

PENNSYLVANIA BULLETIN

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

No. 309, August 2000

PENNSYLVANIA



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Pennsylvania Bulletin

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

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

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

Adoption, Amendment or Repeal of Regulations

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

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

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania*

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

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

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Printing Format

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

Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

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

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THE COURTS

Title 225—RULES OF EVIDENCE

[225 PA. CODE ART. IV]

Order Adopting Amendments to Rule 405; No. 249, Supreme Court Rules; Doc. No. 1

The Committee on Rules of Evidence has prepared a Final Report explaining the amendments to Rule 405 (Methods of Proving Character) that were adopted July 20, 2000, effective October 1, 2000. These amendments expand the limitation on cross-examination of defense character witnesses consistent with *Commonwealth v. Morgan*, 739 A.2d 1033 (Pa. 1999). The Final Report follows the Court's Order.

Order

Per Curiam:

Now, this 20th day of July, 2000, upon the recommendation of the Committee on Rules of Evidence, this Recommendation having been submitted without publication pursuant to Pa.R.J.A. 103(a)(3), and a Final Report to be published with this Order:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule of Evidence 405 is hereby amended as follows.

This Order shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective October 1, 2000.

Annex A

TITLE 25. RULES OF EVIDENCE

ARTICLE IV. RELEVANCY AND ITS LIMITS

Rule 405. Methods of Proving Character.

(a) *Reputation Evidence.* In all cases in which evidence of character or a trait of character of a person is admissible, proof may be made by testimony as to reputation. On cross-examination of the reputation witness, inquiry is allowable into specific instances of conduct probative of the character trait in question, except that in criminal cases inquiry into [**arrests**] **allegations of other criminal misconduct** of the accused not resulting in conviction is not permissible.

(b) *Specific Instances of Conduct.* Specific instances of conduct are not admissible to prove character or a trait of character, except as follows:

(1) In civil cases where character or a trait of character is admissible as an element of a claim or defense, character may be proved by specific instances of conduct.

(2) In criminal cases where character or a trait of character is admissible under Pa.R.E. 404(a)(2), the accused may prove the complainant's character or trait of character by specific instances of conduct.

Comment

Pa.R.E. 405 differs from F.R.E. 405. One of the principal points of divergence is that Pennsylvania law does not

permit proof of character by opinion evidence. See [*Com.*] *Commonwealth v. Lopinson*, [**427 Pa. 284**,] 234 A.2d 552 (Pa. 1967).

Reputation evidence is an exception to the hearsay rule under Pa.R.E. 803(21).

Subsection (a). Pa.R.E. 405(a) differs from F.R.E. 405 because Pa.R.E. 405(a) prohibits cross-examination of reputation witnesses offered on behalf of a defendant in a criminal case regarding arrests of the defendant not resulting in conviction. This is consistent with Pennsylvania law. See *Commonwealth v. Scott*, [**496 Pa. 188**,] 436 A.2d 607 (Pa. 1981). **Subsection (a) was amended in 2000 in view of *Commonwealth v. Morgan*, 739 A.2d 1033 (Pa. 1999).** Where a reputation witness is cross-examined regarding specific instances of conduct, the court should take care that the cross-examiner has a reasonable basis for the questions asked. See *Commonwealth v. Adams*, [**426 Pa. Super. 332**,] 626 A.2d 1231 (Pa. Super. 1993).

Subsection (b). Unlike F.R.E. 405(b), Pa.R.E. 405(b) distinguishes between civil and criminal cases in permitting the use of specific instances of conduct to prove character.

Cf. Pa.R.E. 608(b) (use of specific instances of conduct to attack or support credibility of witness, either on cross-examination or as extrinsic evidence).

Subsection (b)(1). With regard to civil cases, Pa.R.E. 405(b)(1) is identical to the Federal Rule in permitting proof of character by specific instances of conduct where character is an essential element of the claim or defense. This is consistent with Pennsylvania law. See *Matusak v. Kulczewski*, [**295 Pa. 208**,] 145 A. 94 (Pa. 1928); *Dempsey v. Walso Bureau, Inc.*, [**431 Pa. 562**,] 246 A.2d 418 (Pa. 1968); *Commonwealth ex rel. Grimes v. Grimes*, [**281 Pa. Super. 484**,] 422 A.2d 572 (Pa. Super. 1980).

Subsection (b)(2). In criminal cases under Pa.R.E. 404(a)(2), the accused may offer evidence of a pertinent trait of character of the complainant. In such a case the trait may be proven by specific instances of conduct. This is consistent with Pennsylvania law. See *Commonwealth v. Dillon*, [**528 Pa. 417**,] 598 A.2d 963 (Pa. 1991); *Commonwealth v. Amos*, [**445 Pa. 297**,] 284 A.2d 748 (Pa. 1971).

Official Note: Adopted May 8, 1998, effective October 1, 1998; amended July 20, 2000, effective October 1, 2000.

* * * * *

Committee Explanatory Reports:

Final Report explaining the July 20, 2000 amendment of paragraph (a) concerning allegations of other criminal misconduct published with the Court's Order at 30 Pa.B. 3920 (August 5, 2000).

FINAL REPORT ¹

Amendments to Pa.R.E. 405

Cross-Examination of Defense Character Witness

On July 20, 2000, upon the recommendation of the Committee on Rules of Evidence, the Supreme Court adopted amendments to Pa.R.E. 405, effective October 1, 2000. The rule changes conform the rule to recent changes in case law.

Present Rule 405(a), which was based on *Commonwealth v. Scott*, 436 A.2d 607 (Pa. 1981), and was approved and adopted by the Court effective October 1, 1998, permits cross-examination into specific instances of conduct that is probative of the character trait in question. The only limitation is in criminal cases with regard to arrests of the accused not resulting in conviction.

In 1999, the Court in *Commonwealth v. Morgan*, 739 A.2d 1033 (Pa. 1999), expanded the limitation on cross-examination of defense character witnesses, holding that in criminal cases, defense character witnesses cannot be cross-examined regarding conduct of the accused not resulting in conviction. In view of this expansion of the limitation on cross-examination of defense witnesses, the Committee recommended that the Court amend Rule 405(a) to reflect the change in the law set forth in *Morgan*.

Accordingly, Pa.R.E. 405(a) has been amended as follows:

In all cases in which evidence of character or a trait of character of a person is admissible, proof may be made by testimony as to reputation. On cross-examination of the reputation witness, inquiry is allowable into specific instances of conduct probative of the character trait in question, except that in criminal cases inquiry into [**arrests**] **allegations of other criminal misconduct** of the accused not resulting in conviction is not permissible.

In addition, a cross-reference to *Morgan* has been added to the Comment.

[Pa.B. Doc. No. 00-1313. Filed for public inspection August 4, 2000, 9:00 a.m.]

¹ The Committee's Final Report should not be confused with the official Committee Comments to the Rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the Committee's explanatory Final Report.

Title 25—LOCAL
COURT RULES

DELAWARE COUNTY

Reestablishment of the Magisterial Districts within
the Thirty-Second Judicial District of the Commonwealth of Pennsylvania; No. 122 Magisterial
Doc. No. 1; Book No. 2

Order

Per Curiam:

And Now, this 19th day of July, 2000, upon consideration of the Petition for Establishment of a Thirty-Third Magisterial District Within the Thirty-Second Judicial District (Delaware County) of the Commonwealth of Pennsylvania, *It Is Ordered and Decreed* that the Petition, which provides for the establishment of Magisterial District 32-2-52 through the realignment of Magisterial Districts 32-1-33, 32-1-34, 32-1-35, and 32-2-51, is granted.

Effective September 1, 2000, Magisterial Districts 32-1-33, 32-1-34, 32-1-35, and 32-2-51 will be realigned and Magisterial District 32-2-52 will be created as follows:

- Magisterial District 32-1-33 Borough of Millbourne; Township of Upper Darby, districts and precincts: 4-1, 6-1, 6-2, 6-3, 6-4, 6-10, 6-12, 7-2, 7-3, 7-4, 7-5, 7-6, 7-8, 7-10, 7-11
- Magisterial District 32-1-34 Township of Upper Darby, districts and precincts: 1-1, 1-2, 1-3, 1-8, 3-2, 3-3, 3-4, 3-5, 3-6, 3-7, 3-8, 3-9, 3-10
- Magisterial District 32-1-35 Township of Upper Darby, districts and precincts: 1-9, 3-1, 4-2, 4-3, 4-4, 4-5, 4-6, 4-7, 4-8, 4-9, 4-10, 4-11, 5-1, 5-3, 5-7, 5-8
- Magisterial District 32-2-51 Township of Upper Darby, districts and precincts: 5-2, 5-4, 5-5, 5-6, 5-9, 6-5, 6-6, 6-7, 6-8, 6-9, 6-11, 6-13, 6-14, 7-1, 7-7, 7-9
- Magisterial District 32-2-52 Township of Upper Darby, districts and precincts: 1-4, 1-5, 1-6, 1-7, 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7

[Pa.B. Doc. No. 00-1314. Filed for public inspection August 4, 2000, 9:00 a.m.]

NORTHUMBERLAND COUNTY

Adoption of Local Rule NCV-208-Continuances; Misc. Doc. No. 00-97

Order

And Now, this 24th day of July 2000, the Court hereby adopts the following Northumberland County Rule of Civil Procedure, to be effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

It is further ordered that the District Court Administrator shall file seven (7) certified copies of this Rule with the Administrative Office of Pennsylvania Courts, two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, one (1) certified copy to the Civil Rules Committee and one (1) copy to the *Northumberland County Legal Journal* for publication in the *Northumberland County Legal Journal*.

It is further ordered that this local rule shall be kept continuously available for public inspection and copying in the Prothonotary's office.

By the Court

HONORABLE ROBERT B. SACAVAGE,
President Judge

MOTION FOR CONTINUANCE

NOW COMES _____, (by and through (his) (her) (its) attorney, _____,) and moves for a continuance as follows:

1. The above captioned matter is scheduled for _____ on the _____ day of _____, 2 _____, at _____ .m., before _____.

2. The moving party for said proceeding is _____.

3. The opposing parties are:
_____ represented by: _____
_____ represented by: _____
_____ represented by: _____
_____ represented by: _____

4. The proceeding was scheduled by _____ dated _____.

5. The proceeding (has) (has not) been previously continued (_____ time(s)). (The moving party has obtained a continuance _____ time(s)).

6. A continuance is requested because _____

(If a continuance is requested because of a conflicting court matter, state: the name of the case; the court; the nature of the scheduled proceeding; the date, time and expected duration of the conflicting proceeding; the date of the order or notice scheduling the conflicting proceeding.)

7. _____ The following parties have been notified of this request and have no objection:

_____ The following parties have not been notified of this request:

Efforts to notify the opposing party include:

_____ The following parties objected to the continuance for the reason stated herein: _____

8. I hereby certify that if a continuance is granted, the party moving for the continuance will be provided a copy of this motion forthwith and I will notify all witnesses who would be appearing at my request.

9. I specifically request a continuance
_____ of not less than _____
_____ of not more than _____ (or)
_____ to the next available date.

Respectfully submitted,

ORDER

AND NOW, this _____ day of _____, 2 _____, upon consideration of the attached motion of _____ requesting a continuance:

(Moving party)

_____ the motion is denied.

_____ the motion is granted and the matter scheduled for _____ at _____ .m. before _____

(Date)

(Time)

_____ is hereby continued until _____ at _____ .m.

(Name of judge, master, etc.)

(Date)

(Time)

The moving party shall promptly notify all interested parties of this order.

BY THE COURT:

Judge—Master—Hearing Officer

[Pa.B. Doc. No. 00-1315. Filed for public inspection August 4, 2000, 9:00 a.m.]

NORTHUMBERLAND COUNTY

Change in Rules of Criminal Procedure, NCR-10,008, Continuances; Misc. Doc. No. 00-96

Order

And Now, this 24th day of July 2000, the Court hereby adopts the following Northumberland County Rule of Criminal Procedure, to be effective thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

It is further ordered that the District Court Administrator shall file seven (7) certified copies of this Rule with the Administrative Office of Pennsylvania Courts, two (2) certified copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, one (1) certified copy to the Criminal Rules Committee and one (1) copy to the *Northumberland County Legal Journal* for publication in the *Northumberland County Legal Journal*.

It is further ordered that this local rule shall be kept continuously available for public inspection and copying in the Prothonotary's Office.

By the Court

HONORABLE ROBERT B. SACAVAGE,
President Judge

MOTION FOR CONTINUANCE

NOW COMES _____, (by and through (his) (her) (its) attorney, _____,) and moves for a continuance as follows:

(Name of party)

(Name of Attorney)

1. The above captioned matter is scheduled for

(Nature of proceeding, i.e., arraignment, omnibus pre-trial, trial, etc.)

on the _____ day of _____, 2 _____, at _____ .m., before _____.

(Name of Judge)

2. The opposing party is: _____ represented by _____.

3. The proceeding was scheduled by _____ dated _____.

(Notice or Order)

4. The proceeding (has) (has not) been previously continued (_____ time(s)).

5. A continuance is requested because _____

(If a continuance is requested because of a conflicting court matter, state: the name of the case; the court; the nature of the scheduled proceeding; the date, time and expected duration of the conflicting proceeding; the date of the order or notice scheduling the conflicting proceeding.)

6. _____ The opposing party has been notified of this request and has no objection. _____

_____ The opposing party has not been notified of this request. _____

Efforts to notify the opposing party include: _____

_____ The opposing party objected to the continuance for the reasons stated herein: _____

- 7. I hereby certify that if a continuance is granted, I will notify all witnesses who would be appearing at my request.
- 8. I specifically request a continuance
 - _____ of not less than _____
 - _____ of not more than _____ (or)
 - _____ to the next available date.

Respectfully submitted,

ORDER

AND NOW, this _____ day of _____, 2 _____, upon consideration of the attached motion of _____ requesting a continuance.

(Moving party)

_____ the motion is denied.

_____ the motion is granted and the _____ scheduled for _____ at _____ .m.

(Matter being continued)

(Date)

(Time)

before _____ is hereby continued until _____ at _____ .m.

(Name of Judge)

(Date)

(Time)

The moving party shall promptly notify all interested parties of this order.

BY THE COURT:

Judge

[Pa.B. Doc. No. 00-1316. Filed for public inspection August 4, 2000, 9:00 a.m.]

RULES AND REGULATIONS

Title 22—EDUCATION

PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY

[22 PA. CODE CH. 121]

State Grant Program; Early Childhood Education Professional Loan Forgiveness Program

The Pennsylvania Higher Education Assistance Agency (Agency), under authority contained in section 4 of the act of August 7, 1963 (P. L. 549, No. 290) (24 P. S. § 5104); section 1 of the act of January 25, 1966 (P. L. 1546 (1965), No. 541) (24 P. S. § 5151); The Institutional Assistance Grants Act (24 P. S. §§ 5181—5189); and the Urban and Rural Teacher Loan Forgiveness Act (24 P. S. §§ 5191—5197); and the Agriculture Education Loan Forgiveness Act (24 P. S. §§ 5198—5198.7), is amending §§ 121.1, 121.2, 121.7—121.9, 121.21, 121.32, 121.33, 121.42, 121.48 and 121.56 and adding §§ 121.10 and 121.401—121.406.

Purpose of Regulations

The changes affect the State Grant Program (24 P. S. § 5152.1); Loan Programs (24 P. S. §§ 5104—5112); and the Early Childhood Education Professional Loan Forgiveness Program (24 P. S. §§ 7103—7106).

Public Comment

Written comments, suggestions and objections were solicited within a 30-day period of the publication date. As a result of the comments received from the Independent Regulatory Review Commission (IRRC) and the standing committees, numerous revisions were made to the proposed amendments. The final-form regulations now include language revisions to clarify the meaning of various sections. The revisions do not, however, enlarge the original purpose of the proposed rulemaking.

Summary of Changes

Comments

1. Section 121.1—Definitions—Clarity

Comment:

It was requested that the term “Board of Directors” be changed to “Board” in § 121.10(b).

Response:

The phrase “Board of Directors” was replaced with the word “Board” in § 121.10. For consistency purposes we also made this change in §§ 121.8, 121.9 and 121.42.

Comment:

Section 121.10(b)(2) contains a definition of “borrower.”

Response:

Definition of “borrower” was added to § 121.1

Comment:

Section 121.10(b)(1)(i) contains a definition of “disposable pay.”

Response:

Although the referenced section was removed from the final version of the regulation as it is part of 20 U.S.C.A. § 1095a, which has been incorporated by reference, the definition of “disposable pay” was added to § 121.1 since the term appears elsewhere in the regulations.

Comment:

Section 121.10(b)(1)(viii) (which is now § 121.10(b)(2)), does not clearly define “timely request.”

Response:

The phrase “make a timely request for hearing” was replaced with “request for a hearing within 20 days of the mailing of the notice.”

2. Section 121.10(b)(1)(x) (which is now § 121.10(b)(3)).

Comment:

Written and oral requests for a hearing—clarity.

Response:

The first sentence was restructured into two sentences as suggested.

By way of further response, a “written hearing” is conducted by review of written documents submitted by both the borrower and the Agency. The hearing examiner reviews all exhibits and written statements offered and then issues his ruling based on the hearing examiner’s review of the documents without any oral testimony.

3. Section 121.10(b)(1)(xi) (which is now § 121.10(b)(4) and (xii)).

Comment:

Issuance of an order of withholding—clarity.

Response:

The phrase “from the date of receipt of the borrower’s hearing request” was added to the last sentence of § 121.10(b)(1)(xi) (which is now § 121.10(b)(4)). Subparagraph (xii) was removed from the final version of the regulation as it is part of 20 U.S.C.A. § 1095a.

4. Section 121.10(b)(1)(xiii) (which is now § 121.10(b)(5)).

Comment:

Hearing examiners—clarity.

Response:

The phrase “including an administrative law judge” was deleted.

5. Section 121.10(b)(1)(xix)—(xxi) (which is now § 121.(b)(11)—(13)).

Comment:

Hearing procedures—clarity. Questions were received regarding who rules on exceptions, the hearing examiner or the Board of Directors: Does the hearing examiner issue a proposed report or a final report? And, finally, are proceedings before the Board of Directors considered the last stage in the adjudicatory process or the first level of administrative appeal?

Response:

The hearing examiner issues a proposed final order. The proposed order is then reviewed and accepted or rejected by the Board. Proceedings before the Board of Directors are considered the last stage in the adjudicatory process.

6. *Section 121.10(b)(1)(i), (vi) and (xxii).* Wage garnishment procedures involving employers—clarity.

