conference initiated by the hearing officer is scheduled for August 15, 1997, at 11 a.m. The participants/parties shall provide the telephone numbers where they will be participating during the telephone conference to the Hearing Office 1 week before the telephone conference.

Motions preliminary to those at hearing, protest petitions to intervene, or notices of intervention, if any, must be filed with the Docket Clerk on or before August 15, 1997.

The Docket Clerk shall file cause notice of the scheduled hearing and the due date for preliminary filings to be published in the *Pennsylvania Bulletin*.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid service or other accommodation to participate in the hearing should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1232. Filed for public inspection August 1, 1997, 9:00 a.m.]

**Robert A. Suzuki; Doc. No. SC97-05-040; Hearing**

A hearing is scheduled for September 9, 1997 at 10 a.m. in the Administrative Hearing Office at 901 North Seventh Street, Suite 200, Harrisburg, PA 17102.

Prehearing Conference is scheduled for August 26, 1997 at 10 a.m. in the Administrative Hearing Office at 901 North Seventh Street, Suite 200, Harrisburg, PA 17102.

Motions preliminary to those at hearing, protest petitions to intervene, or notices of intervention, if any, must be filed with the Docket Clerk on or before August 26, 1997.

The Docket Clerk shall file cause notice of the scheduled hearing and the due date for preliminary filings to be published in the *Pennsylvania Bulletin*.

Persons with a disability who wish to attend the above-referenced administrative hearing and require an auxiliary aid service or other accommodation to participate in the hearing, please contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

GREGORY S. MARTINO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 97-1233. Filed for public inspection August 1, 1997, 9:00 a.m.]

**LIQUOR CONTROL BOARD****Expiration of Leases**

The following Liquor Control Board leases will expire:

Bradford County, Wine & Spirits Shoppe # 0801, 150 Desmond Street, Sayre, PA 18840-2002.

*Lease Expiration Date:* May 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 useable square feet of new or existing retail commercial space within the following communities: Sayre Borough, South Waverly Borough, Athens Borough and Athens Township.

*Proposals due:* August 22, 1997 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

Dauphin County, Wine and Spirits Shoppe # 2203, 1248 Market Street, Harrisburg, PA 17103-2226

*Lease Expiration Date:* June 30, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,000 to 2,600 net useable square feet of new or existing retail commercial space within the eastern section of Harrisburg City between Herr Street to the north, I-83 to the south, Cameron Street to the west, and 17th Street to the east.

*Proposals due:* August 22, 1997 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

Fulton County, Wine & Spirits Shoppe # 2901, 106 Lincoln Way West, McConnellsburg, PA 17233-1303

*Lease Expiration Date:* July 31, 1998

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,250 net useable square feet of new or existing retail commercial space within the vicinity of McConnellsburg Borough.

*Proposals due:* August 22, 1997 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

Monroe County, Wine & Spirits Shoppe # 4509, Fountain Court, Route 611, Tannersville, PA 18372-0355

*Lease Expiration Date:* 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 within Pocono Township.

*Proposals due:* August 22, 1997 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Charles D. Mooney, (717) 657-4228

Northumberland County, Wine and Spirits Shoppe # 4903, 602 Market Street, Sunbury, PA 17801-2340.

*Lease Expiration Date:* August 31, 1998.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 2,800 to 3,200 net useable square feet of new or existing retail commercial space within the City of Sunbury.

*Proposals due:* September 5, 1997 at 12 noon.

**Department:** Pennsylvania Liquor Control Board  
**Location:** Bureau of Real Estate, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661  
**Contact:** Ronald Hancher, (717) 657-4228

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 97-1234. Filed for public inspection August 1, 1997, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept sealed proposals for Project No. 9708.6—Fire Protection Repairs at Tioga Marine Terminal—Shed No. 1, No. 2 and No. 3 until 2 p.m. on Thursday, August 21, 1997. The bid documents can be obtained from the Procurement Administrator, PRPA, 210 West Washington Square, Philadelphia, PA 19106, 13th Floor, (215) 928-9100 and will be available August 5, 1997. The cost of the bid document is \$35 (includes 7% PA sales tax). The cost is nonrefundable. PRPA is an equal opportunity employer. Contractor will be required to comply with all applicable equal employment opportunity laws and regulations. Mandatory prebid job site meeting will be held Thursday, August 14, 1997, 10 a.m. at the job site, Delaware Avenue and Tioga Street, Philadelphia, PA 19134 (Entrance by Tioga gate).

JAMES T. MCDERMOTT,  
*Executive Director*

[Pa.B. Doc. No. 97-1235. Filed for public inspection August 1, 1997, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). 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 25, 1997 as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protests 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-00114129. Rostraver/West Newton Emergency Service** (100 Pleasant Valley Boulevard, Belle Vernon, Westmoreland County, PA 15012)—persons in paratransit service: (1) who are nonambulatory, in wheelchairs, in vehicles equipped with wheelchair lifts and persons in vehicles equipped to handle stretchers, between points in the townships of Rostraver, South Huntingdon, and the boroughs of Smithton, Sutersville, and West Newton, all located in the county of Westmoreland, and from points in said area, to points in Pennsylvania, and vice versa; and (2) between points in the townships of Rostraver, South Huntingdon and the boroughs of Smithton, Sutersville and West Newton, all located in the county of Westmoreland, and from points in said boroughs and townships, to points in Pennsylvania, and vice versa. *Attorney:* Patsy Iezio, 15 North Main Street, Greensburg, PA 15601.

**A-00114131. Washington Township/Fayette City Community Ambulance Service** (1392 Fayette Avenue, Belle Vernon, Fayette County, PA 15012), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service who are handicapped or in vehicles equipped to handle stretchers, between points in the boroughs of Belle Vernon, Fayette City and Perryopolis, and the townships of Washington, Jefferson and Perry, all located in Fayette County, the borough of North Belle Vernon and the township of Rostraver, both located in Westmoreland County, and the boroughs of Dunlevy, Allenport, Stockdale, Roscoe, Elco, Long Branch and California, all located in Washington County, and from points in said territory, to points in the counties of Fayette, Washington, Westmoreland and Allegheny, and vice versa.

**A-00114134. Troy Community Hospital, Inc.** (100 John Street, Troy, Bradford County, PA 16947), a corporation of the Commonwealth of Pennsylvania—persons, in paratransit service, who are disabled or require assistance to ambulate, between points in the counties of Bradford, Tioga, Sullivan, and Lycoming, and from points in said counties, to points in Pennsylvania, and vice versa. *Attorney:* Evan Williams, 111 West Main Street, Troy, PA 16947.

**Applications of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under each application.**

**A-00111898, Folder 2. Touch of Class Limo, Inc.** (377 Main Street, Kingston, Luzerne County, PA 18704), a corporation of the Commonwealth of Pennsylvania—additional right—persons in group and party service, between points in the counties of Luzerne, Lackawanna, Pike, Wayne, Susquehanna, Monroe, Wyoming, Carbon and Columbia, and from points in said counties, to points in Pennsylvania, and return; subject to the condition that the authority herein is limited to the transportation of not more than 15 persons including the driver, on any one trip. *Attorney:* John E. Fullerton, 212 Locust Court, Suite 500, Harrisburg, PA 17101.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.**

**A-00074567, Folder 3, Am-D. Trans-Bridge Lines, Inc.** (2012 Industrial Drive, Bethlehem, Lehigh County, PA 18017), a corporation of the State of New Jersey—(1) persons in groups and parties from the boroughs of Mauch Chunk and East Mauch Chunk, Carbon County, to various points and places in Pennsylvania; subject to the following condition: That the rights, powers and privileges hereby granted are limited and restricted to the transportation of groups and parties of persons, to special excursions, and to tours or sight-seeing trips, all of which transportation originates at or in the boroughs of Mauch Chunk and East Mauch Chunk, Carbon County. (Note: The boroughs of Mauch Chunk and East Mauch Chunk were consolidated as the borough of Jim Thorpe in 1954); (2) groups and parties of persons and persons on special excursions and tours or sight-seeing trips from points in the townships of Penn Forest and Kidder, Carbon County, to points in Pennsylvania and return; (3) groups and parties of persons from the borough of Walnutport and the township of Lehigh, Northampton County to points in Pennsylvania; (4) groups and parties of persons from the townships of Washington, Heidelberg, Lynn and Weisenberg, Lehigh County, to points in Pennsylvania; (5) groups and parties of persons and persons on special excursions and tours or sight-seeing trips from the boroughs of Palmerton, Bowmanstown and Parryville, Carbon County, to points in Pennsylvania; (6) groups and parties of persons and persons on special excursions and tours or sight-seeing trips from points in the county of Carbon and the borough of Sladington, Lehigh County, to points in Pennsylvania; subject to the following condition: That no right, power or privilege is granted to render service from points in the boroughs of Jim Thorpe, Nesquehoning, Weatherly and Beaver Meadows and the villages of Junedale, Coxeville, Hudsondale, Audenreid and Tresckow, all in the county of Carbon; (7) groups and parties of persons and persons on special excursions and tours or sight-seeing trips, between points in the borough of Nesquehoning, Carbon County, and from points in said borough, to points in Pennsylvania; and (8) in group and party service, from points in the counties of Lehigh, Monroe and Northampton, to points in Pennsylvania, and return; subject to the following condition: Provided that no right, power or privilege is granted to transport persons in trackless trolley-type vehicles with a seating capacity of not less than 20 or more than 39, excluding the driver; which is to be a transfer of all of the rights authorized under the certificate issued at A-00023824, F. 5 to Jim Thorpe Transportation Company, subject to the same limitations and conditions. *Attorney:* David H. Radcliff, 3905 North Front Street, Harrisburg, PA 17110.

**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 18, 1997.

- A-00114132 Material Delivery Service, Inc.  
248 East County Line Road, Hatboro,  
PA 19040: George P. O'Connell, Barbin,  
Lauffer & O'Connell, 608 Huntingdon  
Pike, Rockledge, PA 19046-4490
- A-00144135 Destiny Transportation, Inc.  
P. O. Box 32116, Chicago, IL 60632
- A-00114136 Robert C. Kloss  
106 Carleton Road, Wallingford, PA  
19086

JAMES J. MCNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1236. Filed for public inspection August 1, 1997, 9:00 a.m.]

**Water Service  
Without Hearing**

**A-212285 F0040. Pennsylvania-American Water Company and County of Lackawanna.** Joint application of Pennsylvania-American Water Company and the County of Lackawanna whereby the County will transfer its facility and assets known as Lackawanna County Water System at Montage, to Pennsylvania-American Water 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 18, 1997, under 52 Pa. Code (relating to public utilities).

*Applicant:* Pennsylvania-American Water Company

*Through and By Counsel:* Susan D. Simms, Associate Corporate Counsel, 800 West Hershey Park Drive, P. O. Box 888, Hershey, PA 17033-0888.

JAMES J. MCNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 97-1237. Filed for public inspection August 1, 1997, 9:00 a.m.]

**STATE BOARD OF  
PHARMACY**

[49 PA. CODE CH. 27]

**Approval of Plans; Pharmacy Alterations; Advance Notice of Final Rulemaking**

The State Board of Pharmacy (Board) hereby announces its intention to revise its regulations at § 27.16(a)(2) (relating to construction requirements).

On March 18, 1997, the Board entertained public commentary on its standards set forth at § 27.16(a)(2). After deliberations, the Board on that date voted to revise those standards. Section 27.16(a)(2) requires the pharmacy to stop operations during construction unless the Board approves planned precautions to protect the health and safety during construction. Subsection (2)(ii) requires that the plans to do so be submitted 90 days in advance of construction. The Board determined that 30 days'

advance notice was an adequate timeframe to permit the Board to review and issue its determination of the planned precautions.

The Board has reviewed this provision in accordance with the Governor's Executive Order 1996-1 with an eye toward eliminating overly burdensome regulation without compromising quality pharmacy practice in protection of the public health and safety. The Board has determined that a 30-day advance filing of pharmacy alteration plans is more cost-effective than the extended 90-day requirement, and will better accommodate current business needs. On April 18, 1997, pharmacy organizations and representatives were advised of the Board's intent to revise the regulation. The Board also notified its inspectors of its determination not to enforce the 90-day requirement, so long as planned alterations of existing pharmacies are submitted at least 30 days in advance of the start of construction. The Board will not find a pharmacy in violation of its regulation at 49 Pa. Code § 27.16(a)(2)(ii) if it has filed the plans within 30 days prior to the beginning of alteration work.

The Board will codify this revision by promulgating an Order of Final Rulemaking with Notice of Proposed Rulemaking Omitted. A copy of the draft regulation is available from the State Board of Pharmacy at (717) 783-7157.

PAULA L. CASTOR, R. PH.,  
*Chairperson*

[Pa.B. Doc. No. 97-1238. Filed for public inspection August 1, 1997, 9:00 a.m.]

## TURNPIKE COMMISSION

### Request for Proposals

Sealed Proposals will be received by Jeffrey L. Hess, Purchasing Manager, 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. 94-001-FT01-C—Construction of Mon/Fayette Expressway, S. R. 0043, Section 50B in Fayette County, PA.

Bid Opening Date—September 4, 1997, 11 a.m.

Bid Surety—5%

Plans, Cross Sections, Subsurface Profile and Contract Documents will be available and open to public inspection at the Administration Building. Copies may be purchased upon payment of P. O. Money Order (No Cash) to the Turnpike Commission, Attention: Secretary-Treasurer's Office, P. O. Box 67676, Harrisburg, PA 17106-7676. (Do not add State tax). No refund for any reason will be made for plans, specifications and contract documents. Construction Plans including roadway, structures and subsurface profiles—\$90.00; Cross Sections—\$125.00; Specifications and Contract Bid Documents—\$25.00; Total Package—\$240.00.

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 meeting for the project will be held on August 14, 1997, beginning at 10 a.m., at the Summit Inn, Route 40 East, Farmington, PA (412) 438-8594.

Contact the Purchasing Manager for listing of other locations where plans and specs can be inspected.

JAMES F. MALONE III,  
*Chairperson*

[Pa.B. Doc. No. 97-1239. Filed for public inspection August 1, 1997, 9:00 a.m.]

### Retention of Engineering Firms

#### Bucks County Reference No. 4-047

The Turnpike Commission (Commission) will retain an engineering firm to perform preliminary and final design for the deck replacement of the deck truss spans on the Pennsylvania side of the Delaware River Bridge (seven spans totaling approximately 1,724 feet in length). The Delaware River Bridge connects the New Jersey Turnpike and the Pennsylvania Turnpike.

The engineering services required will include the following tasks: review of an existing redecking study and in-depth bridge inspection report, development of preliminary traffic control and structure plans, utility investigation and coordination, preparation of final traffic control and structure plans, and preparation of all necessary contract documents in order for the Commission to proceed with advertisement and construction. In addition, coordination will be necessary with the United States Fish and Wildlife Service, Game Commission and other associated agencies. This coordination is necessary to provide the proper protection during construction for any Peregrine Falcons that may nest on the Delaware River Bridge.

Direct inquiries to Brian M. Ranck, P.E., at (717) 939-9551, ext. 3630.

#### General Requirements and Information

Firms interested in performing the above services are invited to submit expanded letters of interest to Barry L. Troup, P.E., Assistant Chief Engineer for Design, Turnpike Commission 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 expanded 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 expanded letter of interest. Explanation that the firm has successfully completed similar type projects of the same magnitude is required. If the firm has multiple offices, the location of the office performing the work must be identified.