Comment:

A subsection should be created titled “employer provisions.”

Response:

This was no longer necessary with the incorporation by reference of 20 U.S.C.A § 1095a.

Comment:

A question was received regarding whether the “garnishment notice” mentioned in subsection (b)(1)(ix) is another term used for the “order of withholding” mentioned in subparagraph (viii).

Response:

The term “garnishment notice” was replaced with the term “order of withholding.”

Comment:

A subsection should be created relating to Agency actions with employers.

Response:

A new subsection (c) was created.

7. *Section 121.10(b)(1)(ii)—(v).*

Borrower rights—clarity

Comment:

A question was received regarding whether the opportunities offered by the borrower in subparagraphs (iii)—(v) are included in the written notice described in subparagraph (ii).

Response:

Subparagraphs (iii)—(v) were removed as they are no longer necessary with the incorporation by reference of 20 U.S.C.A § 1095a. The answer to this question is, however, that the information is indeed included in the written notice.

8. *Section 121.10*

Comment:

Need and clarity. Incorporate by reference section 488A of the Higher Education Act of 1995 (20 U.S.C.A. § 1095a), rather than recite portions of the statutory provision.

Response:

20 U.S.C.A. § 1095a was incorporated by reference as suggested and the repeated portions of the statutory provisions of the regulation were removed.

121.10(b)(1)(i) has been removed as it corresponds to 20 U.S.C.A § 1095a(a)(1)

121.10(b)(1)(ii) has been removed as it corresponds to 20 U.S.C.A § 1095a(a)(2)

121.10(b)(1)(iii) has been removed as it corresponds to 20 U.S.C.A § 1095a(a)(3)

121.10(b)(1)(iv) has been removed as it corresponds to 20 U.S.C.A § 1095a(a)(4)

121.10(b)(1)(v) has been removed as it corresponds to 20 U.S.C.A § 1095a(a)(5)

121.10(b)(1)(vi) has been removed as it corresponds to 20 U.S.C.A § 1095a(a)(6)

121.10(b)(1)(vii) has been removed as it corresponds to 20 U.S.C.A § 1095a(a)(7)

121.10(b)(1)(ix) has been removed as it corresponds to 20 U.S.C.A § 1095a(c)

121.10(b)(1)(xii) has been removed as it corresponds to 20 U.S.C.A § 1095a(b)

121.10(b)(1)(xxii) has been removed as it corresponds to 20 U.S.C.A § 1095a(a)(8)

9. *Section 121.33—Approved Program of Study in Higher Education Grant Program*

Comment:

Comments were received from the House Education Committee and Montgomery County Community College regarding the percentage of classroom instruction time needed for course eligibility for a State grant recipient.

Response:

We continue to monitor all available sources of information in this regard and will adjust the percentage as soon as it is deemed appropriate.

10. *Section 121.401—Application of Existing Agency Regulations*

Comment:

Need and clarity.

Response:

The phrase “except those provisions inconsistent with this subchapter” has been removed. The reference to Subchapter B has also been deleted.

11. *Section 121.403—Loan Forgiveness*

Comment:

Clarity

Response:

The phrase “in accordance with the procedures established by the Agency” was replaced with “to the lender/servicer in March and September.” Additionally, the requirements for time periods and maximum amounts have been structured as subsections within the section.

12. *Section 121.406—Lottery*

Comment:

Economic impact and clarity. A question was received regarding how the applicant will know what Agency requirements must be met to be eligible for the lottery.

Response:

The phrase “Agency requirements” was replaced with § 121.402 in § 121.406(b). This refers the applicant to the eligibility requirements.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 28, 1998, the Agency submitted a copy of the notice of proposed rulemaking, published at 28 Pa.B. 1535, IRRC and to the House Education Committee and the Senate Education Committee for review and comment.

In compliance with section 5(c), the Agency also provided IRRC and the Committees with copies of all comments received as well as other documentation. In preparing this final-form regulations the Agency has considered the comments received from IRRC, the Committees and the public.

These final-form regulations were deemed approved by the House and Senate Education Committees on June 14, 2000. IRRC met on June 22, 2000, and approved the final-form regulations in accordance with section 5(c) of the Regulatory Review Act.

Findings

The Agency finds that:

(1) Public notice of the Agency's intention to adopt the amendments was given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2

(2) The amendments adopted by this order are necessary and appropriate for the administration of the act.

Order

The Agency, acting under its authorizing statute, therefore, orders that:

(a) The regulations of the Agency 22 Pa. Code Chapter 121, are amended by amending § 121.1, 121.2, 121.7—121.9, 121.21, 121.32, 121.33, 121.42, 121.48, 121.56 and by adding §§ 121.10 and 121.401—121.406 to read as set forth in Annex A.

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

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

(d) This order shall be effective upon publication in the *Pennsylvania Bulletin*.

MICHAEL H. HERSHOCK,
President and Chief Executive Officer

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 30 Pa.B. 3534 (July 8, 2000).)

Fiscal Note: Fiscal Note 58-23 remains valid for the final adoption of the subject regulations.

Annex A**TITLE 22. EDUCATION****PART VIII. HIGHER EDUCATION ASSISTANCE AGENCY****CHAPTER 121. STUDENT FINANCIAL ASSISTANCE****Subchapter A. GENERAL PROVISIONS****§ 121.1. Definitions.**

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

Academic term—Semester, trimester or quarter.

Academic year—A period that begins on the first day of classes or examinations and that is a minimum of 30 weeks of instructional time during which, for an undergraduate educational program, a full-time student is expected to complete at least 24 semester or trimester hours or 36 quarter hours at a school which measures program length in credit hours or at least 900 clock hours at a school which measures program length in clock hours.

Agency or PHEAA—The Pennsylvania Higher Education Assistance Agency.

Board—The Board of Directors of the Agency.

Borrower—All endorsers on loans authorized by this chapter.

Disposable pay—That part of the borrower's compensation from an employer remaining after the deduction of any amounts required by law to be withheld.

Emergency action—Immediate action undertaken against institutions by the President and Chief Executive Officer in a manner consistent with § 121.31(d) (relating to approved institutions in Federal Stafford Loan and Federal PLUS Loan Programs) to withhold the processing of loan applications of the institution; and in a manner consistent with § 121.191(d) (relating to administrative loan collection review procedures) against a lending institution to withhold the processing of loan applications for students borrowing through the institution.

Federal Consolidation Loan—A loan made in accordance with section 428C of the Higher Education Act of 1965 (20 U.S.C.A. § 1078-3).

Federal Family Education Loan (FFEL) Program—The loan program (formerly called the Guaranteed Student Loan (GSL) Program) authorized by Title IV-B of the Higher Education Act of 1965 (20 U.S.C.A. §§ 1071—1087-2), including the Federal Stafford Loan, Federal PLUS, Federal Supplemental Loans for Students (Federal SLS) and Federal Consolidation Loan Programs, in which lenders use their own funds to make loans to enable students or their parents to pay the costs of the student's attendance at eligible institutions.

Federal PLUS Loan—A loan made in accordance with section 428B of the Higher Education Act of 1965 (20 U.S.C.A. § 1078-2).

Federal Stafford Loan—A loan made in accordance with section 428, if subsidized, or section 428H, if unsubsidized, of the Higher Education Act of 1965 (20 U.S.C.A. §§ 1078 and 1078-8).

Full-time basis (except for purposes of the Federal Stafford Loan and Federal PLUS Loan Programs)—The equivalent of 12 semester credits or 450 clock hours of instruction per academic term. If the schedule of a program of study offered on a clock-hour basis does not permit the equivalent of 450 clock hours of instruction per term, full-time enrollment shall be defined as 24 clock hours of instruction per week.

Full-time basis (for purposes of the Federal Stafford Loan and Federal PLUS Loan Programs Only)—To be considered enrolled on a full-time basis, a student shall be carrying a full-time academic work load (other than by correspondence) as determined by the institution under a standard applicable to the students enrolled in a particular educational program. The student's work load may include any combination of courses, work, research or special studies that the institution considers sufficient to classify the student as a full-time student. For undergraduate students, an institution's minimum standard shall equal or exceed one of the following minimum requirements:

(i) Twelve semester hours or 12 quarter hours per academic term in an educational program using a semester, trimester or quarter system.

(ii) Twenty-four semester hours or 36 quarter hours per academic year in an educational program using credit hours but not using a semester, trimester or quarter system or the prorated equivalent for a program of less than 1 academic year.

(iii) Twenty-four clock hours per week for an educational program using clock hours.

(iv) A series of courses or seminars that equals 12 semester hours or 12 quarter hours in a maximum of 18 weeks.

(v) The work portion of a cooperative education program in which the amount of work performed is equivalent to the academic work load of a full-time student.

(vi) Other requirements as prescribed by Federal regulations.

Guaranteed Student Loan Program—A Federal loan guaranty program administered by the Agency that enables qualified students to secure long-term educational loans to meet the costs of postsecondary education. On July 23, 1992, the Higher Education Amendments of 1992 (Pub. L. No. 102-325), changed the name of the program to The Federal Family Education Loan Program. Whenever the term is used in this chapter, it refers to and shall be regarded as, "The Federal Family Education Loan Program."

Guardian—For purposes of determining domicile, a person other than a parent with whom an applicant has lived and in whose continuous direct care and control the applicant has been for a period of at least 2 years.

Half-time basis—At least 1/2 the work load of a full-time student, except all students enrolled solely in an eligible program of study by correspondence cannot be considered more than half time.

Hearing examiner—A neutral third party, not an employee or staff member of the Agency, appointed by a designated Agency official to conduct hearings on Agency matters, consider written materials, weigh the evidence presented and issue impartial decisions.

Parent (for purposes of borrowing under the Federal PLUS Loan Program)—A student's mother or father or legal guardian. An adoptive parent is considered to be the parent's mother or father.

President and Chief Executive Officer—The President and Chief Executive Officer of the Agency.

Quarter—A period of approximately 11 weeks normally comprising 1/3 of the academic year.

SAT—The College Entrance Examination Board's Scholastic Assessment Test.

Semester—A period of approximately 17 weeks normally comprising 1/2 of the academic year.

Trimester—A period of approximately 15 weeks normally comprising 1/2 of the academic year.

Veteran—A person who engaged in active service in the United States Army, Navy, Air Force, Marines or Coast Guard or was a cadet or midshipman at one of the service academies and was released under a condition other than dishonorable, or will be by June 30 of the academic year for which the application is made, or who was a National Guard or Reserve enlistee who was activated for duty. ROTC students, cadets or midshipmen currently attending the service academies, National Guard or Reserve enlistees who were not activated for duty, or those currently serving in the United States Armed Forces and will continue to serve through June 30 of the academic year for which application is made are not considered veterans.

§ 121.2. Citizenship.

To be eligible for a Federal Family Education Loan, a student or parent borrower shall be, on or before the date of filing the loan guaranty application, one of the following:

- (1) A citizen or National of the United States.

(2) A permanent resident alien of the United States, a temporary resident who intends to become a United States citizen or resident, or a refugee in the United States for other than a temporary purpose. For the purposes of this paragraph, the United States includes the 50 states, the District of Columbia, Puerto Rico, Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands and the Northern Mariana Islands.

§ 121.7. Notice of denial and preliminary review procedures.

(a) If the Agency staff determines that eligibility for financial assistance should be denied, the applicant or recipient shall be notified in writing of the determination, the grounds therefor, and his right to appeal from the decision of the Agency staff.

(b) All appeals from the decisions of the Agency staff will be reviewed initially by an Administrative Review Committee composed of staff personnel of the Agency designated by the President and Chief Executive Officer. The Administrative Review Committee may grant eligibility in cases it deems proper. This subsection supersedes 1 Pa. Code § 35.20 (relating to appeals from actions of the staff).

(c) When the Agency through its Administrative Review Committee denies an applicant or recipient eligibility for financial assistance, the applicant or recipient may obtain a review of the Agency's determination by the Committee on Appeals. The Committee on Appeals will determine whether or not the applicant or recipient is eligible for financial assistance.

(d) An appeal to the Committee on Appeals shall be filed on or before the 60th day after the date on which notification of the determination by which he is aggrieved was delivered personally to the applicant or recipient or mailed to him at his last known post office address. The Committee on Appeals may waive this requirement in its discretion.

(e) The appeal shall be filed in the offices of the Agency at Harrisburg, and shall include the following information:

- (1) The name, address and Social Security number of the applicant or recipient.
- (2) The date of the decision being appealed.
- (3) The reasons for appeal.
- (4) The signature of the applicant or recipient.

(f) Use of the prescribed appeal form is not mandatory to initiate an appeal. Any written notice that may reasonably be construed as a request for an appeal, delivered or mailed to a authorized representative or to any office of the Agency within the prescribed 60-day appeal period, advising that the applicant or recipient is aggrieved and apparently desires a review of the determination denying him financial assistance, shall be deemed to initiate and constitute an appeal. Thereafter, the applicant or recipient shall perfect the appeal by filing a completed appeal form within a reasonable time after instructions for filing the appeal form have been delivered or mailed to him at his last known post office address. The date of initiation of an appeal delivered by mail, either on the prescribed appeal form or by any other form of written communication, will be determined from the postmark appearing upon the envelope in which the appeal form or written communication was mailed.

(g) Appeal forms may be obtained from any local field office of the Agency or at the offices of the Agency at Harrisburg. Assistance in completing and filing the appeal form can be obtained at any local field office of the Agency or at the offices of the Agency in Harrisburg.

§ 121.8. Applicant and recipient appeals and hearings.

(a) An applicant or recipient who is aggrieved by a determination of the Committee on Appeals denying him eligibility for financial assistance may file an appeal to the Board.

(b) An appeal to the Board shall be filed on or before the 15th day after the date on which notification of the determination by which he is aggrieved was delivered personally to the applicant or recipient or mailed to him at his last known post office address.

(c) Use of the prescribed appeal form is not mandatory to initiate an appeal. Any written notice that may reasonably be construed as a request for an appeal, delivered or mailed to a duly authorized representative or to any office of the Agency within the prescribed 15-day appeal period, advising that the applicant or recipient is aggrieved and apparently desires a review of the determination denying him financial assistance, will be deemed to initiate and constitute an appeal. Thereafter, the applicant or recipient shall perfect the appeal by filing a completed appeal form within a reasonable time after instructions for filing the appeal form have been delivered or mailed to him at his last known post office address. The date of initiation of an appeal delivered by mail, either on the prescribed appeal form or by any other form of written communication, will be determined from the postmark appearing upon the envelope in which the appeal form or written communication was mailed.

(d) The appeal may be heard by the Board or, at its direction, by a hearing examiner appointed by the Chairperson of the Board of the Agency or, in the event of the unavailability of the Chairperson, by the Vice Chairperson of the Board of the Agency from a list maintained by the President and Chief Executive Officer. The hearing examiner or the Board will schedule the appeal promptly for hearing and give the applicant or recipient at least 7 days' notice of the hearing. The notice will specify the date, hour and place of hearing.

(e) Hearings will be held at the offices of the Agency in Harrisburg. During the hearing, the applicant or recipient will be given the opportunity to submit testimony or evidence, or both, in support of his contentions. The applicant or recipient will also have the right to present oral and written argument and to cross-examine any witnesses offered by the Agency. This subsection supplements 1 Pa. Code § 35.126 (relating to presentation by the parties).

(f) Where a hearing examiner has been appointed, he shall prepare or cause the preparation of a verbatim transcript of the hearing, develop findings of fact and conclusions of law, and forward these directly to the Board for review and final decision. This subsection supplements 1 Pa. Code §§ 35.131 and 35.202 (relating to recording of proceedings; and proceedings in which proposed reports are prepared).

(g) The Board will make an order or determination as appears just and proper from the evidence submitted.

(h) Notice of the decision of the Board will be mailed promptly to the applicant or recipient at his last known post office address.

(i) Where the decision of the Board is in favor of the applicant or recipient, he shall be eligible for retroactive financial assistance payments for the period during which such assistance was temporarily delayed.

(j) The decision of the Board on an appeal will become final 10 days after the date thereof. Within 30 days after the decision of the Board becomes final, the applicant or recipient may file an appeal therefrom with Commonwealth Court.

§ 121.9. Administrative loan collection review procedures.

(a) This section implements the administrative loan collection review process authorized by the act of April 29, 1982 (P. L. 365, No. 102) (24 P. S. § 5104.3).

(b) Administrative loan collection procedure for those loans which are held by the Agency and which are not reinsured by the United States Secretary of Education is as follows:

(1) A borrower served with a statement of claim shall file a response thereto within 30 days of receipt of the statement of claim. The statement of claim shall inform the borrower of the nature and the amount of the indebtedness, the intention of the Agency to initiate proceedings to collect the debt through garnishment and an explanation of the rights of the borrower under the law. The response shall set forth all defenses and objections which the borrower has to the statement of claim and any objections or defenses not so presented will be deemed to have been waived. The response shall admit or deny all averments contained in the statement of claim. An averment in a statement of claim will be deemed to be denied only if proof thereof is demanded and the borrower states either that:

(i) After reasonable investigation, the borrower is without knowledge or information sufficient to form a belief as to the truth of the averment.

(ii) The borrower is without that knowledge or information because the means of proof are within the exclusive control of an adverse party or hostile person.

(2) When a borrower files a response to a statement of claim filed in the records of the Agency, the borrower will be afforded an opportunity to enter into a written agreement with the Agency, under terms agreeable to the head of the Agency or a designee, to establish a repayment schedule. The borrower will be afforded a hearing if he does not want to enter into a repayment schedule.

(3) Hearings will be conducted by a hearing examiner appointed by the Chairperson of the Board of the Agency or, in the event of the unavailability of the Chairperson, by the Vice Chairperson of the Board of the Agency from a list maintained by the President and Chief Executive Officer and will be held at the offices of the Agency in Harrisburg. The time of the hearing will be fixed by the Agency within a reasonable time, as soon as convenient, after the receipt of the borrower's response, allowing at least 15 days' notice to be given to the borrower and the borrower's attorney, if an attorney has entered an appearance on behalf of the borrower. Notice of the hearing will be sent to the borrower by the hearing examiner, specifying the time and place for hearing. If a borrower wishes to request postponement of a hearing, the borrower shall contact the hearing examiner and provide the hearing examiner with valid reasons for the request. The hearing examiner may approve or disapprove the request in the examiner's discretion.