Firms with out-of-State headquarters or corporation not incorporated in this Commonwealth must include with each expanded letter of interest a copy of its registration to do business in this Commonwealth as provided by the Department of State.

The Commission currently limits its participation in the remuneration of principals or consultant employees per-

forming 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% or the consultant's actual audited overhead rate, whichever is less.

The following factors should be identified by the Consultant in their submission:

(A) Specialized experience and technical competence of firm. The firm must clearly demonstrate its capabilities of completing this project by identifying similar projects that have been completed, the magnitude of the project and the client.

(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) Expanded letters of interest must include an indication of the prime consultant's and subconsultant's current workload for all Department of Transportation and Commission projects.

(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 expanded letter of interest will require written approval from the Commission.

(F) Special requirements of the project.

(G) An organization chart for the Project, identifying

key personnel. Only resumes of key personnel should be included.

(H) Other factors, if any, specific to the project.

Each firm should demonstrate in its expanded letter of interest its ability to perform the specific requirements indicated for this project by including a maximum three page report on this Project.

The expanded letter of interest and required forms must be received by 12 p.m., Friday, August 15, 1997. Any letters of interest received after this date and time will be time-stamped and returned.

Based on an evaluation of acceptable expanded letters of interest received in response to this solicitation, one firm will be selected for this Project. The order of preference will be established for the purpose of negotiating an agreement with the highest ranked firm established by the Technical Review Committee and approved by the Selection Committee. Technical Proposals or Requests for Proposals will not be requested prior to selection.

The Commission reserves the right to reject all expanded letters of interest, to cancel solicitation requested under this notice and/or to re-advertise solicitation for these services.

JAMES F. MALONE, III,  
*Chairperson*

[Pa.B. Doc. No. 97-1240. Filed for public inspection August 1, 1997, 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.
- ③ Contract Information
- ④ Department
- ⑤ Location
- ⑥ Duration
- ⑦ (For Commodities: Contact: Vendor Services Section 717-787-2199 or 717-787-4705)

**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

#### 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.

BARBARA HAFER,  
*State Treasurer*

**Online Subscriptions At <http://www.statecontracts.com> 1-800-334-1429 x340**

**Commodities**

**1138207** Clothing and individual equipment—245 each jacket, cruiser w/removable liner for PA State Police member, various sizes.

**Department:** State Police  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**8217240** Containers, packaging and packing supplies—20M sample bags 18" x 30'.

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**8160600** Hardware and abrasives—400 ton bulk sandblast abrasive, slag coal; medium grade, BB1240-Black Beauty.

**Department:** Transportation  
**Location:** Emporium, Cameron County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1101217** Heating oil—15,0000 gallon No. 4 heating oil, maximum sulfur content 2.8%.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital, Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**8504000** Maintenance and repair shop equipment—340 each shovel, DHSP D handle shovel, square point 27" fiberglass handle; 1,000 each shovel, LHRP long handle shovel, round point, 48" fiberglass handle.

**Department:** Transportation  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1143117** Metal bars, sheets and shapes—2,000 each angle iron must conform to ASTM A36 2" x 1 1/2" x 3/16" x 20 ft.

**Department:** Corrections  
**Location:** Correctional Industries, Pittsburgh, Allegheny County, PA

**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1094167** Paper and printing—40M PDE-4028, Student In Take/Data Form; 10M PDE-5015 Adult Basic Education Program staff.

**Department:** Education  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1096167** Paper and printing—22M PDE-2082 Claim Reimbursement (CACFD).

**Department:** Education  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1147207** Photographic equipment—16 each computerized polygraph sensor box pack-age, Lafayette Model No. LX-30 or Acuton computerized polygraph sensor box.

**Department:** State Police  
**Location:** Harrisburg, Dauphin County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1128217** Pumps—3,000 ft. cable, electric—4/0 5 kv cable to be shipped in 1000' reels, reel sizes.

**Department:** Public Welfare  
**Location:** Wernersville State Hospital, Wernersville, Berks County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**1148117** Textiles—5000 yards Sandel 60502-014 color white width 54", base cloth woven fiberglass fabric weight 4 1/2 oz./sq. yd.

**Department:** Corrections  
**Location:** Correctional Industries, Dallas, Luzerne County, PA  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**5850-01** Computers—The Commonwealth will be issuing a supplement bid to the existing Commonwealth Computer Hardware Contract No. 5850-01 within the next 2 months. Interested participants should contact the Bureau of Purchases, Vendor Services at (717) 787-2199 or Fax (717) 783-6241 for a copy of the bid.

**Department:** Various  
**Location:** Various  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

**5850-02** Computers—Parties interested in being added to the list of qualified vendors on the existing Commonwealth LAN Services Contract No. 5850-02 should contact the Bureau of Purchases, Vendors Services at (717) 787-2199 or Fax (717) 783-6241 on or after July 28th. Upon receipt of your request you will receive the necessary ITQ documents and instructions. Contractors may be added at any time during the contract period.

**Department:** Various  
**Location:** Various  
**Duration:** FY 97/98  
**Contact:** Vendor Services: Fax request to (717) 783-6241 or call (717) 787-2199

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# SERVICES

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## Audio/Video, Telecommunications—4

**97-520** Provide cellular telephone service including cellular telephones (six each) and equipment for the Carbon County Maintenance Office. Bid package requests will be accepted via FAX only. Send request to PennDOT, Attention: Linda Czarnecki, FAX (717) 424-3985. Bids to be opened 3 weeks from date of publication.

**Department:** Transportation  
**Location:** Carbon County, PA  
**Duration:** 12 months from effective date of contract  
**Contact:** Maintenance District 0520, (717) 424-3024

**97-541** Provide cellular telephone service including cellular telephones (ten each) and equipment for the Monroe County Maintenance Office. Bid package requests will be accepted via FAX only. Send request to PennDOT, Attention: Linda Czarnecki, FAX (717) 424-3985. Bids to be opened 3 weeks from date of publication.

**Department:** Transportation  
**Location:** Monroe County, PA  
**Duration:** 12 months from effective date of contract  
**Contact:** Maintenance District 0540, (717) 424-3024

## Computer Related Services—08

**A-5** The Pennsylvania Higher Education Assistance Agency (PHEAA) is seeking qualified vendors to provide a Client Server Financial Package with modules that incorporate the workflow for the entire financial process. Interested parties should contact the Purchasing Office (717) 720-2702 for details regarding how to proceed by no later than 12 noon, Wednesday, August 6, 1997.

**Department:** Education  
**Location:** PA Higher Education Assistance Agency, 1200 North Seventh Street, Harrisburg, PA 17102-1444  
**Duration:** Indeterminate 1997-98  
**Contact:** Donna Orris, (717) 720-2702

**ME 718231** The Pennsylvania Lottery desires to obtain a contractor to provide staff, equipment, telecommunications, hardware, software, supplies and related services necessary to operate and maintain a Statewide on-line wagering system.

**Department:** Revenue  
**Location:** Lottery, 2850 Turnpike Industrial Drive, Middletown, PA 17057  
**Duration:** 5 years—January 1, 1999 to December 31, 2004  
**Contact:** Dan Cook, (717) 986-4762

**RFP 98-02** Indiana University of Pennsylvania (IUP) is seeking proposals for a vendor to provide an integrated, comprehensive Administrative Information Software package to include alumni/development, financials, human resources and student information systems. All requests for RFP packages should be made in writing and directed to: Pamela K. Froelicher, Director of Purchasing, IUP, 650 South 13th Street, Indiana, PA 15705, FAX (412) 357-2670, E-Mail: PKFROE@GROVE.IUP.EDU. Packages will be available August 1, 1997. A preproposal conference will be held during the week of August 11, 1997. The RFP cover letter will include specific information on conference date and location and proposal due date. The University encourages responses from small firms, minority firms and women owned firms.

**Department:** State System of Higher Education  
**Location:** Indiana University of Pennsylvania  
**Duration:** 24 months  
**Contact:** Pamela K. Froelicher, (412) 357-3077

**WC 660** West Chester University will be issuing Request for Proposal WC 660 for Integrated Software including administrative, financial, development and student systems in a higher education environment. Full implementation of the financial and development packages will be required by April, 1999. The minimum requirements that must be met are: Uses relational database technology; Provides interfaces to PC based software packages; Supports or plans to support Microsoft Windows as a common user interface; Provides a report generator to allow end users the capability to define and retrieve hard copy or extract file data on an ad hoc basis; Provides system back-up and recovery systems; Ability to meet time critical implementation stages. It is anticipated that the RFP will be available on or about August 4, 1997.

**Department:** State System of Higher Education  
**Location:** West Chester University, West Chester, PA 19383  
**Duration:** Anticipated to be 5 years  
**Contact:** Jacki Marthinsen, Contracts Manager, (610) 436-2705

**25-1644382** Integrated Medical Malpractice Claims/Coverage Applications. The Medical Professional Liability Catastrophe Loss Fund is issuing and RFP for a turnkey medical malpractice insurance administration management system solution for processing and handling all claims and coverage data. The selected vendor must provide software, hardware, networking infrastructure and services to satisfy the requirements as outlined in the RFP. The services include, but are not limited to: database conversion; software customization; installation; system training; application training; and post-implementation support. Interested vendors must request a copy of the RFP in writing from Jean-Paul A. Rebillard, Executive Assistant to the Director, Medical Professional Liability Catastrophe Loss Fund, 10th Floor, Suite 1000, 30 North Third Street, P. O. Box 12030, Harrisburg, PA 17108. Questions are due, in writing, at the above address no later than 4 p.m. on August 13, 1997. A preproposal conference will be held at the above address at 9 a.m. on August 19, 1997. Proposals are due at the above address no later than 4 p.m. on September 5, 1997. This Notice supersedes the Notice published in the *Pennsylvania Bulletin*, Vol. 27, No. 29 on July 19, 1997.

**Department:** Medical Professional Liability Catastrophe Loss Fund  
**Location:** 30 North Third Street, 10th Floor, Ste. 1000, P. O. Box 12030, Harrisburg, PA 17108  
**Duration:** December 1, 1997 through December 31, 1998  
**Contact:** Jean-Paul A. Rebillard, (717) 783-3770, ext. 212

## Construction—09

**030004** Snyder County, State Route 4008, Section 01M.

**Department:** Transportation  
**Location:** District 3-0, 715 Jordan Avenue, Montoursville, PA 17754  
**Duration:** FY 1997/1998  
**Contact:** Paul W. Beaver, Contract Mgt. Sup., (717) 368-4263

**080986** Bedford County "Access Road"; Bucks County SR 2002 (52M).

**Department:** Transportation  
**Location:** Districts 6-0, 9-0  
**Duration:** FY 1997-98  
**Contact:** V. C. Shah, (717) 787-5914

**AE-5095** Hydropneumatic tank control and electrical modifications. FAX (717) 783-7971.

**Department:** Transportation  
**Location:** Safety Rest Area Site No. 39, Foster Township, I-80, Luzerne County, PA  
**Duration:** 90 calendar days—proposed bid September, 1997  
**Contact:** Tina Chubb, (717) 787-7001

**BM-0800-05** Underpin a bridge abutment footing by placement and filling of grout bags and intrusion grouting of the void under the footing.

**Department:** Transportation  
**Location:** SR 0234 Seg 0120 off 2343 over Conewago Creek in Menallen Township, Adams County; approximately 3 miles northwest of Arendtsville, PA  
**Duration:** September 1, 1997 to December 31, 1997  
**Contact:** Ray E. Ebersole, (717) 787-4735

**Contract No. FDC-003-308** Provide and place concrete underpinning and rock lining; excavation and grading; seeding and mulching. Work is located north of Big Spring State Park off Horse Valley Road.

**Department:** Conservation and Natural Resources  
**Location:** Toboyne Township, Perry County, PA  
**Duration:** 60 days  
**Contact:** Construction Management Section, (717) 787-5055

**Contract No. FDC-003-285** Provide and place approximately 20 c. y. of concrete underpinning, and approximately 240 tons of rock lining; seeding and mulching. Work site is located between Fowlers Hollow and Big Spring State Parks.

**Department:** Conservation and Natural Resources  
**Location:** Toboyne Township, Perry County, PA  
**Duration:** 60 days  
**Contact:** Construction Management Section, (717) 787-5055



**Engineering Services—14**

**Project No. 519** The PA Department of Military and Veterans Affairs invites interested consultants to submit a Statement of Qualifications to assist in the preparation of a master plan and environmental assessment for the joint use of Muir Army Airfield, located at Ft. Indiantown Gap, PA as a general aviation/military airport. The sponsor will be actively involved in the preparation of the master plan and environmental assessment. The selection process will be in accordance with FAA Advisory Circular (AC) 150/5100-14C, Planning Consultant Services for Airport Grant Projects. No information regarding costs or effort will be included in, nor asked of, the consultants response to the invitation. This is not a request for proposals (RFP). Letters of interest and statements of qualifications and experience (6 copies) will be received until 2 p.m., August 15, 1997. Submittals should present the consultant's qualifications and experience in a simple, concise and informative manner that will allow the selection committee to evaluate them according to the criteria. The participation of socially/economically restricted business (SERB), as determined by the Commonwealth of Pennsylvania's Minority and Women Business Enterprise Office, is strongly encouraged. Late or misdirected submittals will not be accepted and will be returned to sender unopened. A consultant selection committee will be convened by the PA DMVA and the firm's or individual's qualifications and experience will be scored and ranked for further consideration according to selection criteria and the evaluation system established by the committee. A copy of the general scope of work, selection criteria and evaluation system is available, upon written request, from the Project Officer, CW2 Richard Harding, P. E. (717) 861-8472, e-mail, staffpa6@voicenet.com. Submittals shall be mailed to: PA DMVA Attn: SAAO, Muir Airfield Master Plan, Building S-0-47, Fort Indiantown Gap, Annville, PA 17003-5002.

**Department:** Military and Veterans Affairs  
**Location:** Muir Army Airfield, Ft. Indiantown Gap, Lebanon County, PA  
**Duration:** September 1 97—September 1 98  
**Contact:** Emma Schroff, (717) 861-8518

**08430AG2093** A Statewide Open-End Contract to provide engineering services, engineering management services, development and implementation of familiarization sessions for highway structures, right-of-way, contract management, consultant liaison, engineering computing, project management, photogrammetry/surveying, CADD, usage of PC software, engineering application software, project management and other related work.

**Department:** Transportation  
**Location:** Statewide  
**Duration:** 60 months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**08430AG2094** To provide supplementary construction inspection and documentation services for Highway Occupancy Permit Projects, guide rail repair, roadside development contracts and other general maintenance contracts in Bucks County.

**Department:** Transportation  
**Location:** Engineering District 6-0  
**Duration:** 24 months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**08430AG2095** To provide supplementary construction inspection and documentation services for Highway Occupancy Permit Projects, guide rail repair, roadside development contracts and other general maintenance contracts in Chester County.

**Department:** Transportation  
**Location:** Engineering District 6-0  
**Duration:** 24 months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**08430AG2096** To provide supplementary construction inspection and documentation services for Highway Occupancy Permit Projects, guide rail repair, roadside development contracts and general maintenance contracts in Delaware County.

**Department:** Transportation  
**Location:** Engineering District 6-0  
**Duration:** 24 months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**08430AG2097** To provide supplementary construction inspection and documentation services for Highway Occupancy Permit Projects, guide rail repair, roadside development contracts and general maintenance contracts in Philadelphia County.