(4) The borrower shall have the following rights during the hearing:

- (i) To present testimony and arguments in person.
- (ii) To be represented by an attorney.
- (iii) To confront and cross-examine adverse witnesses.
- (iv) To examine all documents and records used by the Agency at the hearing. Copies of materials from the files of the Agency relevant to the hearing shall be provided at a reasonable time prior to the day of the hearing upon request without charge to the borrower.
- (v) To have the Agency prove its claim by a preponderance of the evidence.

(5) A request for a hearing may be dismissed by the hearing examiner when it is withdrawn by a borrower in a writing submitted to the hearing examiner. If a borrower fails to appear at a scheduled hearing without good cause as determined by the hearing examiner, the request for a hearing will be considered abandoned and will be dismissed with prejudice by the hearing examiner.

(6) The hearing examiner will have the following powers and duties:

- (i) To administer oaths.
- (ii) To question witnesses presented by the Agency or the borrower.
- (iii) To hear the evidence submitted, review the documents presented, consider the arguments and prepare a report.
- (iv) To recommend in the report a proposed adjudication and order, supported by findings of fact and conclusions of law.

(v) To provide copies of the report to the President and Chief Executive Officer of the Agency and to the borrower or the borrower's attorney of record within 60 days of the hearing.

(7) The proceedings of a hearing will be conducted in the following order:

- (i) The hearing examiner will state the purpose of the hearing, the procedure to be followed, and the manner in which the report will be transmitted to the parties.
- (ii) The Agency will present its case.
- (iii) The borrower or the borrower's attorney may cross-examine each witness.
- (iv) The borrower or the borrower's attorney will present the borrower's case.
- (v) The Agency may cross-examine each witness presented by the borrower.
- (vi) The hearing examiner may question any witness at any time.

(8) The borrower and the President and Chief Executive Officer of the Agency shall each have the right to file exceptions to the hearing examiner's report within 15 days after the service of a copy of the report. Failure to file exceptions within the time allowed shall constitute a waiver of all objections to the report.

(9) Upon consideration of the record, the hearing examiner's report, and any exceptions and briefs filed by the borrower and the President and Chief Executive Officer of the Agency, the Board will enter a final order.

(10) Any form of written communication to the Agency that may be reasonably construed as exceptions, advising that the borrower is aggrieved and desires a review of the

hearing examiner's report, will be deemed exceptions to the proposed report sufficient to initiate and constitute an appeal to the Board.

(11) When the Board receives notice of an appeal, it will place the appeal on the meeting agenda of the Board at such time in the future as the Board has received a stenographic record of the hearing before the hearing examiner and has had an opportunity to review the record. The Board may delegate to the review committee, comprised of three or more Board members designated by the Chairperson of the Board, the responsibility to review the record and hearing examiner's report to the Board and to make a recommendation for action by the Board. The review committee will provide an opportunity for the borrower and the Agency to present oral argument, when requested, before rendering a recommendation for action by the Board. The Board will make the final order as appears to it just and proper.

(12) Notice of the entry of a final order by the Board will be mailed promptly to the borrower at the borrower's last known post office address. The President and Chief Executive Officer may transfer the record and the order of default to the court of common pleas of the district in which the borrower resides or, when residence within this Commonwealth cannot be ascertained, to the Court of Common Pleas of Dauphin County, to be entered as a judgment.

(13) Within 30 days of the mailing date set forth in the notice of the final order by the Board the borrower who is aggrieved by the final order may appeal the order to the court of common pleas of the district in which the borrower resides or the Court of Common Pleas of Dauphin County. Within 20 days after entry of judgment, the borrower may apply to the court in which the judgment is entered to set aside such judgment.

(14) If no appeal is filed, the Agency may execute upon the wages, salaries or commissions in the hands of an employer or other person including the borrower when self-employed by serving a notice of its intent on the borrower and a notice of execution on the employer. The notice of execution shall include the following:

- (i) The total amount to be collected from the borrower.
- (ii) That the amount to be remitted to the Agency for a given pay period shall be limited to 10% of the borrower's disposable pay, that being any pay remaining after the deduction of any amounts required by law to be withheld.
- (iii) That the employer is not required to vary its normal pay and disbursement cycles in order to comply with paragraph (2).

(iv) That the employer will be held liable for a civil penalty equivalent to the amount of the notice of execution for wages not properly withheld after receipt of the notice of execution.

(15) This section affects 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) as follows:

- (i) Subsection (b)(1) supersedes 1 Pa. Code § 35.14 (relating to orders to show cause).
- (ii) Subsection (b)(3) supersedes 1 Pa. Code §§ 35.105 and 35.185 (relating to notice of nonrulemaking proceedings; and designation of presiding officers). Subsection (d) supplements 1 Pa. Code § 31.26 (relating to service on attorneys).
- (iii) Subsection (b)(4)(i)—(iii) supplements 1 Pa. Code § 35.126 (relating to presentation by the parties); subsec-

tion (b)(4)(iv) supersedes 1 Pa. Code § 35.169 (relating to copies to parties and agency).

(iv) Subsection (b)(6)(i)—(iii) supplements 1 Pa. Code § 35.187 (relating to authority delegated to presiding officers); subsection (b)(6)(iv) supersedes 1 Pa. Code § 35.205 (relating to contents of proposed reports); subsection (b)(6)(v) supersedes 1 Pa. Code § 35.207 (relating to service of proposed reports).

(v) Subsection (b)(7) supplements 1 Pa. Code § 35.125 (relating to order of procedure).

(vi) Subsection (b)(8) supersedes 1 Pa. Code § 35.211 (relating to procedure to except to proposed report).

(vii) Subsection (b)(9) supplements 1 Pa. Code § 35.226 (relating to final orders).

(viii) Subsection (b)(11) supersedes 1 Pa. Code § 35.214 (relating to oral argument on exceptions).

§ 121.10. Administrative wage garnishment procedures for Federal loans.

(a) This section implements and incorporates by reference the Federal administrative wage garnishment process authorized under section 488A of the Higher Education Act of 1965 (20 U.S.C.A. § 1095a) and 34 CFR 682.410(b)(10) (relating to fiscal, administrative, and enforcement requirements).

(b) Loan collection procedure for those loans which are held by the Agency and which qualify as loans under the Federal Family Education Loan Program (FFELP) are as follows:

(1) If the Agency decides to garnish the disposable pay of a borrower who is not making payments on a loan held by the Agency, on which the United States Secretary of Education (Secretary) has paid a reinsurance claim, it shall do so in accordance with the procedures in section 488A of the Higher Education Act of 1965.

(2) Unless the Agency receives information that justifies a delay or cancellation of the order of withholding, it will send an order of withholding to the employer within 20 days after the borrower fails to request a hearing within 20 days of the date of mailing of the notice, or if a timely request for a hearing is made by the borrower, within 20 days after a final decision is made by the Agency to proceed with garnishment.

(3) The Agency will provide a hearing if the borrower submits a written request for a hearing on the existence or amount of the debt or the terms of the repayment schedule. The borrower may request an oral hearing or a written hearing. The time and location of the hearing will be established by the Agency. An oral hearing may, at the borrower's option, be conducted either in-person or by telephone conference. Telephonic charges are the responsibility of the Agency.

(4) If the borrower's written request is received by the Agency on or before the 15th day following the borrower's receipt of the notice the Agency may not issue an order of withholding until the borrower has been provided the requested hearing. For purposes of this subsection, in the absence of evidence to the contrary, a borrower will be considered to have received the notice 5 days after it was mailed by the Agency. The Agency will provide a hearing to the borrower in sufficient time to permit a decision to be rendered within 60 days from the day of receipt of the borrower's hearing request.

(5) The hearing examiner appointed by the Agency to conduct the hearing may be any qualified individual not

under the supervision or control of the President and Chief Executive Officer of the Agency and have the power and duty to:

(i) Administer oaths.

(ii) Question witnesses presented by the Agency or by the borrower.

(iii) Hear evidence submitted, review the documents presented, consider arguments and prepare a report.

(iv) Recommend in the report a proposed adjudication and order, supported by findings of fact and conclusions of law.

(v) Provide copies of the report to the President and Chief Executive Officer of the Agency and to the borrower or the borrower's attorney of record at the earliest practicable date, but not later than 60 days after the Agency's receipt of the borrower's hearing request.

(6) The proceedings of a hearing will be conducted in the following order:

(i) The hearing examiner will state the purpose of the hearing, the procedure to be followed, and the manner in which the report will be transmitted to the parties.

(ii) The borrower or the borrower's attorney will present the borrower's case.

(iii) The Agency may cross-examine each witness presented by the borrower.

(iv) The Agency will present its case.

(v) The borrower or the borrower's attorney may cross-examine each witness presented by the Agency.

(vi) The hearing examiner may question any witness at any time.

(7) The borrower and the President and Chief Executive Officer of the Agency will each have the right to file exceptions to the hearing examiner's report within 15 days after the service of a copy of the report. Failure to file exceptions within the time allowed shall constitute a waiver of all objections to the report.

(8) The period of time may, for good cause, be extended upon motion made before the expiration of the 15-day time period and filed with the hearing examiner.

(9) The period of time may be extended upon motion made after the expiration of the 15-day time period where reasonable grounds are shown for failure to act. The motion shall be filed with the hearing examiner.

(10) Requests for the extension to time in which to file briefs shall be filed with the hearing examiner at least 5 days before the time fixed for filing the briefs.

(11) Upon consideration of the record, the hearing examiner's report, and any exceptions and briefs filed by the borrower and the President and Chief Executive Officer of the Agency, the Board will enter a final order.

(12) When the Board receives notice of an appeal, it will place the appeal on the meeting agenda of the Board after the Board has reviewed a stenographic record of the hearing before the hearing examiner. The Board may delegate to the review committee, comprised of three or more Board members designated by the Chairperson of the Board, the responsibility to review the record and hearing examiner's report to the Board and to make a recommendation for action by the Board. The review committee will provide an opportunity for the borrower and the Agency to present oral argument, when requested by either party, before rendering a recommendation for

action by the Board. Oral argument may be conducted either in-person or by telephone conference. Telephonic charges are the responsibility of the Agency. The Board will make a final order that is just and proper.

(13) Notice of the entry of a final order by the Board will be mailed promptly to the borrower at the borrower's last known post office address.

(c) The agency will sue any employer for any amount that the employer, after receipt of the order of withholding provided by the Agency, fails to withhold from wages owed and payable to an employe under the employer's normal pay and disbursement cycle.

(d) This section affects 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) as follows:

(1) Subsection (b)(3) supersedes 1 Pa. Code § 35.105 (relating to notice of nonrulemaking proceedings).

(2) Subsection (b)(5)(i)—(iii) supplements 1 Pa. Code § 35.187 (relating to authority delegated to presiding officers); subsection (b)(5)(iv) supersedes 1 Pa. Code § 35.205 (relating to contents of proposed reports); subsection (b)(5)(v) supersedes 1 Pa. Code § 35.207 (relating to service of proposed reports).

(3) Subsection (b)(6) supplements 1 Pa. Code § 35.125 (relating to order of procedure).

(4) Subsection (b)(7) supersedes 1 Pa. Code § 35.211 (relating to procedure to except to proposed reports).

(5) Subsection (b)(8)—(10) supersedes 1 Pa. Code § 31.15(a) (relating to extensions of time) and supplements 1 Pa. Code Chapter 35, Subchapter D (relating to motions).

(6) Subsection (b)(11) supplements 1 Pa. Code § 35.226 (relating to final orders).

(7) Subsection (b)(12) supersedes 1 Pa. Code § 35.214 (relating to oral argument on exceptions).

SECONDARY SCHOOL GRADUATION

§ 121.21. Requirement for higher education grant applicants.

(a) A State higher education grant applicant shall be a graduate of or attending an approved secondary school, or be a recipient of a Commonwealth secondary school diploma

(b) An approved secondary school shall be any public or private secondary school, located in this Commonwealth or elsewhere, including foreign institutions and United States schools overseas, which in the judgment of the Department of Education provides a course of instruction at the secondary level and maintains standards of instruction substantially equivalent to the standards of instruction of the public high schools located in this Commonwealth.

(c) For purposes of the State Higher Education Grant Program, an approved secondary school shall also include any home education program that is accredited by any home schooling accreditation agency approved by the Department of Education. If the home education program lacks the requisite accreditation, certification by the appropriate local school official attesting that the home education program is in compliance with section 1327.1 of the Public School Code of 1949 (24 P.S. § 13-1327.1) shall be submitted to the Agency by the appropriate local school official.

EDUCATIONAL INSTITUTIONS

§ 121.32. Approved institution in higher education grant program.

(a) To be eligible for a State higher education grant, an applicant shall enroll in a program approved under § 121.33 (relating to approved program of study in Higher Education Grant Program) and shall attend an institution of higher education approved by the Agency for enrollment of grant recipients under the State Higher Education Grant Program

(b) To be approved, an institution shall be other than a school of theology or a theological seminary as determined by the Agency, shall be located in the United States, the Canal Zone, Puerto Rico, the Virgin Islands, American Samoa or Guam and shall comply with the following:

(1) If the institution is a college or university located within this Commonwealth, the institution shall be approved by the Department of Education and shall be accredited or a recognized candidate for accreditation with an accrediting body recognized by the Council for Higher Education Accreditation; if the college or university located outside this Commonwealth, the institution shall be degree-granting, shall be operated not-for-profit and shall be fully accredited by the regional institutional accrediting body recognized by the Council for Higher Education Accreditation responsible for accreditation in the state where the college or university is conducting its educational program.

(2) If the institution is a hospital school of nursing located within this Commonwealth, the institution shall be initially, provisionally or fully approved by the State Board of Nursing and shall be accredited by the National League for Nursing; if located outside this Commonwealth, the institution shall be accredited by the National League for Nursing.

(3) If the institution is a trade, technical or business school located within this Commonwealth, the institution shall be approved by the Department of Education or shall currently be, and shall have been throughout the preceding 24 months, licensed by the State Board of Private Licensed Schools and shall be accredited by an accrediting body recognized by the Council for Higher Education Accreditation, except that this requirement for licensure and accreditation may be waived by the President and Chief Executive Officer for branch campuses of an institution that has been operating satisfactorily in this Commonwealth for 2 years or more; if the institution is located outside this Commonwealth, it shall be degree-granting, shall be operated not-for-profit and shall be fully accredited by the regional institutional accrediting body recognized by the Council for Higher Education Accreditation responsible for accreditation in the state where the institution is conducting its educational program.

(4) The institution shall have executed an Assurance of Compliance with section 602 of the Civil Rights Act of 1964 (42 U.S.C.A. § 2000d-1 (1974)) and filed it with the United States Secretary of Education.

(5) The institution shall have executed and filed with the Agency an agreement on a form provided by the Agency to report or advise the Agency if the institution has knowledge of the name and address of Commonwealth resident students who are recipients of Agency-administered aid who have been convicted in a court of record of a criminal offense which under the laws of the United States or of the Commonwealth would constitute a felony committed after October 29, 1969. Institutional

knowledge shall be facts contained in the academic, disciplinary or financial student records of the institution and facts known to the dean of students, director of financial aid and president of the institution or persons occupying these positions by whatever titles designated by the institution.

(6) When a change in ownership of an approved institution occurs, the new owner shall notify the Agency in writing of the change in ownership within 30 days of the effective date of the change. The new owner shall execute and file with the Agency an agreement on a form provided by the Agency to assume responsibility for repayment of State grant funds to the Agency or payment of State grant funds to eligible students, as designated by the Agency, made necessary by the failure of the previous owner to follow Agency procedures and requirements. An institution that fails to execute this agreement will be required to wait 24 months before being considered for approval in the State Grant Program.

(7) The institution shall comply with such other administrative requirements as the Agency may legally promulgate, as shall be set forth in the State Grant Certification Procedures and the State Grant Program Policy Manual which will be made available to institutions on an annual basis.

(c) Approved institutions for an academic year shall be those on record as of the preceding August 1 for the ensuing academic year.

(d) Approval of an institution after August 1 will become effective the following August 1 with two exceptions:

(1) To be effective for the ensuing summer term, approval shall be obtained prior to May 1.

(2) In the light of the particular circumstances related to the institution's approval and the funding and application processing conditions of the Agency, the President and Chief Executive Officer may make the approval effective on a date prior to August 1.

(e) The President and Chief Executive Officer may suspend the processing of aid request forms of State grant applicants or cease further disbursement of State grant funds to an approved institution, or both, when, in the judgment of the President and Chief Executive Officer, the institution's compliance with the conditions required for approval or the institution's continued eligibility or operation is in question and the action is deemed necessary to protect the interests of the student aid applicants, the Commonwealth or the Agency. This subsection may also be invoked upon a change in ownership, administration or directorship of the institution.

(f) An institution's approved status may be terminated by the President and Chief Executive Officer when any of the conditions required for approval cease to be met.

(g) In suspending or withdrawing the approval of an institution, the President and Chief Executive Officer may authorize continuation of eligibility determination and grant disbursement for State grant renewal applicants.

§ 121.33. Approved program of study in higher education grant program.

To be eligible for a State higher education grant, an applicant shall enroll in a program of study approved by the Agency and offered by an institution approved by the Agency under § 121.32 (relating to approved institutions in Higher Education Grant Program) for participation in

the State Higher Education Grant Program. An approved program of study shall comply with the following:

(1) An approved program of study shall be a program of instruction of at least 2 academic years which shall be the equivalent of at least 60 semester credit hours or at least 1,800 clock hours of instruction (1,500 clock hours in the case of programs leading to the associate degree in specialized technology or the associate degree in specialized business offered by institutions of higher education located within this Commonwealth) except that, other than for those community college programs which are measured in credit hours, programs not leading to a degree shall be measured in clock hours, with at least 30 semester credit hours or 900 clock hours earned through instruction within the classroom, and shall be presented over a calendar of at least 15 months.

(2) An approved program of study shall require that at least 50% of the credits needed for completion of the program at the approved institution be earned through instruction within the classroom.

(3) If offered at a trade, technical or business school located within this Commonwealth, an approved program of study shall be approved by the Department of Education or by the State Board of Private Licensed Schools.

(4) An approved program of study shall be on the approved list as of August 1 for the ensuing academic year. Approval after August 1 will become effective the following August 1 with two exceptions:

(i) To be effective for the ensuing summer term, approval must be obtained prior to May 1.

(ii) In the light of the particular circumstances related to the approval of the program of study and the funding and application processing conditions of the Agency, the President and Chief Executive Officer may make the approval effective on a date prior to August 1.

Subchapter B. HIGHER EDUCATION GRANT PROGRAM

§ 121.42. Submission of applications.