**Department:** Transportation  
**Location:** Engineering District 6-0  
**Duration:** 24 months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**08430AG2098** To provide supplementary construction inspection and documentation services for Roadside Development Contracts in Engineering District 6-0, that is, Bucks, Chester, Delaware, Montgomery and Philadelphia Counties.

**Department:** Transportation  
**Location:** Engineering District 6-0  
**Duration:** 24 months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**08430AG2099** To provide supplementary construction inspection and documentation services for Highway Occupancy Permit Projects, guide rail repair, roadside development contracts and general maintenance contracts in Montgomery County.

**Department:** Transportation  
**Location:** Engineering District 6-0  
**Duration:** 24 months  
**Contact:** Consultant Agreement Division, (717) 783-9309

**Food—19**

**1453** Ice cream sandwiches, ice cream bars, ice cream party slices, popsicles and like items. Bid specifications available from Using Agency.

**Department:** Corrections  
**Location:** State Correctional Institution at Rockview, Box A, Bellefonte, PA 16823  
**Duration:** July 28, 1997 to June 30, 1998  
**Contact:** Francis M. Dougherty, Business Manager, (814) 355-4874

**No. 8283** Meat: commodities and quantities available from Purchasing Office, Ebensburg Center, Route 22 West, P. O. Box 600, Ebensburg, PA 15931. To be delivered in a refrigerated vehicle between 8 a.m. and 3 p.m.

**Department:** Public Welfare  
**Location:** Ebensburg Center, Dietary Building, Route 22 West, P. O. Box 600, Ebensburg, Cambria County, PA 15931  
**Duration:** For Period: October 1997  
**Contact:** Marilyn Cartwright, Purchasing Agent, (814) 472-0259

**No. 8289** Miscellaneous frozen foods: commodities and quantities available from Purchasing Office, Ebensburg Center, Route 22 West, P. O. Box 600, Ebensburg, PA 15931. To be delivered in a refrigerated vehicle between 8 a.m. and 3 p.m.

**Department:** Public Welfare  
**Location:** Ebensburg Center, Dietary Building, Route 22 West, P. O. Box 600, Ebensburg, Cambria County, PA 15931  
**Duration:** For Period: October, November and December, 1997  
**Contact:** Marilyn Cartwright, Purchasing Agent, (814) 472-0259

**FS 001** Beans, dry: PA Spec. B-72, Eff. 3/77, and Amend. No. 1 Eff. 6/79. 100 lb. bags net weight including, but not limited to, lima, Type A, Extra No. 1, Type C, choice handpicked, red kidney, Type E, US No. 1. This would be on an infrequent basis as these items presently fall under State Contract No. 8920-06. The period of time would be August 1, 1997 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FS 002** Prepared foods: pastas including, but not limited to, rellenos de papas and alcapurrias. This would be on an infrequent basis as these items presently fall under State Contract No. 8920-06. The period of time would be August 1, 1997 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FS 003** Vega-Jel desserts: all vegetable products. This would be on an infrequent basis as these items presently fall under State Contract No. 8920-06. The period of time would be August 1, 1997 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FS 004** Processed meats: including, but not limited to, turkey ham, turkey bologna, turkey salad, beef, Lebanon bologna, bacon, turkey franks, veal patties and pullman hams for the period of August 1, 1997 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FS 005** Fish and seafood: haddock and cod, breaded and unbreaded, minced clams, and other seafood as required by this institution for the period August 1, 1997 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FS 006** Bred and roll bases: including, but not limited to, half-n-half rye bread maker and flour conditioner, base; yeast, Bak-Krisp instant bread and roll base; half-n-half wheat bread base; and No. 20 dinner roll base. Items to be bid periodically. For the period of time August 1, 1997 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FS 007** Canned vegetables: This would be on an infrequent basis as these items are seasonally supplied by correctional industries. The period of time would be August 1, 1997 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FS 009** Produce: Fresh fruits and vegetables, ready-to-use vegetables. Items to be bid monthly or as needed for the period of August 1, 1997 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FS 010** Noodles and pasta: This would be on an infrequent basis as these items presently fall under State Contract No. 8920-06. The period of time would be August 1, 1997 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FS 012** Frozen items: Vegetables, bakery products, entrees, pizza, and the like for the period August 1, 1997 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FS 013** Eggs—shell, white, Grade A, medium, naturals, PA Spec. E-10, Eff. 05-01-74, 30 dozen per case. Item will be bid above or below top wholesale price as published in the Tuesday edition of the USDA Poultry Market News Egg Report for the week prior to the week delivery is made.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FS 014** Poultry and poultry products—chicken fryers, turkey roast, ground turkey, for the period August 1, 1997 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FS 015** Frozen eggs for the period August 1, 1997 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**FS 016** Ice cream for the period August 1, 1997 through June 30, 1998.

**Department:** Corrections  
**Location:** State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000  
**Duration:** August 1, 1997 through June 30, 1998  
**Contact:** Diane K. Davis, Purchasing Agent II, (814) 378-1000

**LBP-97-003** Frozen fruits, vegetables and miscellaneous frozen food items—quantities, specifications and delivery dates may be obtained from the Northeastern Veterans Center.

**Department:** Military Affairs  
**Location:** Northeastern Veterans Center, 401 Penn Avenue, Scranton, PA 18503-1213  
**Duration:** October 1, 1997 through December 31, 1997  
**Contact:** Joseph Libus, Purchasing Agent II, (717) 961-4318

**LBP-97-004** Meat and meat products—quantities, specifications and delivery dates may be obtained from the Northeastern Veterans Center.

**Department:** Military Affairs  
**Location:** Northeastern Veterans Center, 401 Penn Avenue, Scranton, PA 18503-1213  
**Duration:** October 1, 1997 through December 31, 1997  
**Contact:** Joseph Libus, Purchasing Agent II, (717) 961-4318

**X-2** Fresh produce—to be delivered 2 times weekly during contract period.

**Department:** Military Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** October 1, 1997 through December 31, 1997  
**Contact:** Theresa Barthel, Purchasing Agent, (610) 948-2493

**X-3** Bread and rolls—to be delivered 3 times weekly during contract period.

**Department:** Military Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** October 1, 1997 through December 31, 1997  
**Contact:** Theresa Barthel, Purchasing Agent, (610) 948-2493

**X-5** Meat—to be delivered weekly during contract period.

**Department:** Military Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** October 1, 1997 through December 31, 1997  
**Contact:** Theresa Barthel, Purchasing Agent, (610) 948-2493

**X-6** Poultry—to be delivered weekly during contract period.

**Department:** Military Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** October 1, 1997 through December 31, 1997  
**Contact:** Theresa Barthel, Purchasing Agent, (610) 948-2493

**X-7** Frozen foods—to be delivered weekly during contract period.

**Department:** Military Affairs  
**Location:** Southeastern PA Veterans Center, Spring City, Chester County, PA 19475  
**Duration:** October 1, 1997 through December 31, 1997  
**Contact:** Theresa Barthel, Purchasing Agent, (610) 948-2493

## Fuel Related Services—20

**Contract No. FDC-019-309** Removal and disposal of existing underground fuel systems at two sites: (1) 1,000 gallon gas tank at Hunters Range, Porter Township, Pike County and (2) 4,000 gallon gas tanks at Little Summit Fire Station, Tobyhanna Township, Monroe County. Work includes all excavation and backfill, erosion and sedimentation control measures; bituminous paving; contaminated soil disposal and sampling/analysis.

**Department:** Conservation and Natural Resources  
**Location:** Porter Township, Pike County and Tobyhanna Township, Monroe County  
**Duration:** 75 days  
**Contact:** Construction Management Section, (717) 787-5055

## Hazardous Material—21

**FM-1** Furnish all labor, materials, equipment/technology to conduct a site groundwater characterization to define the areal extent of groundwater contamination from an underground fuel oil storage tank at the Pennsylvania State Police, Trevoese Station, 3970 New Street, Bensalem, PA 19020. All vendors must be certified per Pennsylvania Department of Environmental Protection regulations. Detailed work schedule and bid must be obtained from the Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Trevoese Station, 3970 New Street, Bensalem, PA 19020  
**Duration:** September 1, 1997 to June 30, 1998  
**Contact:** Richard Pryor, Facility Management Division, (717) 783-5484

## HVAC—22

**Project No. 506** Provide total HVAC service as required by contract. Includes replacement as necessary of components. Buildings 19-108, 19-109, 19-116 and 19-117.

**Department:** Military and Veterans Affairs  
**Location:** Ft. Indiantown Gap, Annville, Lebanon County, PA  
**Duration:** October 1, 1997—September 30, 2000  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 507** Provide necessary maintenance and servicing of HVAC in Building 0-47. Involved is a 160 ton air conditioner, two hot water boilers and controls.

**Department:** Military and Veterans Affairs  
**Location:** Ft. Indiantown Gap, Building 0-47, Annville, Lebanon County, PA  
**Duration:** October 1, 1997—September 30, 2000  
**Contact:** Emma Schroff, (717) 861-8518

**Project No. 812** Furnace replacement.

**Department:** Military and Veterans Affairs  
**Location:** Ft. Mifflin, Building No. 55, Philadelphia, Philadelphia County, PA  
**Duration:** October 1, 1997—September 30, 1998  
**Contact:** Emma Schroff, (717) 861-8518

## Medical Services—29

**5153** Contractor to provide psychiatric services to a mental health facility. Service provider shall have full and unrestricted license to practice medicine and/or psychiatry in the Commonwealth of Pennsylvania. Proof of certification or eligibility for board certification in psychiatry, background/psychiatric experience, and the like, must be provided to the requesting hospital. Contractor/physician shall provide approximately 20 hours to 35 hours per week; minimum service to be provided of 20 hours.

**Department:** Public Welfare  
**Location:** Torrance State Hospital, State Route 1014, Torrance, PA 15779-0111  
**Duration:** January 1, 1998—December 31, 2002  
**Contact:** Linda J. Zoskey, (412) 459-4547

**ME No. 73911258** Contractor to provide nursing coverage, with current licensed, registered nurses; Monday through Friday, 7:15 a.m. through 11 p.m. (two shifts), and on-call coverage between the hours of 11 p.m. through 7:15 a.m. Services will be provided on a school year basis, September through June.

**Department:** Education  
**Location:** Scranton State School for the Deaf, 1800 North Washington Avenue, Scranton, PA 18509  
**Duration:** September 1, 1997 through June 30, 1998  
**Contact:** William M. O'Neill, (717) 963-4420

## Property Maintenance—33

**7200-0206** Provide snow and ice removal for the Bortondale Driver Exam Site as needed, including driveways, parking areas and driver's course. Detailed work schedule and bid package can be obtained from Facility Management at (717) 783-8482 or FAX request to (717) 772-3254. Actual Bid Package cannot be Faxed.

**Department:** Transportation  
**Location:** Bureau of Driver Licensing, Bortondale Driver Exam Site, 440 South Old Middletown Road, Bortondale, PA 19063  
**Duration:** November 1, 1997 to October 31, 2000—two 1 year options; Bid Opening: August 26, 1997 at 2 p.m.  
**Contact:** Janett Johnson, (717) 783-8482

**7200-0207** Provide snow and ice removal for the Lewistown Driver Exam Site as needed, including driveways, parking areas and driver's course. Detailed work schedule and bid package can be obtained from Facility Management at (717) 783-8482 or FAX request to (717) 772-3254. Actual Bid Package cannot be Faxed.

**Department:** Transportation  
**Location:** Bureau of Driver Licensing, Lewistown Driver Exam Site, 299 Ferguson Valley Road, Lewistown, PA 17069  
**Duration:** November 1, 1997 to April 30, 1998; Bid Opening: August 26, 1997 at 2 p.m.  
**Contact:** Janett Johnson, (717) 783-8482

**7200-0208** Provide lawn and grounds maintenance, as well as snow and ice removal for the New Castle Driver Exam Site as needed. Snow removal to include driveways, parking areas and driver's course. Lawn maintenance will include 3-4 cuttings per month during growing season. Detailed work schedule and bid package can be obtained from Facility Management at (717) 783-8482 or FAX request to (717) 772-3254. Actual Bid Package cannot be Faxed.

**Department:** Transportation  
**Location:** Bureau of Driver Licensing, New Castle Driver Exam Site, R. D. 2, Box 290, (Old Route 422), New Castle, PA 16101  
**Duration:** November 1, 1997 to October 31, 2000—two 1 year options; Bid Opening: August 26, 1997 at 2 p.m.  
**Contact:** Janett Johnson, (717) 783-8482

**AE-4019** Window replacement—this is a rebid. FAX (717) 783-7971.

**Department:** Transportation  
**Location:** PennDOT Maintenance Building, Maintenance District 11-1, Oakdale, Allegheny County, PA  
**Duration:** 120 calendar days—proposed bid—September 1997  
**Contact:** Tina Chubb, (717) 787-7001

**AE-5059** Replacement and/or repair existing perimeter fence. FAX (717) 783-7971.

**Department:** Transportation  
**Location:** Meadville Maintenance Building, Meadville, Vernon Township, Crawford County, PA  
**Duration:** 90 calendar days—proposed bid—September 1997  
**Contact:** Tina Chubb, (717) 787-7001

**AE-5080** Door replacement, concrete pad replacement and window caulking. FAX (717) 783-7971.

**Department:** Transportation  
**Location:** Somerset Driver and Photo License Center, Somerset, Somerset County, PA  
**Duration:** 120 calendar days—proposed bid—September 1997  
**Contact:** Tina Chubb, (717) 787-7001

**AE-5101** Water supply system piping and control modifications. FAX (717) 783-7971.

**Department:** Transportation  
**Location:** Safety Rest Area Site No. 55, I-80, Greenfield Township, Lackawanna County, PA  
**Duration:** 120 calendar days—proposed bid—September 1997  
**Contact:** Tina Chubb, (717) 787-7001

**AE-5111** Roof replacement. FAX (717) 783-7971.

**Department:** Transportation  
**Location:** Roadside Rest 25 and 26, Washington Township, Jefferson County, PA  
**Duration:** 120 calendar days—proposed bid—September 1997  
**Contact:** Tina Chubb, (717) 787-7001