(a) Applications will be considered only if submitted on or prior to the deadline date announced by the Agency for each group specified in § 121.41 (relating to grouping of applicants). Applications will be accepted after the established deadline, funds permitting, when received from applicants in the following categories, except applicants who have been supplied with an application by the Agency in sufficient time to have had a reasonable opportunity to submit the application to the Agency prior to the deadline:

(1) Veterans and current and former members of the Peace Corps, VISTA, and other similar organizations.

(2) Applicants who have suffered a loss in expected family assistance through the death, disability or retirement of a major wage earner of the family.

(3) Applicants who have suffered a loss in expected family assistance through a major wage earner's separation—as defined by the Agency—or divorce, or through a change in the employment status of a major wage earner of the family.

(b) If, in the case of applications accepted from students included in the categories mentioned in subsection (a), the release from active duty, death, disability, retirement, change of employment status, separation or divorce, as the case may be, occurred on or after January 1 immediately preceding the start of the academic year for

which aid is requested, the applications will be processed, funds permitting, in accordance with the following schedule:

(1) *Quarter schedule institutions.* Applications from students attending institutions with quarter schedules will be considered in accordance with the following dates of reception:

(i) Received prior to February 1—full-year consideration.

(ii) Received on or after February 1 and prior to April 1—two-term consideration.

(iii) Received on or after April 1—no consideration for the current academic year.

(2) *Semester schedule institutions.* Applications from students attending institutions with semester schedules will be considered in accordance with the following dates of reception:

(i) Received prior to February 1—full-year consideration.

(ii) Received on or after February 1 and prior to April 1—one-semester consideration.

(iii) Received on or after April 1—no consideration for the current academic year.

(c) Applications which are accepted from students included in the categories mentioned in subsection (a), but not eligible under the terms of subsection (b) will, funds permitting, be processed, after consideration of those applicants designated in subsection (b), for the term or terms designated by the Agency.

(d) The President and Chief Executive Officer may authorize the setting aside of deadlines for other categories of applicants when in the judgment of the President and Chief Executive Officer the setting aside of the deadline will facilitate administration of the State Higher Education Grant Program in accordance with the policies established by the Board of the Agency and will promote equitable program results. Any determination made by the President and Chief Executive Officer under this subsection will be reduced to writing, which writing will delimit the category and give an estimate of the number of applicants for the particular processing year which is expected to fall within the category. A copy of this writing will be furnished to each member of the Board of the Agency.

(e) Exceptional cases involving applicants who submit an application after the established deadline will be reviewed and appropriate resolution of the question relating to setting aside the deadline and the term of eligibility will be taken by the Administrative Review Committee or the Committee on Appeals in turn.

§ 121.48. Limitation on payment of grants.

The Agency will not make payment of, or further payment on, an existing State higher education grant on the basis of an inquiry or request received after August 1 of the calendar year next commencing following the academic year for which the payment is sought unless the President and Chief Executive Officer specifically directs that payment be made to prevent grave hardship

§ 121.56. Year abroad program.

A recipient shall be eligible to receive an award for a Year Abroad Program which shall provide the recipient with equivalent credit for the academic terms involved in the program as the recipient would earn at the approved institution of higher learning and which requires the

recipient to pay the educational costs to the institution. Exceptions to the requirement that educational costs be paid to the approved institution may be made by the President and Chief Executive Officer

Subchapter N. EARLY CHILDHOOD EDUCATION PROFESSIONAL LOAN FORGIVENESS PROGRAM

Sec.

121.401. Application of existing agency regulations.

121.402. Qualified applicant.

121.403. Loan forgiveness.

121.404. Employment.

121.405. Approved child-care facility.

121.406. Lottery.

§ 121.401. Application of existing agency regulations.

(a) The following higher education grant sections contained in Subchapter A (relating to general provisions) apply to applicants in the Early Childhood Education Professional Loan Forgiveness Program:

(1) Section 121.1 (relating to definitions).

(2) Section 121.3 (relating to discrimination prohibited).

(3) Section 121.4(a) (relating to denial of eligibility to loan defaulters).

(4) Section 121.6 (relating to denial of eligibility for financial assistance).

(5) Section 121.7 (relating to notice of denial and preliminary review procedures).

(6) Section 121.8 (relating to applicant and recipient appeals and hearings).

§ 121.402. Qualified applicant.

A qualified applicant in the Early Childhood Education Loan Forgiveness Program is a person who meets the following requirements:

(1) Has successfully completed an undergraduate program at an accredited college or university.

(2) Has a bachelor's degree and has obtained Pennsylvania State Early Childhood Education Certification (nursery through third grade), or an associate's degree in Early Childhood or Child Development.

(3) Has borrowed through the Agency-administered Guaranteed Student Loan Programs.

(4) Is a resident of this Commonwealth.

(5) Executes a sworn affidavit, under penalty of perjury, that he does not have a delinquent payment owing to any Commonwealth agency.

(6) Receives an annual salary of less than \$18,500 for the employment period for which loan forgiveness is requested.

(7) Has submitted a completed application by the filing deadline designated by the Agency.

§ 121.403. Loan forgiveness.

Qualified applicants who are selected for the program in accordance with the Early Childhood Loan Forgiveness Act (24 P. S. §§ 7101—7106) are eligible for payment by the Agency of a portion of the debt incurred by the applicant through the Agency-administered Guaranteed Student Loan Programs for the education necessary to successfully complete the specified bachelor's degree or associate's degree programs.

(1) For each 12-month employment period designated by the Agency that the applicant is a full-time profes-

sional in an approved Commonwealth child-care facility, the Agency may forgive a proportional part of the applicant's loan so that the loan may be entirely forgiven over 4 years of full-time employment in an approved child-care facility.

(2) For a graduate with a bachelor's or associate's degree in the specified areas, no more than \$2,500 shall be forgiven in any year, and no more than \$10,000 shall be forgiven for any applicant.

(3) Payments shall be made to the lender/servicer in March and September.

(4) A loan forgiveness award may not be made for a loan that is in default at the time of the application.

§ 121.404. Employment.

An applicant selected for the Early Childhood Education Professional Loan Forgiveness Program is required to submit documentation the Agency may require as proof that those child-care professionals are working as full-time professionals in approved child-care facilities in this Commonwealth for the 12-month employment period designated by the Agency for loan forgiveness. Each child-care professional is required to submit documentation of eligibility as the Agency may require.

§ 121.405. Approved child-care facility.

An "approved child-care facility" is defined as a child day-care center or group day-care home located in this Commonwealth which is subject to and in compliance with 55 Pa. Code (relating to public welfare).

§ 121.406. Lottery.

(a) Loan forgiveness awards shall be made to the extent that funds are appropriated by the General Assembly and are sufficient to cover administration of the program. If funding is insufficient to fully fund administration and eligible applicants, the Agency shall utilize a random lottery system for determining which applicants receive loan forgiveness awards.

(b) When a random lottery is required, the lottery shall include only those records that are complete and eligible in accordance with § 121.402 (relating to qualified applicant) at the time the lottery is conducted.

[Pa.B. Doc. No. 00-1317. Filed for public inspection August 4, 2000, 9:00 a.m.]

Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

STATE BOARD OF CERTIFIED
REAL ESTATE APPRAISERS

[49 PA. CODE CH. 36]

Qualifications for Certification

The State Board of Certified Real Estate Appraisers (Board), by this order, amends §§ 36.11 and 36.12 (relating to residential real estate appraiser; and general real estate appraiser) to read as proposed at 29 Pa.B. 5727 (November 6, 1999).

The amendments (1) reflect revised Federal education and experience requirements for appraiser certification

that became effective by operation of law under the Real Estate Appraisers Certification Act (REACA) (63 P. S. §§ 457.1—457.19), on January 1, 1998; (2) adopt the National Uniform Standards of Appraisal Practice as a mandatory course for appraiser certification; (3) track revised scope of practice language that was added to the REACA effective September 3, 1996; and (4) make editorial changes.

Statutory Authority

Section 5(2) of the REACA (63 P. S. § 457.5(2)), authorizes the Board to adopt regulations necessary to carry out the provisions of the REACA.

Fiscal Impact and Paperwork Requirements

The amendments will have no fiscal impact on the Commonwealth or its political subdivisions. While the amendments reflect increased education and experience requirements for applicants for residential or general certification, the amendments will have no fiscal impact on those applicants because the increased requirements have already taken effect by operation of law.

The amendments will not create new paperwork requirements for the Commonwealth, its political subdivision or the private sector. Prior to January 1, 1998, the Board amended its application forms and instructions to reflect the increased education and experience requirements.

Compliance with Executive Order 1996-1

In accordance with Executive Order 1996-1 (relating to regulatory review and promulgation), the Board solicited preproposal comments from the major trade associations representing the real estate appraising industry in this Commonwealth.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on November 6, 1999, the Board submitted a copy of proposed rulemaking, published at 29 Pa.B. 5727, following which the Board entertained public comment for 30 days. The Pennsylvania Association of Realtors submitted comments in support of the amendments.

The amendments were reviewed during proposed rulemaking by the Independent Regulatory Review Commission (IRRC), the Senate Consumer Protection and Professional Licensure Committee, and the House Professional Licensure. None of these bodies recommended changes to the amendments.

On May 3, 2000, the Board submitted proposed amendments to IRRC and the House and Senate Committees. Under authority of sections 5(g) and 5.1(d) of the Regulatory Review Act (71 P. S. §§ 745.5(g) and 745.5a(d)), the amendments were approved by the House Committee on May 16, 2000, deemed approved by the Senate Committee on May 23, 2000, and deemed approved by IRRC on May 24, 2000.

Additional Information

Individuals who desire additional information about the amendments are invited to submit inquiries to Cheryl Lyne, Administrator, State Board of Certified Real Estate Appraisers, P. O. Box 2649, Harrisburg, PA 17105-2649. The Board's telephone number is (717) 783-4866.

Findings

The Board finds that:

(1) Public notice of the Board's intention to amend Chapter 36, by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202), and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The amendments adopted by this order are necessary and appropriate for the administration of the REACA.

Order

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

(a) The regulations of the Board, 49 Pa. Code Chapter 36, are amended by amending §§ 36.11 and 36.12 to read as set forth at 29 Pa.B. 5727.

(b) The Board shall submit this order and 29 Pa.B. 5727 to the Office of Attorney General and the Office of General Counsel for approval as required by law.

(c) The Board shall certify this order and 29 Pa.B. 5727 and deposit them with the Legislative Reference Bureau as required by law.

(d) The amendments shall take effect upon publication in the *Pennsylvania Bulletin*.

DAVID J. KING,
Chairperson

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 30 Pa.B. 2965 (June 10, 2000).)

Fiscal Note: Fiscal Note 16A-7010 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 00-1318. Filed for public inspection August 4, 2000, 9:00 a.m.]

Title 61—REVENUE

DEPARTMENT OF REVENUE

[61 PA. CODE CHS. 55 AND 60]

Sales and Use Tax; Lawn Care Services

The Department of Revenue (Department), under the authority contained in section 270 of the Tax Reform Code of 1971 (TRC) (72 P. S. § 7270), by this order adopts § 55.6 (relating to lawn care services) and deletes § 60.2 (relating to lawn care services).

Purpose of Regulation

This rulemaking provides the Department's interpretation of section 201(k)(17), (o)(15) and (jj) of the TRC (72 P. S. §§ 7201(k)(17), (o)(15) and (jj)) relating to lawn care services.

Explanation of Regulatory Requirements

Section 55.6(a) defines the terms "lawn," "lawn care service," "shrubbery" and "tree" for use in that section. Subsection (b) provides that the sale at retail or use of lawn care services performed in this Commonwealth is subject to tax.

Subsection (c) provides examples of taxable lawn care services. Subsection (d) provides examples of services that are not taxable lawn care services. Subsection (e) provides that tax shall be imposed on the total charge for lawn care services. The failure to state charges for lawn care

services separately from other nontaxable charges on the same invoice requires the charging of tax on the total invoice amount.

Subsection (f) sets forth exemptions. Paragraph (1) provides that lawn care services are not subject to tax if purchased by qualified institutions of purely public charity, charitable organizations, volunteer fire companies, religious organizations and nonprofit educational institutions, except if used in an unrelated trade or business; the Federal government or its instrumentalities; or the Commonwealth, its instrumentalities or subdivisions, including public school districts. The purchase of lawn care services is subject to tax if purchased by persons engaged in the business of manufacturing, mining, processing, public utility, farming, dairying, agriculture, horticulture or floriculture, as those terms are defined in section 201(k)(8) and (o)(4)(B) of the TRC.

Subsection (f)(2) provides that the vendor of lawn care services may claim the resale exemption upon its purchase of tangible personal property that is transferred to the purchaser or a third party in the performance of the lawn care services. This subsection also provides examples of property that may be purchased for resale when transferred to the purchaser in the performance of lawn care services and examples of property that is taxable when used in the performance of lawn care services.

With the adoption of § 55.6, the Department is deleting the pronouncement set forth in § 60.2.

Affected Parties

Providers of lawn care services will be affected by this rulemaking.

Comment and Response Summary

Notice of proposed rulemaking was published at 29 Pa.B. 3736 (July 17, 1999). This proposal is being adopted with changes to read as set forth in Annex A.

The Department received one comment during the public comment period. No comments were received from the House Finance Committee or the Senate Finance Committee. The Department received comments from the Independent Regulatory Review Commission (IRRC).

The amendments to the proposed rulemaking in response to the comments from the public and IRRC are as follows:

(1) In its comments, IRRC indicated that the definition of "lawn care service" was not consistent with the statutory definition and suggested that the Department replace its definition with a reference to the statutory definition. The Department amended the definition to mirror the statutory definition; however, the wording of the statute was added because in the Department's opinion, the statutory citation would not provide sufficient guidance to the taxpayers utilizing the regulation.

(2) Both the public commentator and IRRC indicated that it would be helpful if the Department could provide definitions for "shrubbery" and "tree" for use in the regulation. The Department agrees that the definitions are needed and added them to subsection (a). The Department's source for the definitions is *The Manual of Woody Landscape Plants* by Michael A. Dirr.

(3) Subsection (b) states that lawn care services became taxable October 1, 1991. IRRC questioned the necessity of this sentence and suggested that it be deleted from the section. The Department agrees with IRRC's suggestion and deleted the sentence from subsection (b).

(4) Subsection (c) provides a list of examples of taxable lawn care services. Paragraph (11) relates to the overseeding, sodding or grass plugging of lawns. For clarity, IRRC suggested the Department add the word "existing" to clearly distinguish these services from the services described in subsection (d)(1). The Department agrees with IRRC's comment and amended the paragraph accordingly.

(5) IRRC raised two concerns with regard to subsection (f). The first concern relates to the title of the subsection, "exclusions," when the section discusses both exclusions and exemptions. IRRC suggested that the Department create a separate subsection to address exemptions to distinguish them from exclusions. The Department agrees that the use of the two terms could be confusing and amended the title of the subsection as well as the text to alleviate the confusion.

IRRC's second concern relates to the last sentence in subsection (f)(1). The proposed language provided "[T]he manufacturing, mining, processing, public utility, farming, dairying, agriculture, horticulture or floriculture exclusions do not apply." IRRC was not clear on which "exclusions" were being referenced and how comprehensive they were, and suggested the Department reference the pertinent statutory provisions and state that the exclusions do not apply to the tax on lawn care services. To address IRRC's concerns and to clarify the meaning of the sentence, the Department reworded the sentence and added a reference to the applicable statutory provisions.

Revisions initiated during the Department's internal review of the regulation are as follows:

(1) Section 55.6(d) relating to nontaxable lawn care services is amended by adding an additional example in paragraph (8) relating to separately stated charges for leaf raking. In the Department's proposal, leaf raking was not enumerated in the list of taxable services to reflect the change in policy in this area. However, the mere omission from the listing of taxable services without a corresponding affirmation in the listing of nontaxable services could cause confusion; therefore, the Department added the paragraph to clarify the Department's change in policy in this area.

(2) Minor grammatical and stylistic changes were made throughout § 55.6 to improve clarity and readability.

(3) For clarity, the Department amended § 55.6(d)(1) to provide that seeding, sodding and grass plugging done in conjunction with building construction will be presumed to be a new lawn and therefore a nontaxable lawn care service.

Question raised regarding the proposal is as follows:

Both the public and IRRC questioned the application of the Department's proposed definition for "lawn." Specifically, the commentators questioned how to distinguish a lawn from a field. The proposed definition defines lawn to be an area maintained with grass adjacent to a building. The Department chose this language because lawns are normally associated with buildings and fields are not. Thus, the distinguishing characteristic is that the area be associated with a building.

Fiscal Impact

The Department determined that the change in policy from the Department's statement of policy (§ 60.2) relating to the exclusion of shrubbery trimming from tax when not performed in conjunction with a taxable lawn care service and the exclusion of leaf raking from the definition of a "lawn care service" as set forth in this rule-

making will result in an estimated revenue loss of approximately \$1.2 million for Fiscal Year 1999-00.

Paperwork

This rulemaking will require no additional paperwork for the public or the Commonwealth.

Effectiveness/Sunset Date

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

Contact Person

The contact person for an explanation of this rulemaking is Anita M. Doucette, Office of Chief Counsel, PA Department of Revenue, Dept. 281061, Harrisburg, PA 17128-1061.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on June 30, 1999, the Department submitted a copy of the notice of proposed rulemaking, published at 29 Pa.B. 3736, to IRRC and the Chairpersons of the House Committee on Finance and the Senate Committee on Finance for review and comment.

In compliance with section 5(c) of the Regulatory Review Act (71 P. S. § 745.5(c)), the Department also provided IRRC and the Committees with copies of the comments received, as well as other documentation. In preparing this final-form rulemaking, the Department has considered the comments received from IRRC, the Committees and the public.

This final-form rulemaking was deemed approved by the Committees on June 14, 2000, and was approved by IRRC on June 22, 2000, in accordance with section 5.1(e) of the Regulatory Review Act (71 P. S. § 745.5a(e)).

Findings

The Department finds that:

(1) Public notice of intention to amend the regulations has been duly given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The amendments are necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Department, acting under the authorizing statute, orders that:

(a) The regulations of the Department, 61 Pa. Code Chapters 55 and 60, are amended by adding § 55.6 and deleting § 60.2 to read as set forth in Annex A.

(b) The Secretary of the Department shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval as to form and legality as required by law.

(c) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

ROBERT A. JUDGE, Sr.,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 30 Pa.B. 3534 (July 8, 2000).)