**FM-2** Furnish all labor, materials and equipment to remove snow, salting and cinderling from driveways, sidewalks and parking area at the Ebensburg Station, 656 Industrial Park Drive, Ebensburg, PA 15931. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Ebensburg Station, 656 Industrial Park Drive, Ebensburg, PA 15931  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-3** Furnish all labor, materials and equipment to remove snow, salting and cindering from driveways, sidewalks and parking area at the Somerset Station and Exam Point, 5603 Glades Pike, Somerset, PA 15501. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Somerset Station and Exam Facility, 5603 Glades Pike, Somerset, PA 15501  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-4** Furnish all labor, materials and equipment for removal of snow, salting and cindering from driveways and parking area at the Kiski Valley Station, 471, Route 66, Apollo, PA 15613. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Kiski Valley Station, 471, Route 66, Apollo, PA 15613  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-5** Furnish all labor, materials and equipment for removal of snow, salting and cindering from sidewalks, driveway and parking area at the Ridgway Station, HCR 1, Box 106, Ridgway, PA 15853. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Ridgway Station, HCR 1, Box 106, Ridgway, PA 15853  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-6** Furnish all labor, materials and equipment for removal of snow, salting and cindering from sidewalks, driveway and parking area at the Clearfield Station, R. D. 1, Box 314, Woodland, PA 16881. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Clearfield Station, R. D. 1, Box 314, Woodland, PA 16881  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-7** Furnish all labor, materials and equipment for removal of snow, salting and cindering from driveways and parking area at the Dubois Station, 101 Preston Way, Falls Creek, PA 15840. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Dubois Station, 101 Preston Way, Falls Creek, PA 15840  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-8** Furnish all labor, materials and equipment for removal of snow, salting and cindering from driveway and parking area at the Mercer Station, 826 Franklin Road, Mercer, PA 16137. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Mercer Station, 826 Franklin Road, Mercer, PA 16137  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-9** Furnish all labor, materials and equipment for removal of snow, salting and cindering from sidewalks, driveway and parking area at the Beaver Station, 1400 Brighton Road, Beaver, PA 15009. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Beaver Station, 1400 Brighton Road, Beaver, PA 15009  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-10** Furnish all labor, materials and equipment to remove snow, salting and cindering from driveway and parking areas at the PA State Police, Corry Station, 13675 Roosevelt Highway, Corry, PA 16407. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Corry Station, 13675 Roosevelt Highway, Corry, PA 16407  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-11** Furnish all labor, materials and equipment for removal of snow, salting and cindering from sidewalks, driveway and parking areas at the Girard Station, 5950 Meadville Road, Girard, PA 16417. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Girard Station, 5950 Meadville Road, Girard, PA 16417  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-12** Furnish all labor, materials and equipment for removal of snow, salting and cindering from driveway and parking area at the Erie Crime Laboratory, 4310 Iroquois Avenue, Erie, PA 16511. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Erie Crime Laboratory, 4310 Iroquois Avenue, Erie, PA 16511  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-13** Furnish all labor, materials and equipment for removal of snow, salting and cindering from driveway and parking areas at the New Castle Station, R. D. 2, Box 467, New Castle, PA 16101. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, New Castle Station, R. D. 2, Box 467, New Castle, PA 16101  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-14** Furnish all labor, materials and equipment for removal of snow, salting and cindering from sidewalks, driveway and parking areas at the Lamar Station, R. D. 3, Box 472A, Mill Hall, PA 17751. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Lamar Station, R. D. 3, Box 472A, Mill Hall, PA 17751  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-15** Furnish all labor, materials and equipment for removal of snow, salting and cindering from the driveway and parking areas at the Pennsylvania State Police, Mansfield Station, 1745 Valley Road, Mansfield, PA 16933. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Mansfield Station, 1745 Valley Road, Mansfield, PA 16933  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-16** Furnish all labor, materials and equipment for removal of snow, salting and cindering from driveway and parking area at the Lewistown Station, 295 Ferguson Valley Road, Yeagertown, PA 17099. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Lewistown Station, 295 Ferguson Valley Road, Yeagertown, PA 17099  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-17** Furnish all labor, materials and equipment to remove snow, salting and cindering from the sidewalks, driveways and parking areas at the Bedford Station, R. D. 1, Box 76, Everett, PA 15537. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Bedford Station, R. D. 1, Box 76, Everett, PA 15537  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-18** Furnish all labor, materials and equipment for snow removal services from driveways and parking areas, on an "on call" basis at the Pennsylvania State Police, Department Headquarters, Troop "H", Harrisburg, PA 17110. The awarded vendor will provide backup and/or additional snow removal equipment and manpower as needed. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Department Headquarters, Troop H Harrisburg, 1800 Elmerton Avenue, Harrisburg, PA 17110  
**Duration:** November 1, 1997 to June 30, 1998  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-19** Furnish all labor, materials and equipment for removal of snow, salting and cindering from driveway, parking areas and sidewalks at the Pennsylvania State Police, Carlisle Station, 1538 Commerce Avenue, Carlisle, PA 17013. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Carlisle Station, 1538 Commerce Drive, Carlisle, PA 17013  
**Duration:** November 1, 1997 to June 30, 1997  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-20** Furnish all labor, materials and equipment for removal of snow, salting and cindering from sidewalks, driveway and parking areas at the Seneca Station, R. D. 2, Box 312D, Franklin, PA 16323. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Seneca Station, R. D. 2, Box 312D, Franklin, PA 16323  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-21** Furnish all labor, materials and equipment for removal of snow, salting and cindering from driveway and parking areas at the Limerick Station, 2047 Bridge Road, Schwenksville, PA 19473. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Limerick Station, 2047 Bridge Road, Schwenksville, PA 19473  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-22** Furnish all labor, materials and equipment for removal of snow, salting and cindering from driveway and parking areas at the Schuylkill Haven Station, 23 Meadowbrook Drive, Schuylkill Haven, PA 17972. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Schuylkill Haven Station, 23 Meadowbrook Drive, Schuylkill Haven, PA 17972  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-23** Furnish all labor, materials and equipment for removal of snow, salting and cinderling from driveway and parking areas at the Dublin Station, 3218 Rickert Road, Perkasie, PA 18944. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Dublin Station, 3218 Rickert Road, Perkasie, PA 18944  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-24** Furnish all labor, materials and equipment for removal of snow, salting and cinderling from driveway and parking areas at the Hazleton Headquarters, Annex Building (Exam), and P and S Building, 250 Dessen Drive, West Hazleton, PA 18201. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Hazleton Headquarters, Annex Building and P and S Building, 250 Dessen Drive, West Hazleton, PA 18201  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-25** Furnish all labor, materials and equipment for removal of snow, salting and cinderling from driveway and parking areas at the Swiftwater Station, P. O. Box 949, SR 611, 3 miles North of I-80, Exit 45, Swiftwater, PA 18370. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Swiftwater Station, P. O. Box 949, Swiftwater, PA 18370  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-26** Furnish all labor, materials and equipment for removal of snow, salting and cinderling from sidewalk, driveway and parking areas at the Fern Ridge Station, HC 1, Box 1327, Blakeslee, PA 18610. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Fern Ridge Station, HC 1, Box 1327, Blakeslee, PA 18610  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

**FM-27** Furnish all labor, materials and equipment for removal of snow, salting and cinderling from driveway and parking areas at the Dunmore Headquarters, 85 Keystone Industrial Park, Dunmore, PA 18512. Detailed work schedule and bid must be obtained from Facility Management Division, (717) 783-5484.

**Department:** State Police  
**Location:** Facility Management Division, Dunmore Headquarters, 85 Keystone Industrial Park, Dunmore, PA 18512  
**Duration:** November 1, 1997 to June 30, 1999  
**Contact:** Deshawn Lewis or Joan Berkoski, (717) 783-5484

### Real Estate Services—35

**3A** Lease office space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Department of Public Welfare with 25,927 useable square feet of new or existing office space in Johnstown, Cambria County, PA with minimum parking for 57 vehicles, within the city limits of Johnstown. Preference will be given to the downtown business district. In areas where street or public parking is not available, an additional 18 parking spaces are required. Proposals due: September 15, 1997. Solicitation No.: 92489.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17105  
**Duration:** Indeterminate 1997-98  
**Contact:** Doris Deckman or Cynthia T. Lentz, (717) 787-4394

**984A** Advisory Notice. Sale of Eastern State School and Hospital—Bensalem Township, Bucks County. On July 9, 1997, the Commonwealth of Pennsylvania was notified by the Solicitor of Bensalem Township, Joseph W. Pizzo, Esquire, that the Township submitted a proposed ordinance to the Bucks County Planning Commission requesting that the entire Eastern State School and Hospital property be rezoned from its current zoning of IN, Institutional and R-1, Residential to BP, Business and Professional District. A hearing to consider the adoption of the proposed ordinance will occur on August 4, 1997. For more information regarding the location and time of the hearing, it is suggested that you contact Joe Pizzo at (215) 638-9330. To receive a bid document, contact Lloyd Colegrove at (717) 772-0538. Bids are due August 14, 1997.