Fiscal Note: 15-407. (1) General Fund; (2) Implementing Year 1999-00 is \$1.2 million; (3) 1st Succeeding Year 2000-01 is \$1.2 million; 2nd Succeeding Year 2001-02 is \$1.2 million; 3rd Succeeding Year 2002-03 is \$1.2 million; 4th Succeeding Year 2003-04 is \$1.2 million; 5th Succeeding Year 2004-05 is \$1.2 million; (4) 1998-99 Not applicable; 1997-98 Not applicable; 1996-97 Not applicable; (8) recommends adoption. The proposed regulation estimated a \$1.1 million revenue loss due to the proposed changes. The increase in the estimated revenue loss for the final regulation represents a recalculation for fiscal year 1999-00 rather than a substantive change from the proposed regulation.

Annex A

TITLE 61. REVENUE

PART I. DEPARTMENT OF REVENUE

Subchapter B. GENERAL FUND REVENUES

ARTICLE II. SALES AND USE TAX

CHAPTER 55. SERVICES

§ 55.6. Lawn care services.

(a) *Definitions.* The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

Lawn—An area maintained with grass adjacent to a building. The term does not include athletic fields, cemeteries, golf courses, fields, parks and public utility or highway right-of-ways.

Lawn care service—Providing services for lawn upkeep including fertilizing, lawn mowing, shrubbery trimming or other lawn treatment services.

Shrubbery—A woody plant that produces branches or shoots from or near the base.

Tree—A woody plant with a main stem and usually having a distinct head.

(b) *Scope.* The sale at retail or use of lawn care services performed in this Commonwealth is subject to tax.

(c) *Examples of taxable services.* The following are examples of taxable lawn care services:

- (1) Fertilizing lawns.
- (2) Mowing, trimming, cutting or edging lawns.
- (3) Dethatching lawns.
- (4) Applying herbicides, insecticides or fungicides to lawns.
- (5) Raking grass on lawns.
- (6) Applying treatments for weed, pest, insect or disease control to lawns.
- (7) Watering lawns.
- (8) Applying lime to lawns.
- (9) Aerating lawns.
- (10) Providing lawn evaluation, consultation or soil testing services on lawns, if purchased in conjunction with other lawn care services, regardless of whether the costs of the lawn evaluation, consultation or soil testing services are separately stated on the invoice.
- (11) Overseeding, sodding or grass plugging of existing lawns.

(12) Trimming or pruning shrubbery when performed in conjunction with other lawn care services.

(d) *Examples of nontaxable services.* The following are examples of services which are not taxable lawn care services:

- (1) Seeding, sodding or grass plugging to establish a new lawn. Seeding, sodding or grass plugging in conjunction with building construction will be presumed to be a new lawn.
- (2) Trimming, pruning or fertilizing trees.
- (3) Planting or removing shrubbery or trees.
- (4) Providing lawn evaluation, consultation or soil testing services, if not purchased in conjunction with other lawn care services.
- (5) Designing lawns or landscapes.
- (6) Applying herbicides or fungicides to shrubbery, trees, flowers or vegetables.
- (7) Maintaining shrubbery, flower or vegetable beds, such as by mulching, tilling, weeding or fertilizing.
- (8) Separately stated charges for leaf raking.

(e) *Purchase price.* Tax shall be imposed on the total charge for lawn care services. The failure to separately state charges for lawn care services from other nontaxable charges on the same invoice requires the charging of tax on the total invoice amount.

(f) *Exemptions.*

(1) Lawn care services are not subject to tax if purchased by qualified institutions of purely public charity, charitable organizations, volunteer fire companies, religious organizations and nonprofit educational institutions, except if used in an unrelated trade or business; the Federal government or its instrumentalities; or the Commonwealth, its instrumentalities or subdivisions, including public school districts. The purchase of lawn care services is subject to tax if purchased by persons engaged in the business of manufacturing, mining, processing, public utility, farming, dairying, agriculture, horticulture or floriculture, as those terms are defined in section 201(k)(8) and (o)(4)(B) of the TRC (72 P. S. §§ 7201(k)(8) and (o)(4)(B)).

(2) The vendor of lawn care services may claim the resale exemption upon its purchase of tangible personal property that is transferred to the purchaser or a third party in the performance of the lawn care services. The vendor may also purchase lawn care services from another provider and subsequently resell the services to a purchaser. The vendor may not claim the resale exemption upon its purchase of administrative supplies or the purchase of other taxable services that it may use but not transfer in the performance of its lawn care services.

(i) The following are examples of property that may be purchased exempt for resale when transferred to the purchaser in the performance of lawn care services:

- (A) Herbicides, insecticides, fungicides or other chemicals that are applied to lawns.
- (B) Grass seed, sod, grass plugs, straw, fertilizers or lime applied to lawns.

(ii) The following are examples of taxable property when used in the performance of lawn care services:

- (A) Mowers; edgers; or pruning, dethatching, aerating or mulching equipment, including motor oil and gasoline used in the equipment.

- (B) Rakes, shovels or hoes.
- (C) Spray applicators.
- (D) Testing kits.
- (E) Lawn sweepers.

(F) Other tangible personal property and services used in connection with the performance of lawn care services such as invoices, sales receipts, contracts, estimate sheets, confirmations and other similar items.

**CHAPTER 60. SALES AND USE TAX
PRONOUNCEMENTS—STATEMENTS OF POLICY**
§ 60.2. (Reserved).

[Pa.B. Doc. No. 00-1319. Filed for public inspection August 4, 2000, 9:00 a.m.]

[61 PA. CODE CHS. 101 AND 125]

Payments For Employee Welfare Benefit Plans and Cafeteria Plans

The Department of Revenue (Department), under the authority contained in section 354 of the Tax Reform Code of 1971 (TRC) (72 P. S. § 7254), by this order amends §§ 101.1, 101.6, 101.6a and 101.7 and deletes §§ 125.21—125.33 to read as set forth in Annex A.

Purpose of Rulemaking

The amendments to §§ 101.1, 101.6, 101.6a and 101.7 are made to explain how employee welfare benefit programs and other wage and salary supplemental programs are taxed and to implement amendments to section 301(d) of the TRC (72 P. S. § 7301(d)) under the act of May 7, 1997 (P. L. 85, No. 7) (Act 7) and the act of April 29, 1998 (P. L. 295, No. 48) (Act 48).

Explanation of Regulatory Requirements

The amendments provide employers and employees with a detailed explanation of how nondiscriminatory employee welfare benefit programs such as self-insured medical reimbursement accounts or cafeteria plans are taxed under the Commonwealth's Personal Income Tax. They also provide a detailed explanation of how programs that discriminate in favor of officers, owners and key employees are taxed.

The amendments are also added to notify employers and employees how the provisions of the Personal Income Tax relating to employee compensation in the form of employer-provided facilities or services will be enforced by the Department.

With the adoption of this rulemaking, the Department is deleting the statement of policy in §§ 125.21—125.33. The statement of policy provided the public with an explanation of the Department's policy on payments for employee welfare benefit plans and cafeteria plans pending the adoption of this rulemaking.

Affected Parties

Wage earners, employers and tax practitioners/preparers may be affected by the rulemaking in that they will need to know what is subject to withholding and how to complete their tax return.

Comment and Response Summary

Notice of proposed rulemaking was published at 28 Pa. B. 1946 (April 25, 1998). This proposal is being adopted with changes as set forth in Annex A.

The Department received one comment from the public during the public comment period. The Department also received comments from the Independent Regulatory Review Commission (IRRC). No comments were received from the Senate and House Finance Committees.

Amendments to the proposed rulemaking in response to comments are as follows:

(1) IRRC suggested that the Department clarify its use of the term "cafeteria plan." In response, the Department amended the definition of "cafeteria plan" to mean only plans qualifying under section 125 of the IRC (26 U.S.C.A. § 125).

(2) IRRC suggested that the terminology "taxable compensation" was redundant and that the regulation be consistent in its references to compensation. The terminology "taxable compensation" has been amended to "compensation" throughout the regulation.

(3) IRRC suggested that the definitions of "employee benefit plan," "employee welfare benefit plan," and "cafeteria plan" in the proposed rulemaking overlap. The definitions have been amended to eliminate the definition of "employee benefit plan." Although cafeteria plans can offer the same benefits as employee welfare benefit plans (such as, health, accident or death plan benefits or dependent care assistance), they can also offer 401(k) plan benefits.

(4) IRRC noted in its comments that the definition of "cafeteria plan" used the undefined term "flexible benefit plans" and suggested that the term be defined in the final rulemaking. The revisions to the definition of "cafeteria plan" previously discussed have addressed this concern.

(5) In response to IRRC's comment and the act of April 23, 1998 (P. L. 239, No. 45) (Act 45), several of the examples set forth in the definition of "employee welfare benefit plan" are deleted.

(6) IRRC recommended that the proposed rulemaking be amended to add definitions of the terms "working condition fringes," "qualified transportation fringes," and "de minimis fringes" for purposes of § 101.6(c)(10) (relating to compensation) and the definition of "poverty income." The terms are eliminated in final-form regulations and will be addressed in a future rulemaking.

(7) IRRC noted that the criteria in the definition of "program covering hospitalization, sickness, disability or death" were confusing and questioned the need for the language. IRRC suggested that if the Department retained the language in the final rulemaking, the Department should explain why the criteria were necessary. The Department recognizes the concern raised by IRRC and deleted the proposed definition and added a new definition for "health, accident or death plan." The definition includes an example to add clarity.

(8) IRRC and a public commentator suggested that the proposed rulemaking be amended to reflect the exclusion of the personal use of an employer's property and employer-provided services under Act 45. The Department acknowledges the need, deletes those provisions in the proposed rulemaking that consider employer provided service or property to be compensation, and adds § 101.6a (relating to fringe benefits in the form of use of property or services) to explain the new exclusions.

(9) IRRC questioned why the Department included the term "collectively bargained" in subsection (c)(9) and recommended that the Department either delete or explain the need for the terminology. Although collectively bargained for supplemental unemployment benefit pay arrangements would seldom be discriminatory, the language has been deleted.

(10) IRRC and a public comment questioned whether the proposed rulemaking referred not only to qualified and unqualified stock options and restricted stock options but also to incentive stock options (ISOs), noting that there is confusion in the community as to whether the current § 101.6(b) includes ISOs. The Department acknowledges that, because the Federal tax treatment of ISOs varies from the Federal treatment of other stock options, it would be helpful to clarify that they are taxed the same as other stock options for Personal Income Tax purposes. The Department amended § 101.6(f) for that purpose.

(11) IRRC recommended that the words “they” and “conditions,” in § 101.6(i)(1)(i) and (ii) be clarified. The terminology has been clarified by referencing the payments in question and the requirements of paragraph (1). The word “rules” in paragraph (2) refers to all personal income tax regulatory provisions relating to employer payments for employee welfare benefit plans.

(12) IRRC raised several clarity concerns regarding § 101.6(i)(2) and suggested that the provision should be redrafted. The Department recognizes IRRC’s concerns and revised the paragraph accordingly.

(13) IRRC recommended changes to the first, fifth and sixth examples under § 101.6(i)(3). After consideration, the Department deleted paragraph (3) in its entirety.

(14) Section 101.7(f) (relating to receipt of income) is amended in response to IRRC’s request for clarity.

(15) IRRC also made a comment relating to the deletion of the Department’s statement of policy relating to payments for employee welfare benefit plans and cafeteria plans set forth in §§ 125.21—125.33. IRRC notes that the preamble for the proposed rulemaking did not mention the statement of policy, nor did it indicate that the statement of policy would be deleted upon adoption of the proposal; therefore, IRRC suggested that the statement of policy be deleted upon adoption of rulemaking.

It was the Department’s intention to delete §§ 125.21—125.33 with the adoption of this rulemaking; therefore, consistent with IRRC’s comment and the Department’s intent, language has been added to the regulation which deletes §§ 125.21—125.33 upon the adoption of the rulemaking.

Revisions initiated during the Department’s internal review of the regulation are as follows:

(1) Consistent with the Department’s deletion of detailed examples throughout the regulation, the example in proposed § 101.6(g)(3) is deleted.

(2) The example in § 101.6(i)(2) was based on the Federal law in effect at the time the proposal was published. The Federal law subsequently changed requiring the deletion of the example.

(3) As part of the amendments to address Act 45, the Department believed it was necessary to add § 101.6(l) to specifically provide that the form of payment of compensation does not affect its taxable status, except as provided in § 101.6a.

(4) Stylistic changes were made throughout this rulemaking for clarity.

Comments that did not result in amendments to the regulation are as follows:

(1) IRRC saw a need to specifically address when benefits will be considered compensation. Although the Department understands that need, the proposed rulemaking takes a different approach to meet it, because

there are substantially more categories of taxable benefits than excludible categories. It provides the general rule that all wage and salary supplements are taxable. The term “wage and salary supplement” is broadly defined to include any of the following:

(a) Employer-provided coverage under a plan.

(b) An employer payment to provide benefits under a plan, separation, vacation, holiday or guaranteed pay, reimbursement for personal expenses, and any other amount paid, under an agreement, to one or more of the following:

(i) An independently controlled trust or pooled fund established or maintained for the purpose of funding or providing benefits under the plan.

(ii) An insurance company for the purchase of insurance.

(iii) A third party for the benefit of the employee.

(c) Any benefit under a plan to the extent attributable to plan coverage or contributions by the employer which were not includible in income of the employee.

(d) Any benefit under a plan which is paid by the employer.

The rulemaking also spells out what contributions are deemed to be made by an employer even when deducted from an employee’s gross pay. See § 101.6(i). The amendments continue the pattern of spelling out the exceptions, specifically including:

(a) Periodic payments for periods of sickness or disability. See § 101.6(c)(1).

(b) Payments made by an employer or labor union or elective contributions deemed to be made by an employer under a cafeteria plan for a nondiscriminatory health, accident or death plan and program benefits payable on condition of hospitalization, sickness, disability or death under a health, accident or death plan. See § 101.6(c)(6) and (12).

(c) Payments made by an employer or labor union for fringe benefits described in § 101.6a.

(2) In its comments regarding subsection (g), IRRC questioned the relevancy a cafeteria plan has to do with the taxation of vacation benefits and whether it mattered if the vacation benefits are part of a cafeteria plan in order to determine if they are compensation. IRRC suggested the Department explain the intent of this subsection. The inclusion of language relating to vacation benefits in a cafeteria plan was to show that cafeteria plans can cover a multitude of benefits, including vacation benefits.

(3) In its review of § 101.6(c)(5), IRRC questioned how the section would be applied for reimbursements for service or property that involved both personal and business use. The mixed use of property owned by an employee will be addressed in a separate rulemaking. The use of employee-owned property for business use is distinguishable from that addressed by Act 45 which related to the mixed use of property owned or leased by the employer.

(4) With regard to proposed § 101.6(e)(3), now § 101.6(e)(2), IRRC noted that because Federal taxable noncash fringe benefits may include the “personal use of an employer’s owned or leased property or of employer provided services,” the paragraph needed to be amended to clarify the proper tax treatment for Pennsylvania purposes. In accordance with Act 48, the Department

amended § 101.6(c) by adding paragraph (12). The purpose of paragraph (2) in § 101.6(e) is to advise taxpayers that the Commonwealth will accept the value established for Federal income tax purposes and that no special calculation is required for Pennsylvania tax purposes.

(5) IRRC raised a number of concerns regarding health, accident and death plans. The final-form regulations have been substantially changed to resolve those concerns. However, it is the position of the Department that benefits are not excludible as health, accident or death benefits if they would also be payable under circumstances having no connection with hospitalization, sickness, disability or death. *Bickford v. Commonwealth*, 533 A.2d 822 (Pa.Cmwlt. 1987).

IRRC's final comment suggested that because the Department would be adding new provisions to the proposal resulting from Act 45, it would be beneficial to allow further public comment prior to the submission of the final-form rulemaking. Neither the Regulatory Review Act nor the Commonwealth Documents Law provides for the republication of a proposed rulemaking. However, under the Governor's Executive Order 1996-1, the Department has actively sought input from affected parties including professional associations, business associations, all parties who commented on the proposal as well as IRRC and the Legislative Standing Committees. In addition, this rulemaking is listed in the Department's Agenda of Regulations and will be forwarded to all interested parties upon request. Therefore, the Department believes that its public outreach program sufficiently addresses this concern.

Fiscal Impact

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

Paperwork

The amendments will not require additional paperwork for the public or the Commonwealth.

Effectiveness/Sunset Date

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

Contact Person

The contact person for an explanation of the amendments is Anita M. Doucette, Office of Chief Counsel, PA Department of Revenue, Dept. 281061, Harrisburg, PA 17128-1061.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on April 15, 1998, the Department submitted a copy of the notice of proposed rulemaking, published at 28 Pa.B. 1946, to IRRC and the Chairpersons of the House Committee on Finance and the Senate Committee on Finance for review and comment.

In compliance with section 5(c) of the Regulatory Review Act, the Department also provided IRRC and the Committees with copies of the comments received, as well as other documentation. In preparing these final-form regulations, the Department has considered the comments received from IRRC, the Committees and the public.

These final-form regulations were deemed approved by the Committees on June 8, 2000, and were approved by

IRRC on June 22, 2000, in accordance with section 5.1(e) of the Regulatory Review Act (71 P.S. § 745.5a(e)).

Findings

The Department finds that:

(1) Public notice of intention to amend the regulations has been given under sections 201 and 202 of the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The amendments are necessary and appropriate for the administration and enforcement of the authorizing statute.

Order

The Department, acting under the authorizing statute, orders that:

(a) The regulations of the Department, 61 Pa. Code Chapter 101, are amended by amending §§ 101.1, 101.6 and 101.7 by adding § 101.6a and by deleting the statements of policy in §§ 125.21—125.33 to read as set forth in Annex A with ellipses referring to the existing text of the regulations.

(b) The Secretary of the Department shall submit this order and Annex A to the Office of General Counsel and the Office of Attorney General for approval as to form and legality as required by law.

(c) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

ROBERT A. JUDGE, Sr.,
Secretary

(Editor's Note: The proposed rulemaking which appeared at 28 Pa.B. 1946 did not include the adoption of § 101.6a included herein. For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 30 Pa.B. 3534 (July 8, 2000).)

Fiscal Note: Fiscal Note 15-402 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 61. REVENUE

PART I. DEPARTMENT OF REVENUE

Subpart B. GENERAL FUND REVENUES

ARTICLE V. PERSONAL INCOME TAX

CHAPTER 101. GENERAL PROVISIONS

§ 101.1. Definitions.

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

* * * * *

Cafeteria plan—A plan qualifying under section 125 of the IRC (26 U.S.C.A. § 125).

* * * * *

Discriminatory plan—A plan that treats highly compensated participants more favorably in coverage, contributions or benefits. In determining whether a cafeteria plan is discriminatory, the special rules of section 125(g) of the IRC apply.

* * * * *

Employe welfare benefit plan—

(i) A plan established or maintained to provide to eligible employes or their beneficiaries plan benefits, such as:

- (A) Medical, surgical or hospital care or benefits in the event of sickness, accident or disability.
- (B) Death benefits.
- (C) Scholarships.
- (D) Personal expense reimbursements, advancements or allowances such as rental vehicle, dependent care, food or housing allowances.

(ii) The term does not include:

- (A) Plans that offer a benefit that defers the receipt of compensation or operate in a manner that enables participants to defer the receipt of compensation.
- (B) Plans established or maintained to provide fringe benefits described in § 101.6a (relating to fringe benefits in the form of use of property or services).

* * * * *

Health, accident or death plan—

(i) The term means:

- (A) An accident, health or term life insurance policy issued by an insurance company.
- (B) A self-insured employe welfare benefit plan under which benefits are payable upon hospitalization, sickness, disability or death or for the prevention of sickness or disability.

(ii) The term does not include a program under which benefits are payable either upon hospitalization, sickness, disability, death or for the prevention of sickness or disability; or upon separation from employment or some other contingency.

Example: Under A's benefit plan, B qualifies for a lump sum payment equal to 26 weeks' pay upon proof of permanent disability or separation from employment. The plan does not constitute a health, accident or death plan because program benefits are also payable upon separation from employment. Instead, it constitutes a severance pay plan.

Highly compensated participant—

(i) A plan participant who is one of the following:

- (A) An officer.
- (B) A shareholder owning more than 5% of the voting power or value of all classes of stock of the employer.
- (C) An individual who, for the preceding taxable year:

(I) Received compensation from the employer in excess of the Federal limitation (after adjustment by the Secretary of the United States Treasury for inflation) set forth in section 414(q)(1)(B) of the IRC (26 U.S.C.A. § 414(q)(1)(B)).

(II) Is in the group consisting of the top 20% of all full-time employes of the employer with at least 3 years of service when ranked on the basis of compensation paid during the taxable year.

(ii) A partner or other self-employed individual.

(iii) A spouse or dependent of a highly compensated individual.

* * * * *

*Plan—*A cafeteria plan or other wage and salary supplemental or replacement program or arrangement established or maintained by an employer or by an employe organization, or by both, for the benefit of eligible employes or their beneficiaries. The term includes temporary or permanent programs or arrangements covering hospitalization, sickness, disability or death, supplemental unemployment benefits, strike benefits, social security or retirement, a trust that forms part of a plan, and a contract of insurance.

* * * * *

Poverty income—

(i) For the purpose of determining eligibility for special tax provisions, moneys or property, including interest, gains or income derived from obligations which are statutorily free from State or local taxation under any other act of the General Assembly of the Commonwealth or under the laws of the United States, received of whatever nature and from whatever source derived, but not including the following:

* * * * *

(E) Payments to reimburse actual expenses.

(F) Payments made by employers to labor unions for programs covering hospitalization, sickness, disability or death, supplemental unemployment benefits, strike benefits, social security and retirement.

* * * * *

(iii) The following income may not be included: Social Security and Medicare benefits; periodic payments for sickness and disability; workers' compensation payments; public assistance and relief (welfare); unemployment compensation; reimbursed actual expenses; pensions or annuities, including railroad retirement benefits received by reason of retirement; and military pay received by servicemen for duty in a combat zone.

* * * * *

Wage or salary supplement—

(i) Employer-provided coverage under a plan.

(ii) Separation pay, vacation pay, holiday pay, guaranteed pay, reimbursement for personal expenses, an employer payment to provide benefits under a plan and any other amount paid, under an agreement, to one or more of the following:

- (A) An independently controlled trust or pooled fund established or maintained for the purpose of funding or providing benefits under the plan.
- (B) An insurance company for the purchase of insurance.
- (C) A third party for the benefit of the employe.

(iii) Any benefit under a plan to the extent attributable to plan coverage or contributions by the employer which were not includible in income of the employe.

(iv) Any benefit under a plan which is directly paid by the employer.

§ 101.6. Compensation.

(a) Compensation includes items of remuneration received by an employe, whether directly or through an agent, in cash or in property, or based on payroll periods or piecework, for services rendered as an employe, agent or officer of an individual, partnership, but not guaranteed payments to a partner for services rendered to the partnership, business or nonprofit corporation, or govern-

ment agency. These items include salaries, wages, commissions, bonuses, stock options, incentive payments, fees, tips, termination or severance payments, rewards, vacation and holiday pay and other wage and salary supplements, tax assumed by the employer, the entire cost of employer-provided coverage provided to a highly compensated participant under any discriminatory employee welfare benefit plan, and other remuneration received for services rendered.

(b) Scholarships, stipends, grants and fellowships shall be taxable as compensation, if services are rendered in connection therewith.

* * * * *

(c) Compensation does not mean or include any of the following:

(1) Periodic payments for periods of sickness or disability paid by or on behalf of an employer under a program or plan unless the payments are regular wages. Additionally, no amount of damages received (whether by suit or agreement and whether as lump sums or as periodic payments) if pain and suffering, emotional distress or other like noneconomic element was, or would have been, a significant evidentiary factor in determining the amount of the taxpayer's damage. No payments made by third-party insurers for periods of sickness or disability would be considered payments of regular wages. A program or plan where any of the following occur would not be considered payment of regular wages:

(i) The periodic payments have no direct relationship to the employee's usual rate of compensation.

(ii) The periodic payments are computed with reference to the nature of the sickness or disability and without regard to the employee's job classification.

(iii) Periodic payments would be reduced by payments arising under Workmen's Compensation Acts, Occupational Disease Acts, Social Security Disability or similar legislation by any government.

(iv) The periodic payments exceed the employee's usual compensation for the period.

* * * * *

(5) Payments made by employers to employees to reimburse actual expenses allowable as an ordinary, reasonable and necessary business expense.

(6) Payments made by an employer or labor union or elective contributions deemed to be made by an employer under a cafeteria plan for a nondiscriminatory health, accident or death plan.

Example.

P is a partnership that is engaged in providing accounting services. On a nondiscriminatory basis, it offers the following fringe benefits to both employees and partners of the firm:

- Blue Cross/Blue Shield medical coverage.
- Dental and eyeglass coverage with a deductible.
- Group term life insurance with coverage up to the equivalent of the employee's annual salary.

P pays the premiums on behalf of all employees and partners for all medical, dental, eyeglass and insurance coverage directly to the insurance carrier or benefit provider. P does not add the premium costs for the benefits to any employee's gross wages and it accounts for the benefit costs as nonsalary fringe benefit expenses. In

other words, the value of the benefits are not shown as an addition to any employee's wages on the paystubs furnished to employees.

The plan is not a Federally qualifying cafeteria plan.

Conclusion: For the employees of P the employer-provided hospitalization (Blue Cross/Blue Shield), eyeglass, dental coverage and group life insurance benefits are excludable from compensation and are therefore not subject to withholding. The premiums paid on behalf of the partners, however, are not deductible or excludable from the income of the partnership or the partners.

* * * * *

(9) Payments made by an employer or labor union for a nondiscriminatory supplemental unemployment benefit or strike benefit plan.

(10) Federally excludable benefits provided for the convenience of the employer.

(11) Fringe benefits described in § 101.6a (relating to fringe benefits in the form of personal use of property or services).

(12) Program benefits payable on condition of hospitalization, sickness, disability or death under a health, accident or death plan.

* * * * *

(e) Compensation paid in a medium other than cash shall be valued at its current market value. Compensation paid in the form of employer-provided coverage under an employee welfare benefit plan shall be valued at cost. The cost shall be the total amount of payment made during the year by the employer on account of the plan and plan participant, except in the following situations:

(1) In the case of self-insured insurance plans, the cost shall be the annual cost for financial accounting purposes.

(2) The amount of compensation paid in the form of Federally taxable noncash fringe benefits shall be determined in the same manner as is prescribed by the Internal Revenue Service under Federal statutes and regulations.

(3) In the case of cafeteria plans, amounts specified in the plan document as being available to the participant for the purpose of selecting or purchasing benefits, when so used, shall be included in the total amount of payment made during the year by the employer on account of the plan and plan participant.

(f) Compensation in the form of incentive, qualified, restricted or nonqualified stock options shall be considered to be received:

(1) When the option is exercised if the stock subject to the option is free from any restrictions having a significant effect on its market value.

(2) When the restrictions lapse if the stock subject to the option is subject to restrictions having a significant effect on its market value.

(3) When exchanged, sold or otherwise converted into cash or other property.

(g) The following rules apply if, under a cafeteria plan, plan participants may choose between benefits consisting of cash, additional paid vacation days, and other benefits; or if, outside a cafeteria plan, plan participants can purchase additional paid vacation days:

(1) If additional paid vacation days are elected or purchased and they are used before the next calendar year, the following apply:

(i) The amount of cash foregone in exchange for the paid vacation day is excluded from income.

(ii) The vacation pay is includable in income when paid.

(2) If additional paid vacation days are purchased outside a cafeteria plan and they are not used before the next calendar year, the amount of cash foregone in exchange for the paid vacation days is excludable for Pennsylvania Personal Income Tax purposes only if both of the following apply:

(i) The value of the vacation day cannot be cashed out or used for any other purpose.

(ii) The vacation day cannot be carried over to the next taxable year.

(h) Employer payments to reimburse employees for uninsured medical or dental expenses are taxable as compensation if the employee is assured of receiving (in cash or any other benefit) amounts available but unused for covered reimbursement during the year without regard to whether the employee incurred covered expenses or not. If the amounts available for covered reimbursement cannot be cashed out or used for any other purpose during the taxable year or be carried over to any other taxable year, normal cash compensation that is forgone by an employee under a spending account or otherwise, and credited to a self-insured medical reimbursement account and drawn upon to reimburse the employee for uninsured medical or dental expenses to which section 105(b) of the IRC (26 U.S.C.A. § 105(b)) applies is excludable from tax.

(i) After December 31, 1996:

(1) Payments made after December 31, 1996, for employee welfare benefit plans under a cafeteria plan will be deemed to be an "employer contribution" for Pennsylvania Personal Income Tax purposes if the following apply:

(i) The payments were not actually or constructively received, after taking section 125 of the IRC (26 U.S.C.A. § 125) into account.

(ii) The payments were specified in a written cafeteria plan document as being available to the participant:

(A) For the purpose of selecting or purchasing benefits under a plan.

(B) As additional cash remuneration received in lieu of coverage under a plan.

(iii) The benefits selected or purchased are nontaxable under the IRC when offered under a cafeteria plan.

(iv) The payments made for the plan would be nontaxable under the Pennsylvania Personal Income Tax if made by the employer outside a cafeteria plan.

(2) If the requirements of paragraph (1) are satisfied, cafeteria plan contributions are taxed under such rules as they apply to employer payments for employee welfare benefit plans. However, if the benefits are taxable for Federal Income Tax purposes when offered under a cafeteria plan, the payments will also constitute compensation for Pennsylvania Personal Income Tax purposes. Payments also will constitute compensation if they would be taxable under the Pennsylvania Personal Income Tax if made by the employer outside a cafeteria plan. For example, although not taxable under the IRC, coverage under a dependent care plan providing for the reimbursement of expenses for household or dependent care ser-

vices would constitute compensation under the Pennsylvania Personal Income Tax because it would be taxable if made by an employer outside a cafeteria plan.

(j) Compensation includes the entire cost of employer-provided coverage provided to a highly compensated participant under any discriminatory employee welfare benefit plan.

(k) Contributions made by an employer for IRC 401(k) plans under a cafeteria plan under which the employee unilaterally may elect to have the employer either make the payments as contributions to a 401(k) plan or other plan on behalf of the employee or to the employee directly in cash are not excludable from the employee's compensation.

(l) Except as provided in § 101.6a (relating to fringe benefits in the form of use of property or services), compensation is taxable regardless of the form of the payment. Examples of taxable forms of payment include:

(1) Cash.

(2) Foreign currency.

(3) A check or other negotiable instrument.

(4) Freely transferable, readily marketable obligations or other cash equivalent.

(5) Tangible property interests, intangible personal property or other rights, claims or things that either:

(i) Can be enforced in courts of equity and transferred and have an ascertainable fair market value.

(ii) Can be reduced to cash or eliminate an expenditure.

(6) A monetary payment in reimbursement of a personal expenditure or to eliminate a personal expenditure.

(7) Below-market rate loans.

(8) A cancellation of indebtedness constituting a quid pro quo or incentive that would be taxable had the amount by which the debt had been forgiven or discharged instead been paid to the debtor in cash or property.

§ 101.6a. Fringe benefits in the form of use of property or services.

(a) Remuneration for services received in the form of personal or business use of property is not taxable as compensation if the following requirements are met:

(1) The property belongs to, or is held under a lease by, the employer at the time of use.

(2) No title, interest or estate therein is conferred upon, or vested in, another person.

(b) Examples of property that are excludible from tax if the requirements of subsection (a) are met include:

(1) Educational or training facilities.

(2) Housing or clothing.

(3) Day care facilities.

(4) Passenger cars and commuter highway vehicles.

(5) Aircraft or water craft.

(6) Construction or recreation vehicles.

(7) Athletic facilities or equipment.

(8) Recreational facilities or equipment.

(9) Entertainment facilities or equipment.

(10) Parking facilities.

- (11) Eating facilities.
- (12) Office facilities or equipment.
- (13) Tools, equipment or supplies.

(c) Remuneration for services received in the form of personal or business use of services is not taxable as compensation if either:

- (1) The service is provided or supplied directly by the employer or a co-employee.
- (2) Rights to the service were procured beforehand by the employer.

(d) Examples of services that are excludible from tax if the requirements of subsection (c) are met include:

- (1) The operation of an eating facility.
- (2) Transportation in a commuter highway vehicle.
- (3) Air or rail transportation of passengers or cargo.
- (4) Parking.
- (5) Education or training.
- (6) Legal, medical, accounting or other professional or technical services or assistance, including adoption assistance.
- (7) Day care services or assistance.
- (8) Dependent care assistance.
- (9) A tuition reduction provided to an employe or his dependents or to a teaching and research assistant.

(e) Remuneration for services received in the form of consumption of a consumable, such as food and supplies, is not taxable as compensation.

(f) This section applies even if:

- (1) The use or service is offered on a discriminatory basis.
- (2) The employer incurs substantial additional cost, including forgone revenue, in providing the use or service.

§ 101.7. Receipt of income.

* * * * *

(e) *Present economic benefit.* An amount paid as a contribution shall be considered as received if an employe receives rights, such as coverage under a plan that are the following:

- (1) Of a value which can in no event fall materially below the amount of the contribution.
 - (2) Presently belonging to the employe.
 - (3) Unequivocally provided for the ultimate benefit of the employe under whatever contingency and whatever circumstance the occasion for the benefit should arise.
- (f) *Wage and salary deductions; taxability.*

(1) Except as provided in paragraph (2), any amount lawfully deducted and withheld by an employer from the remuneration of an employe and accounted for as a part of the employe's total remuneration shall be considered to have been paid to the employe as compensation at the time the deduction is made.

(2) An amount will not be considered to have been paid to the employe because the amount is specified in a written cafeteria plan document as being available to the participant for the purpose of selecting or purchasing benefits under a plan or as additional cash remuneration received in lieu of coverage under a plan. Whether an amount is specified in a cafeteria plan document as being available to a participant shall be determined using Federal rules.

Example.

Employer M is a manufacturing company situated in this Commonwealth and under its collective bargaining agreement with a union, all nonmanagement personnel must contribute \$15 per week from their gross salary toward the purchase of Blue Cross/Blue Shield coverage and \$3 per week toward the purchase of group life insurance.

The plan is not a Federally qualifying cafeteria plan.

Conclusion: M shall withhold Pennsylvania Personal Income Tax from the \$18 contributed by each nonmanagement employe toward benefits.

CHAPTER 125. PERSONAL INCOME TAX PRONOUNCEMENTS—STATEMENTS OF POLICY

- § 125.21. (Reserved).
- § 125.22. (Reserved).
- § 125.23. (Reserved).
- § 125.24. (Reserved).
- § 125.25. (Reserved).
- § 125.26. (Reserved).
- § 125.27. (Reserved).
- § 125.28. (Reserved).
- § 125.29. (Reserved).
- § 125.30. (Reserved).
- § 125.31. (Reserved).
- § 125.32. (Reserved).
- § 125.33. (Reserved).

[Pa.B. Doc. No. 00-1320. Filed for public inspection August 4, 2000, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF HEALTH

[28 PA. CODE CH. 25]

Schedules of Controlled Substances

The Department of Health (Department) proposes to amend the schedules of controlled substances under the powers and duties contained in The Controlled Substance, Drug, Device, and Cosmetic Act (act) (35 P. S. §§ 780-101—780-144).

The Department proposes to amend § 25.72 (relating to schedules of controlled substances) to reschedule the substance dronabinol from Schedule II to Schedule III, to read as set forth in Annex A.

A. Purpose of the Amendment

The act recognizes the fact that there is a need to control substances which have potential for abuse while also recognizing that some of those substances have medical uses. The act provides for a system of five schedules of controlled substances as a means of grouping potentially dangerous substances based on their differing potentials for abuse and on their potential for medical use. Penalties for illegal use of the controlled substances vary according to the schedule on which the substance is listed. The health and safety of the public is protected by having a substance placed on the proper schedule. Additionally, proper scheduling ensures appropriate enforcement when a substance is abused or otherwise used illegally.

The act requires that a controlled substance be placed in Schedule II when: (1) there is a high potential for abuse; (2) there is currently accepted medical use in the United States or currently accepted medical use with severe restrictions; and (3) abuse may lead to severe psychic or physical dependence.

The act requires that a controlled substance be placed in Schedule III when: (1) there is a potential for abuse less than the substances listed in Schedules I and II; (2) there is well documented and currently accepted medical use in the United States; and (3) abuse may lead to moderate or low physical dependence or high psychological dependence.

The proposed rulemaking reschedules dronabinol, previously listed in Schedule II of the schedule of controlled substances, to Schedule III.