**Department:** General Services  
**Location:** Real Estate, 505 North Office Building, Harrisburg, PA 17105  
**Duration:** Indeterminate 1997-98  
**Contact:** Lloyd Colegrove, (717) 772-0538

### Sanitation—36

**Project No. 205** Removal of rubbish on a weekly basis.

**Department:** Military and Veterans Affairs  
**Location:** PA Air National Guard, Harrisburg International Airport, Middletown, PA  
**Duration:** October 1, 1997—September 30, 2000  
**Contact:** Emma Schroff, (717) 861-8518

### Security Services—37

**SP 354970** Contractor to provide security guard service for the Philadelphia County Assistance Office at various locations. Thirty-four guards will be needed for provision of this service. Complete specifications can be obtained by contacting the Procurement Office.

**Department:** Public Welfare  
**Location:** Philadelphia CAO, 1400 Spring Garden Street, Philadelphia, PA 19130  
**Duration:** January 01, 1998 through December 31, 2000  
**Contact:** Ed Blandy, (717) 772-4883

### Vehicle, Heavy Equipment—38

**11-50** Snow removal equipment—3 year contract. Truck loaders, graders—operator included by vendor.

**Department:** Transportation  
**Location:** PennDOT 11-0, Allegheny County, PA  
**Duration:** November 1, 1997 through April 30, 2000  
**Contact:** Rich Fixel, (412) 429-4937

### Miscellaneous—39

**Inquiry No. 7486** Subscription service for the period January 1, 1998 to December 31, 1998.

**Department:** Public Welfare  
**Location:** Danville State Hospital, Danville, Montour County, PA 17821-0700  
**Duration:** January 1, 1998—December 31, 1998  
**Contact:** Pamela Bauman, Purchasing Agent, (717) 275-7412

**012-9006-05** Education Awards Only Grants. PENNSERVE—The PA State Commission announces the availability of education awards from the National Service Trust (AmeriCorps) through a simplified application process for community service programs that can support most or all of the AmeriCorps Member and program costs from sources other than the Corporation for National Service. Applications can be obtained by calling PennSERVE (717) 787-1971. A preapplication conference will be offered at the Labor and Industry Building, Room 1305, Harrisburg, PA on August 8, 1997, from 1—3 p.m. In addition, PennSERVE and the Corporation for National Service will consider requests for up to \$1,000 per new full-time Member (pro-rated for a part-time Member) to manage these programs. A Letter of Intent is required (due August 29, 1997) and the application is due to PennSERVE, September 12, 1997 by 4 p.m., EST.

**Department:** Labor and Industry

**Location:** PennSERVE, 1304 Labor and Industry Building, Harrisburg, PA 17120

**Duration:** 1 year upon award

**Contact:** Margaret F. Madigan/Harry Krot, (717) 787-1971

**JC-34-97** Maintenance: Furnish all labor, material and parts to maintain 96 Murata facsimile machines on a Statewide basis. Contractor must be an authorized Murata dealer or carry Murata parts—no substitutes; onsite response time must be within 4 hours from the time the call for repair is made and travel time will not be paid.

**Department:** Labor and Industry

**Location:** Job Center Field Operations, Statewide

**Duration:** October 1, 1997 through September 30, 1998

**Contact:** Donna A. Sodrosky, Contract Officer, (717) 787-2560

**RFP 97-1 (Rebid)** The State Correctional Institution at Waymart is seeking proposals from vendors to provide Islamic Chaplaincy services at Waymart. The institution estimates services at approximately 16 to 20 hours per week for an average population approximately 1,150 to 1,250 male offenders. Services will be provided to general population inmates and mentally ill offenders.

**Department:** Corrections

**Location:** State Correctional Institution Waymart, P. O. Box 256, Waymart, Canaan Township, Wayne County, PA 18472-0256

**Duration:** November 1, 1997 to December 31, 2000

**Contact:** Jerome M. Lewis, Business Manager, (717) 488-2504

[Pa.B. Doc. No. 97-1241. Filed for public inspection August 1, 1997, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> 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
1022117-01	07/18/97	Tetra-Pak, Inc.	117,500.00
1023217-01	07/16/97	Devin Food Equipment	8,035.00
1023217-02	07/16/97	United Res- taurant, Inc.	14,360.00
1037207-01	07/16/97	Cardels	3,585.00
1051227-01	07/16/97	Argent Chemi- cal Co.	16,954.08
1064077-01	07/18/97	Clearview Printing Company	651.60
1066047-01	07/17/97	Standard Reg- ister Co.	56,330.51
1067047-01	07/16/97	National Band and Tag	53,040.49
1072127-01	07/18/97	Press Enter- prise, Inc.	106,600.19
1081157-01	07/21/97	Builders Door and Hard- ware	9,196.00
1656156-01	07/18/97	Ornamental Products Tool and Supply, Inc.	13,995.00
1966156-01	07/18/97	Abeck Electri- cal Contrac- tors, Inc.	62,670.00
2540-01	08/01/97	Cooper Tools	18,886.80
2540-01	08/01/97	Wallingford's, Inc.	226,361.20
2540-01	08/01/97	Howard Auto- motive Prod- ucts	52,597.50
2540-01	08/01/97	Mack Sales and Service, Inc.	74,962.30
2540-01	08/01/97	A.I.D. Parts, Inc.	14,369.75
2540-01	08/01/97	Harvey's Sup- ply Co., Inc.	6,790.25
6760-02 (Rebid in Part No. 1)	07/25/97	Canon USA	100,000.00
7105-05 (Supplement No. 2)	07/25/97	Morgan Inte- rior Systems	1,000.00
7105-05 (Supplement No. 2)	07/25/97	Hodinson As- sociates, Inc.	4,000.00
7105-05 (Supplement No. 2)	07/25/97	Taylor Compa- nies	1,000.00
7105-05 (Supplement No. 2)	07/25/97	Carboni Taylor	1,000.00

Requisition or Contract #	Awarded On	To	In the Amount Of
7105-05 (Supplement No. 2)	07/25/97	Pa. Office Ser- vice Group, Inc.	1,000.00
7810-01 (Rebid in Part No. 1 and Supple- ment No. 1)	07/25/97	Worldwide	1,000.00
7810-01 (Rebid in Part No. 1 and Supple- ment No. 1)	07/25/97	Passons Sports	1,000.00
7810-01 (Rebid in Part No. 1 and Supple- ment No. 1)	07/25/97	Aluminum Athletic Equip. Co.	1,000.00
7810-01 (Rebid in Part No. 1 and Supple- ment No. 1)	07/25/97	Mid Atlantic	1,000.00
7810-01 (Rebid in Part No. 1 and Supple- ment No. 1)	07/25/97	Flaghouse, Inc.	1,000.00
7810-01 (Rebid in Part No. 1 and Supple- ment No. 1)	07/25/97	Anthony F. Ramondo & Son, Inc.	1,000.00
8118280-01	07/18/97	Contech Con- struction Products, Inc.	10,242.00
8205820-01	07/16/97	Midwest Can- vas Corp.	36,456.48
8215060-01	07/16/97	CWS Parts, Inc.	85,888.85
8503840-01	07/18/97	Cayuga Con- crete Pipe Co., Inc.	20,585.60
8970060-01	07/21/97	Groff Tractor and Equip- ment, Inc.	258,057.00
8970080-01	07/18/97	Highway Equipment and Supply Co.	166,980.00
8970300-01	07/16/97	Seely Equip- ment and Supply Co.	12,500.00
8970330-01	07/17/97	Walsh Equip- ment, Inc.	93,844.00
8970500-01	07/17/97	Valk Manufac- turing Co.	83,887.00

GARY E. CROWELL,  
Secretary

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