B. Requirements of the Amendment

The Drug, Device and Cosmetic Board (Board) met on December 9, 1999. The meeting notice was published in the *Pennsylvania Bulletin* at 29 Pa.B. 5957 (November 20, 1999). The Board heard the petition of Roxane Laboratories, Inc., which requested that dronabinol be rescheduled from Schedule II to Schedule III. The Board unanimously approved a motion to authorize the Secretary of Health to reschedule the substance. This motion was based on several factors:

1. The United States Drug Enforcement Agency (DEA) rescheduled dronabinol from a Schedule II to a Schedule III substance under the Controlled Substances Act (63 FR 59,751). Both DEA and the Food and Drug Administration (FDA) determined that dronabinol should be rescheduled based on an eight-factor analysis of the scientific and medical data as required by Federal law.

2. The DEA and FDA determined that there is little evidence of actual abuse of dronabinol.

3. In 1996 the Haight Ashbury Clinics, Inc., conducted a study on the abuse potential of dronabinol. No evidence of current abuse or diversion of dronabinol among populations having access to the medicine was found.

4. Cannabis dependent populations have demonstrated no interest in abuse of dronabinol. Studies demonstrate that dronabinol is not a substitute for the problem of marijuana abuse or misuse.

5. The Haight Ashbury study concluded that there is no street market for dronabinol, and no evidence of any diversion of dronabinol for sale as a street drug.

6. A review of the Drug Abuse Warning Network (DAWN) data from 1988 to 1994 shows no reports of dronabinol misuse.

7. The DEA and FDA scientific and medical evaluation determined that dronabinol had only a low to moderate potential to lead to physical dependence and an abuse potential less than Schedule II drugs.

The Secretary of Health, upon advice of the Board, finds that placing dronabinol on Schedule III will permit patients to obtain prescription refills and possibly reduce trips to physicians' offices. This action will allow pharmacies to accept telephone or facsimile prescriptions from physicians rather than mandated written prescriptions. This action will also allow pharmacies to obtain the drug product more quickly for patients. The proposed amendment to the schedules of controlled substances follows similar actions by DEA on July 2, 1999. Dronabinol was approved for marketing by the FDA on May 31, 1985, for use as a treatment for nausea and vomiting in cancer therapy patients who have failed to respond adequately to conventional antiemetic treatments. In 1992, dronabinol was approved by the FDA for use in the treatment of anorexia associated with weight loss of patients with AIDS. Studies have shown that dronabinol has improved the lives of cancer and AIDS patients. Dronabinol has demonstrated short and long term safety and effectiveness relative to appetite stimulation in AIDS patients. Patients who received dronabinol also experienced a stabilization of weight.

C. Affected Persons

Persons who depend on this substance for medical treatment will be able to obtain prescription refills, not available with Schedule II controlled substances. Further, physicians would be permitted to have prescriptions filled by telephone, again, not available with Schedule II substances. The patients would benefit in that they would be able to obtain the prescriptions more quickly and efficiently as a result of reduced visits to physicians' offices.

D. Fiscal Impact

The proposed amendment to the schedules of controlled substances will have no measurable fiscal impact on the Commonwealth, local government, the private sector or the general public.

E. Paperwork Requirements

A system already exists for the handling of controlled substances under the act and the proposed amendment will not increase paperwork.

F. *Effective Date/Sunset Date*

The amendment will become effective immediately upon publication as final rulemaking. The Department's regulations are continually monitored and updated as needed. There is no sunset date.

G. *Statutory Authority*

The amendment to the schedules of controlled substances is proposed under sections 3 and 4 of the act (35 P. S. §§ 780-103 and 780-104.) The amendment is also proposed under section 2102(g) of The Administrative Code of 1929 (71 P. S. § 532(g)).

H. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 26, 2000, 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 Health and Human Services and the Senate Committee on Public Health and Welfare. 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.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed rulemaking, it will notify the Department within 10 days of the close of the Committees' review period. The notification shall specify the regulatory review criteria which have not been met by the 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.

I. *Contact Person*

Interested persons are invited to submit questions, comments, suggestions or objections regarding the proposal to: John C. Hair, Director, Bureau of Community Program Licensure and Certification, Department of Health, 132 Kline Plaza, Suite A, Harrisburg, PA 17104, (717) 783-8665, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Persons with a disability who wish to submit comments, suggestions or objections regarding the proposed rulemaking may do so by using V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984[TT]. Persons who require an alternative format of this document may contact Mr. Hair so that necessary arrangements may be made.

ROBERT S. ZIMMERMAN, Jr.,
Secretary

Fiscal Note: 10-163. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 28. HEALTH AND SAFETY

PART III. PREVENTION OF DISEASES

**CHAPTER 25. CONTROLLED SUBSTANCES,
DRUGS, DEVICES AND COSMETICS**

§ 25.72. Schedules of controlled substances.

* * * * *

(c) *Schedule II*. In determining that a substance comes within this schedule, the Secretary will find: a high potential for abuse; currently acceptable medical use in

the United States; or currently accepted medical use with severe restrictions and abuse may lead to severe psychic or physical dependence. The following substances are included in this schedule:

* * * * *

(5) A material, compound, mixture or preparation, unless specifically excepted, which contains a quantity of:

* * * * *

[(iv) Dronabinol—synthetic—in sesame oil and encapsulated in a soft gelatin capsule but only those drug products approved by the United States Food and Drug Administration.

(v)] (iv) Nabilone.

* * * * *

(d) *Schedule III*. In determining that a substance comes within this schedule, the Secretary will find: a potential for abuse less than the substances listed in Schedule I and II; well documented and currently accepted medical use in the United States; and abuse may lead to moderate or low physical dependence. The following classes of controlled substances are included in this schedule:

* * * * *

(9) A material, compound, mixture or preparation, unless specifically excepted, which contains a quantity of Dronabinol—synthetic—in sesame oil encapsulated in a soft gelatin capsule but only those drug products approved by the United States Food and Drug Administration.

* * * * *

[Pa.B. Doc. No. 00-1321. Filed for public inspection August 4, 2000, 9:00 a.m.]

**ENVIRONMENTAL
QUALITY BOARD**

[25 PA. CODE CH. 250]

Administration of Land Recycling Program

The Environmental Quality Board (Board) proposes to amend Chapter 250 (relating to administration of land recycling program). The amendments provide up-to-date scientific information on toxicity and other parameters of substances and corresponding changes along with corrections to the Statewide health standard medium specific concentrations (numeric standards). The amendments also propose policy clarifications and changes raised as issues during the Department of Environmental Protection's (Department) 1998-99 land recycling program evaluation.

This proposal was adopted by the Board at its meeting of June 20, 2000.

A. *Effective Date*

These amendments will go into effect upon publication in the *Pennsylvania Bulletin* as final rulemaking.

B. *Contact Persons*

For further information Thomas K. Fidler, Chief, Division of Land Recycling and Cleanup Program, P. O. Box 8471, Rachel Carson State Office Building, Harrisburg, PA 17105-8471, (717) 783-7816, or Kurt E. Klapkowski,

Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Information regarding submitting comments on this proposal appears in Section I of this preamble. Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). This proposal is available electronically through the Department's Web site (<http://www.dep.state.pa.us>).

C. Statutory Authority

This rulemaking is being made under the authority of sections 104(a), 301(c) and 303(a) of the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.104(a), 6026.301(c) and 6026.303(a)) (Act 2). Section 104(a) authorizes the Board to adopt Statewide health standards, appropriate mathematically valid statistical tests to define compliance with Act 2 and other regulations that may be needed to implement the provisions of Act 2. Section 301(c) of Act 2 authorizes the Department to establish by regulation procedures for determining attainment of remediation standards when practical quantitation limits set by the United States Environmental Protection Agency (EPA) have a health risk that is greater than the risk levels established in section 301(c) of Act 2. Section 303(a) of Act 2 authorizes the Board to promulgate Statewide health standards for regulated substances for each environmental medium and methods used to calculate the standards. This rulemaking is also being made under the authority of section 105(a) of the Solid Waste Management Act (35 P. S. § 6018.105(a)) (SWMA). Section 105(a) of the SWMA grants the Board the power and duty to adopt the rules and regulations of the Department to carry out the provisions of the SWMA.

D. Background and Purpose

Aside from minor typographical or technical corrections to the 1997 rule, there are two basic reasons for the changes in this regulatory proposal. The first is more up-to-date scientific information on parameters which effect the calculation of the Statewide health standard medium-specific concentrations (MSCs). The second is policy clarifications or developments which the Department determined would improve implementation of the Statewide health standard and attainment provisions in the rule.

The Cleanup Standards Scientific Advisory Board (CSSAB) was consulted on the proposed changes. The Department has incorporated into this proposal language suggested by the CSSAB. On February 3, 2000, the CSSAB voted to recommend approval of the proposed regulation package.

E. Summary of Regulatory Requirements

Subchapter A. General Provisions

1. Section 250.1. Definitions.

A definition has been added for the term "agricultural purposes" to clarify what they are and that they include food processing. The term is used in § 250.303(c)(1) (relating to aquifer determination; current use and currently planned use of aquifer groundwater). Its scope is important in the nonuse aquifer determination because groundwater usage for drinking water and agricultural purposes are protected.

2. Section 250.5. Public notice by applicant.

The proposal contains a new requirement for newspaper and municipal notices when a request for determina-

tion of nonuse aquifer area is made. These edits are made in conjunction with the changes proposed in §§ 250.6 and 250.303.

3. Section 250.6. Public participation.

Changes are proposed to provide for public participation when request is made for nonuse aquifer determination. Municipalities and public water suppliers will have the opportunity to comment on the nonuse aquifer designations made by the Department. In cases where municipalities propose to "precertify" areas as meeting nonuse aquifer provisions of § 250.303, a public participation plan is required. These edits are made in conjunction with the changes proposed in §§ 250.5 and 250.303.

Subchapter C. Statewide Health Standards

1. Section 250.303. Aquifer determination; current use and currently planned use of aquifer groundwater.

The proposal includes three changes to this section. Since the determination of nonuse aquifer status affects the use of groundwater in an area, the Department feels it is important that the local municipality and public water supplier be given an opportunity for participation prior to the Department making the determination. The nonuse aquifer designation under the Statewide health standard is based on a number of factors, one of which is that there are no water supply wells in the area defined in the regulations. The proposed changes are made in conjunction with changes in §§ 250.5 and 250.6.

The proposal modifies § 250.303(b) to specify that the conditions of subsection (c) are met 1,000 feet downgradient of all points of compliance plus any areas to which the contamination would reasonably migrate at levels above the MSC for groundwater used or currently planned to be used. The proposal deletes the reference in the 1997 rule that specifically required the conditions to be met "within the property." This phrase is unnecessary because the sentence goes on to include "... any additional areas where the contamination might reasonably migrate at concentrations that exceed the MSC for groundwater used or currently planned to be used." Furthermore, the effect of the present wording is to "disqualify" properties which may be relatively large compared to their contaminant plumes, because the nonuse criteria (such as, must be greater than 1/2 mile from a municipal well which is in the upgradient direction) apply to the entire (large) property even if the contamination could not reasonably ever migrate to every part of it.

A new section is proposed for the regulation to provide for a process whereby municipal authorities, political subdivisions or Commonwealth agencies could "precertify" that a given area meets the requirements for nonuse aquifer designation in § 250.303(b). This would expedite land reuse in urban areas where nonuse aquifer criteria clearly apply. Precertification in advance of any NIR would greatly aid any remediator considering applying Act 2 nonuse aquifer standards in these areas. A public participation plan is required as part of this process.

2. Section 250.304. MSCs for groundwater.

The 1997 rule did not establish a hierarchy for the use of sources of data for aqueous solubility used to calculate the caps for the groundwater MSCs. Section 250.304(f) is proposed to be revised to provide such a hierarchy. This hierarchy was developed in close consultation with the CSSAB. The CSSAB also provided a methodology for selecting the appropriate solubility value as follows:

If the values in the first two references agree within 5%, then the lower of the two values is used.

If the values in the first two references do not agree within 5%, or there are not two values in those references, then the next reference is consulted, until two values within 5% are found. The selected value is the median of all values examined.

If none of the values for a compound agree within 5% from all references, then the selected value is the median of all values examined.

3. Section 250.311. Evaluation of ecological receptors.

The third step of the ecological screen evaluates whether Constituents of Potential Ecological Concern (CPECs) are present on the site. A number of CPECs (such as iron) occur naturally and were not originally intended to be included in the evaluation of the presence of CPECs. The proposal amends subsections (c) and (d) to clarify that the evaluation of CPECs on a site includes only those associated with the releases at a site.

Subchapter G. Demonstration of Attainment

1. Section 250.703. General attainment requirements for soil.

The proposal amends this section to make it clear that attainment tests for soils are applied to the volume of soil initially found to be exceeding the selected standards unless that soil is removed from the site. If the contaminated soil is removed from the site, attainment sampling is applied to the base of the excavation outlined by that volume of soil.

2. Section 250.707. Statistical tests.

The Department is proposing new wording to this section to address small excavation cleanups of petroleum releases where no prior site characterization is performed. The proposal establishes a quick, clear, nonexceedance demonstration test that could be applied in these situations. This would include sites such as tank sites or spills along highway interstates. Commonly on these small sites excavation is conducted prior to any site characterization sampling. The sampling conducted is at the end of the excavation and is simply to confirm that the excavation is complete. Although such an approach eliminates the site characterization sampling which would typically be required, a nonexceedance test is applied to the excavation attainment samples. This will save time, money and will be more practically applied for remediators of small excavations. Optionally, a remediator could fully characterize the site prior to excavation, and ultimately apply any of the statistical tests provided for under § 250.707.

Appendix A Tables 1—5, and Table 6

The 1997 rule contained a finite listing of MSCs for regulated substances in Appendix A, Tables 1—4 and in Table 6, Threshold of Regulation Compounds, for substances that had no toxicology information available (Table 6 substances). For some Table 6 substances, toxicology information has become available from the sources listed in § 250.605 (relating to sources of toxicity information) since 1997. For those substances, MSCs under Tables 1—4 have been calculated, appropriate chemical properties added in Table 5, Physical and Toxicological Properties, and those substances have been removed from Table 6. Additionally, several substances that were not included in either Tables 1—5 or Table 6, but which did have toxicology information available, were recommended for inclusion in Tables 1—5 by the CSSAB. Finally, several typographical errors were corrected.

This proposal amends Table 5, Physical and Toxicological Properties, to incorporate updates in toxicity values. These updates in toxicity values can be classified into four categories:

1. New toxicity values that are different from what are presented in Table 5 of the 1997 rule. These are new values developed by the EPA and other agencies since the final-form regulations were promulgated in 1997.

2. Toxicity values for new regulated substances proposed to be added to the current Statewide health standard tables.

3. Toxicity values for the Table 6 substances. Table 6 substances did not have toxicity values available when the final-form regulations were promulgated in 1997. Due to continuous development of toxicity values by the EPA and other agencies, some of the Table 6 substances may have toxicity values now. This proposal contains new MSCs for these substances.

4. Additional toxicity values for the compounds on the current Statewide health standard tables. For some regulated substances, the MSCs in the 1997 rule were developed based on carcinogenic effects only because no toxicity values based on noncarcinogenic effects were available when the final regulation was promulgated in 1997. When additional appropriate carcinogenic or noncarcinogenic toxicity values have been developed since 1997 for regulated substances that are on the current Statewide health standard tables, the Department is proposing to use these new toxicity values to make changes in existing MSCs.

Table 1—MSCs for Organic Regulated Substances in Groundwater

The 1997 rule contained groundwater MSCs for individual PCB aroclors. The CSSAB recommended that the EPA MCL for total PCB be included in Table 1, in addition to the individual PCB aroclors. Section 303(b)(3) of Act 2 requires MCLs established by the EPA to be the MSC for groundwater in aquifers used or currently planned to be used for drinking water or agricultural purposes.

Table 2—MSCs for Inorganic Regulated Substances in Groundwater

The 1997 rule applied the groundwater MCL for total chromium in calculating the generic numeric soil to groundwater value for chromium III, but did not do so in calculating the generic value for chromium VI. The CSSAB recommended that the calculation for chromium VI be changed to be consistent with the calculation for chromium III, by utilizing the EPA MCL for total chromium for both.

F. Benefits, Costs and Compliance

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

Benefits

Remediators will benefit from the additional flexibility being proposed for demonstrating attainment on groundwater cleanups and in cases where small excavation of soil cleanups are performed. The remediators will also benefit from having information and standards that incorporate more current scientific information than was available when the final-form regulations were promulgated in 1997. The public will benefit from the increased opportunity to participate in the designation of nonuse aquifer areas. Local governments will benefit from their ability to provide comments on nonuse aquifer area designation

decisions and in their ability to "precertify" areas in their community as meeting the nonuse aquifer conditions of § 250.303.

Compliance Costs

These proposed amendments do not directly increase costs of compliance. Indirectly, there may be increased costs in some areas and decreased costs in other areas. Increased costs for remediators will occur in cases where the local municipality requests a public involvement plan in the designation of a nonuse aquifer area. These costs will be related to the development of a public participation plan, interaction with the municipality and project delays related to the additional time required to have the municipality involved in the process. Decreased costs will occur associated with the demonstration of attainment of a standard in cases of minor groundwater or soil contamination.

Compliance Assistance Plan

The land recycling program regularly provides outreach in two areas: updates to the technical guidance manual supporting Chapter 250, and in annual client workshops where training on the regulations, guidance and policies takes place.

Paperwork Requirements

No new paperwork is required by this proposed rule-making. Additional paperwork will be required when an area-wide determination of nonuse aquifer status is voluntarily sought under § 250.303. It should be noted, however, that a determination will ultimately lead to a reduction in paperwork for remediators who wish to use the area-wide nonuse aquifer determination in future cleanups.

G. Sunset Review

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

H. Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 11, 2000, the Department submitted a copy of these proposed amendments to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House and Senate Environmental Resources and Energy Committees. In addition to submitting the proposed amendments, the Department has provided IRRC and the Committees with a copy of a detailed regulatory analysis form prepared by the Department in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, if IRRC has objections to any portion of the proposed amendments, it will notify the Department within 10 days of the close of the Committees' review period. The notification shall specify the regulatory review criteria which have not been met by that portion of the proposed amendments to which an objection is made. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the amendments, by the Department, the General Assembly and the Governor of objections raised.

I. Public Comments

Written Comments—Interested persons are invited to submit comments, suggestions or objections regarding the proposed amendments to the Environmental Quality

Board, P. O. Box 8477, Harrisburg, PA 17105-8477 (express mail: Rachel Carson State Office Building, 15th Floor, 400 Market Street, Harrisburg, PA 17101-2301). Comments submitted by facsimile will not be accepted. Comments, suggestions or objections must be received by the Board by September 27, 2000 (within 60 days of publication in the *Pennsylvania Bulletin*). Interested persons may also submit a summary of their comments to the Board. The summary may not exceed one page in length and must also be received by September 27, 2000 (within 60 days following publication in the *Pennsylvania Bulletin*). The one-page summary will be provided to each member of the Board in the agenda packet distributed prior to the meeting at which the final regulation will be considered.

Electronic Comments—Comments may be submitted electronically to the Board at RegComments@dep.state.pa.us and must also be received by the Board by September 27, 2000. A subject heading of the proposal and a return name and address must be included in each transmission. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

JAMES M. SEIF,
Chairperson

Fiscal Note: 7-356. No fiscal impact; (8) recommends adoption.

Annex A

**TITLE 25. ENVIRONMENTAL PROTECTION
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION
Subpart D. ENVIRONMENTAL HEALTH AND SAFETY
ARTICLE VI. GENERAL HEALTH AND SAFETY
CHAPTER 250. ADMINISTRATION OF LAND RECYCLING PROGRAM
Subchapter A. GENERAL PROVISIONS**

§ 250.1. Definitions.

In addition to the words and terms defined in the act, the following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * * * *

Agricultural purposes—Commercial agricultural activities, including, but not limited to, irrigation of crops, watering of livestock, and food production, processing or packaging.

* * * * *

§ 250.5. Public notice by applicant.

* * * * *

(d) At the same time a request for a nonuse aquifer designation under the Statewide health standard is made to the Department, the remediator shall send notice to every municipality and community water supplier servicing the area requested for designation as nonuse under § 250.303(b) (relating to aquifer determination; current use and currently planned use of aquifer groundwater). The notice shall include a copy of the request for determination of nonuse aquifer submitted to the Department.

(e) Upon receipt of a request for a nonuse aquifer designation, the municipality and community water supplier shall have 45 days to indicate to the Department and the remediator any information relevant to the requirements of § 250.303.

§ 250.6. Public participation.

* * * * *

(e) A public involvement plan shall be developed by the person making a precertification determination request under § 250.303(f) (relating to aquifer determination; current use and currently planned use of aquifer groundwater) in conjunction with all municipalities serving the proposed nonuse aquifer area. The public involvement plan shall be implemented prior to submission of the precertification request to the Department. The public involvement plan shall contain at a minimum:

(1) A notice published in a local newspaper of general circulation and provided to the applicable municipality by letter. The notice to the municipality shall be made by the person initiating the request for nonuse aquifer determination. This notice shall provide a brief description of the area for which the nonuse aquifer designation is being requested.

(2) A public involvement plan with a 90-day comment period. The comment period shall be initiated at the time of the newspaper publication. The nonuse aquifer precertification request may not be submitted to the Department until the conclusion of the 90-day comment period. Comments received during the comment period shall be responded to and provided with the precertification request.

(3) Public access at convenient locations for document review.

(4) Designation of a single contact person to address questions from the community.

(5) A location near the proposed nonuse aquifer designation site for any public hearings and meetings that may be part of the public involvement plan.

Subchapter C. STATEWIDE HEALTH STANDARDS

§ 250.303. Aquifer determination; current use and currently planned use of aquifer groundwater.

* * * * *

(b) All groundwater in aquifers is presumed to be used or currently planned for use. The Department may determine, in writing, based on a demonstration by the person remediating the site that groundwater is not used or currently planned to be used, if the public participation requirements of §§ 250.5 and 250.6 (relating to public notice by applicant; and public participation) are met, and if the requirements in subsection (c) are met within the site on the property and within a radius of 1,000 feet downgradient of the points of compliance plus any additional areas to which the contamination has migrated and might reasonably migrate at concentrations that exceed the MSC for groundwater used or currently planned to be used. Methods appropriate for determining current or currently planned future use may include door-to-door surveys, verifying community water system billing records and interviewing community water system suppliers with regard to their currently planned future groundwater use.

(c) The following requirements shall be met within the area described in subsection (b):

(1) No groundwater derived from wells or springs is used [or currently planned to be used] for drinking water or agricultural purposes.

* * * * *

(4) There are no currently planned future uses of the groundwater in that area by any community water supplier or use for agricultural purposes.

* * * * *

(f) After receipt of a nonuse aquifer determination request, and receipt of the required public involvement plan, the Department may make a "precertification" determination that a specific geographic area meets the conditions of subsection (c). Only municipal authorities and political subdivisions are eligible to request this determination. If a municipal ordinance exists which provides for the fulfillment of all aspects of subsection (c), the person applying for a nonuse aquifer designation may use the existence of such an ordinance to demonstrate that the requirements of subsection (c) have been met. A determination made under this subsection expires after 3 years and may be updated at any time additional relevant information comes to the attention of the Department. At the end of the 3-year period, the applicant may request a renewal of determination from the Department.

(g) Public participation requirements of § 250.6(e) shall be met on all "precertification" requests.

§ 250.304. MSCs for groundwater.

* * * * *

(f) In addition to the requirements in this section, the MSCs are further limited by solubility as identified in Appendix A, Table 5. The solubility limits are derived from the [following] references in subsection (g), which are keyed to the numbers in Table 5 [:]. The following procedure was used to determine the appropriate solubility value for each regulated substance: where multiple sources are cited in Table 5, the value for the solubility limit is the median of the values in the indicated references.

(1) Using the hierarchy established in subsection (g), the first two references were consulted. If the solubility values agreed within 5%, the selected value is the lower of the two values.

(2) If the values in step (1) did not agree within 5%, the next references in order were consulted until two values that did agree within 5% were found. The selected value is then the median of all the values consulted.

(3) If none of the values in all of the references in subsection (g) agreed within 5%, the selected value is the median of all values in all references.

(g) The references referred to in subsection (f) are:

[(1) Howard, P. H. 1991. Handbook of Environmental Fate and Exposure Data for Organic Chemicals. Vol. III, Pesticides. Lewis Publishers.

(2) Lyman, W. J., W. F. Reehl, and D. H. Rosenblatt. 1982. Handbook of Chemical Property Estimation Methods. McGraw-Hill Book Co. N. Y.

(3) Mabey, et. al. 1982. *Aquatic Fate Process Data for Organic Priority Pollutants*. SRI. EPA Contract Nos. 68-01-3867, 68-03-2981.

(4) Milne, G.W.A., Ed. 1995. *CRC Handbook of Pesticides*. CRC Press, Inc.

(5) Montgomery, J. H. 1991. *Groundwater Chemicals Desk Reference*. Vol. II. Lewis Publishers.

(6) Montgomery, J. H., and L. M. Welkom. 1990. *Groundwater Chemicals Desk Reference*. Vol. I. Lewis Publishers.

(7) Montgomery, J. H. 1993. *Agrochemicals Desk Reference, Environmental Data*. Lewis Publishers.

(8) National Library of Medicine (Grateful Med). *Hazardous Substances Databank*.

(9) Nirmalakhandan, N. N., and R. E. Speece. 1988a. *Prediction of Aqueous Solubility of Organic Chemicals Based on Molecular Structure*. ES&T 22:328-337.

(10) Nirmalakhandan, N. N., and R. E. Speece. 1988b. *Prediction of Aqueous Solubility of Organic Chemicals Based on Molecular Structure. 2. Application to PNAS, PCBs, PCDDs, etc.* ES&T. 23:708-713.

(11) Sax, N. I. 1989. *Dangerous Properties of Industrial Materials*. Seventh Edition. Vol. 1-3, Van Nostrand Reinhold.

(12) Environmental Protection Agency. Undated. *IRIS—The Integrated Risk Information System*.

(13) Environmental Protection Agency. 1985. *Physical/Chemical Properties and Characterization of RCRA Wastes According to Volatility*. Office of Air Quality and Planning and Standards. EA 450/3-85-007.

(14) Environmental Protection Agency. 1989. *Database of Chemical Properties for SARA. Section 313 Chemicals*.

(15) Environmental Protection Agency. 1992. *Handbook of RCRA Groundwater Monitoring Constituents: Chemical & Physical Properties*. 40 CFR Part 264, Appendix IX. Office of Solid Waste. Permits and State Programs Division. EPA 530-R-92-022.

(16) EPA. 1994. *Superfund Chemical Data Matrix. Office of Solid Waste and Emergency Response*. EPA 540-R-94-009.

(17) Verschueren, K. 1977. *Handbook of Environmental Data on Organic Chemicals*. Van Nostrand Reinhold.

(18) Windholz, M., ed. 1976. *The Merck Index*. 9th Ed. Merck and Co.]

(1) Lide, D. R., ed. 1996. *CRC Handbook of Chemistry and Physics*. 77th Edition. CRC Press.

(2) Budavari, S., ed. 1996. *The Merck Index* 12th Ed. Merck and Co.

(3) Perry, R. H., et al. 1997. *Perry's Chemical Engineer's Handbook*. 7th ed. McGraw-Hill, New York.

(4) Howard, P. H. 1991. *Handbook of Environmental Fate and Exposure Data for Organic Chemicals. Vol. III Pesticides*. Lewis Publishers.

(5) Verschueren, K. 1977. *Handbook of Environmental Data on Organic Chemicals*. Van Nostrand Reinhold.

(6) MacKay, D., et al. 1997. *Illustrated Handbook of Physical-Chemical Properties and Environmental Fate for Organic Chemicals*. 5 Volumes. Lewis Publishers, New York.

(7) Montgomery, J. H. 1991. *Groundwater Chemicals Desk Reference*. Vol. II. Lewis Publishers and Montgomery, J. H., and L. M. Welkom. 1990. *Groundwater Chemicals Desk Reference Vol I*. Louis Publishers.

(8) Milne, G.W.A., ed. 1995. *CRC Handbook of Pesticides*. CRC Press, Inc.

(9) National Library of Medicine (Grateful Med). *Hazardous Substances Databank*.

(10) EPA. 1994. *Superfund Chemical Data Matrix. Office of Solid Waste and Emergency Response*. EPA 540-R-94-009.

(11) Mabey, et al. 1982. *Aquatic Fate Process Data for Organic Priority Pollutants*. SRI. EPA Contract Nos. 68-01-3867, 68-03-2981.

(12) Montgomery, J. H. 1993. *Agrochemicals Desk Reference, Environmental Data*. Lewis Publishers.

§ 250.311. Evaluation of ecological receptors.

* * * * *

(c) If none of the criteria in subsection (b) are met and if no Constituents of Potential Ecological Concern (CPECs) associated with a release at the site, as identified in Appendix A, Table 8, are detected onsite, an onsite evaluation shall be conducted to document any indications of ecological impact. Ecological impacts requiring more detailed evaluation exist if there are differences of greater than 50% in the density or diversity of species or habitats of concern when compared with nearby reference areas representing equivalent ecological areas without contamination, if available. This evaluation shall also document the presence of threatened and endangered species and exceptional value wetlands. If no ecological impacts requiring further evaluation are identified, and no threatened and endangered species exist within a 2,500-foot radius of the site and no exceptional value wetlands exist on the site, no further evaluation is required and that determination shall be documented in the final report.

(d) If none of the criteria in subsection (b) are met and if CPECs associated with the release at the site are detected onsite or ecological impacts requiring more detailed evaluation, threatened and endangered species, or exceptional value wetlands as identified in subsection (c) exist, a detailed onsite evaluation shall be conducted by a person qualified to perform environmental risk assessments to document any substantial ecological impacts. Substantial ecological impacts exist if there are differences of greater than 20% in the density of species of concern or greater than 50% in the diversity and extent of habitats of concern when compared with nearby reference areas representing equivalent ecological areas without contamination, if available. If there are no substantial ecological impacts identified and there are no threatened or endangered species on or within a 2,500-foot radius of the site and no exceptional value wetlands on the site, that determination shall be provided in the final report.

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Subchapter G. DEMONSTRATION OF ATTAINMENT

§ 250.703. General attainment requirements for soil.

* * * * *

(b) The [**volume**] location of soil to which the attainment criteria is applied shall be determined by circumscribing with an irregular surface those concentrations detected during characterization which exceed the selected standard. **Where this soil is to be removed from the site, the attainment applies to the base of the excavation outlined by that irregular surface.**

* * * * *

§ 250.707. Statistical tests.

* * * * *

(b) The following statistical tests may be accepted by the Department to demonstrate attainment of the Statewide health standard. The statistical test for soil shall apply to each distinct area of contamination. The statistical test for groundwater will apply to each compliance monitoring well. Testing shall be performed individually for each regulated substance identified in the final report site investigation as being present at the site for which a person wants relief from liability under the act. The application of a statistical method shall meet the criteria in subsection (d).

(1) For soil attainment determination at each distinct area of contamination, subparagraph (i), (ii) or (iii) shall be met in addition to the attainment requirements in §§ 250.702 and 250.703 (relating to attainment requirements; and general attainment requirements for soil).

* * * * *

(iii) [**For sites that qualify as localized contamination sites under the document entitled "Closure Requirements for Underground Storage Tank Systems" (DEP Technical Guidance Document No. 2530-BK-DEP2008), where samples are taken in accordance with that document that result in fewer samples being taken than otherwise required in this section, no sample may exceed the Statewide health standard.**] For sites with a petroleum release where full site characterization has not been done in association with an excavation remediation, attainment of the Statewide health standard shall be demonstrated using the following procedure:

(A) For sites where there is localized contamination as defined in the document "Closure Requirements for Underground Storage Tank Systems" (DEP technical document 2530-BK-DEP2008), samples shall be taken in accordance with that document.

(B) For sites not covered by clause (A), samples shall be taken from the bottom and sidewalls of the excavation in a biased fashion that concentrates on areas where any remaining contamination above the Statewide health standard would most likely be found. The samples shall be taken from these suspect areas based on visual observation and the use of field instruments. If a sufficient number of samples has been collected from all suspect locations and the minimum number of samples has not been collected, or if there are no suspect areas, the locations to meet the minimum number of samples shall be based on a random procedure. The number of sample points required shall be determined in the following way:

(I) For 250 cubic yards or less of excavated contaminated soil, five samples shall be collected.

(II) For each additional 100 cubic yards of excavated contaminated soil, one sample shall be collected.

(III) For excavation involving more than 1,000 cubic yards of contaminated soil, the Department will approve the confirmatory sampling plan.

(IV) Where water is encountered in the excavation and obvious contamination is observed or indicated, soil samples collected just above the soil/water interface shall meet the MSC determined by using the saturated soil component of the soil-to-groundwater numeric value.

(V) Where water is encountered in the excavation and no obvious contamination is observed or indicated, a minimum of two samples shall be collected from the water surface in the excavation.

(C) All sample results shall meet the Statewide health standard.

(iv) For sites where there is a release to surface soils resulting in excavation of 50 cubic yards or less of contaminated soil, samples shall be collected as described in subparagraph (iii)(B), except that two samples shall be collected.

* * * * *

APPENDIX A
Table 1—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Groundwater

REGULATED SUBSTANCE	CASRN	USED AQUIFERS								NON-USE AQUIFERS			
		TDS ≤ 2500				TDS > 2500				R		NR	
		R	NR	R	NR	R	NR	R	NR	R	NR		
ACENAPHTHENE	83329	2,200	G	[3,500] 3,800	S	[3,500] 3,800	S	[3,500] 3,800	S	[3,500] 3,800	S	[3,500] 3,800	S
ACENAPHTHYLENE	208968	2,200	G	[3,900] 6,100	[S] G	[3,900] 16,000	S	[3,900] 16,000	S	[3,900] 16,000	S	[3,900] 16,000	S
ACEPHATE	030560-19-1	76	G	300	G	7,600	G	30,000	G	76	G	300	G
ACETALDEHYDE	75070	19	N	[57] 52	N	1,900	N	[5700] 5,200	N	19	N	[57] 52	N
* * * * *													
ACETONITRILE	75058	[58] 1,700	N	[120] 3,500	N	[5,300] 170,000	N	[12,000] 350,000	N	[680] 17,000	N	[1,200] 35,000	N
* * * * *													
AMMONIA	007664-41-7	30,000	H	30,000	H	3,000,000	H	3,000,000	H	30,000	H	30,000	H
AMMONIA SULFAMATE	007773-06-0	2,000	H	2,000	H	200,000	H	200,000	H	2,000	H	2,000	H
* * * * *													
ANTHRACENE	120127	[43] 66	S	[43] 66	S	[43] 66	S	[43] 66	S	[43] 66	S	[43] 66	S
* * * * *													
BAYGON (PROPOXUR)	00114-26-1	3	H	3	H	300	H	300	H	3,000	H	3,000	H
BENOMYL	017804-35-2	1,800	G	2,000	G	2,000	S	2,000	S	1,800	G	2,000	S
BENTAZON	025057-89-0	1,100	G	3,100	G	110,000	G	310,000	G	1,100	G	3,100	G
* * * * *													
BENZIDINE	000092-87-5	0.0029	G	0.01	G	0.29	G	1	G	3	G	11	G

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		TDS ≤ 2500				TDS > 2500				R		NR	
		R	NR	R	NR	R	NR	R	NR	R	NR		
BENZO[A]ANTHRACENE	56553	0.9	G	3.6	G	[14] 11	S	[14] 11	S	[14] 11	S	[14] 11	S
* * * * *													
BENZOIC ACID	65850	150,000	G	410,000	G	[3,400,000] 2,700,000	S	[3,400,000] 2,700,000	S	150,000	G	410,000	G
BENZOTRICHLORIDE	000098-07-7	0.051	G	0.2	G	5.1	G	20	G	51	G	200	G
* * * * *													
BHC, BETA-	319857	0.37	G	1.4	G	37	G	[140] 100	[G] S	[370] 100	[G] S	[1,400] 100	[G] S
BHC, DELTA-	319868	[11] 22	G	[31] 61	G	[1,100] 2,200	G	[3,100] 6,100	G	[11,000] 8,000	[G] S	[21,000] 8,000	S
* * * * *													
BIPHENYL, 1, 1-	000092-52-4	1,800	G	5,100	G	7,200	S	7,200	S	7,200	S	7,200	S
* * * * *													
BIS[2-ETHYLHEXYL] PHTHALATE	117817	6	M	6	M	[340] 290	S	[340] 290	S	[340] 290	S	[340] 290	S
BISPHENOL A	000080-05-7	1,800	G	5,100	G	120,000	S	120,000	S	120,000	S	120,000	S
BROMACIL	000314-40-9	80	H	80	H	8,000	H	8,000	H	80	H	80	H
BROMOCHLOROMETHANE	000074-97-5	90	H	90	H	9,000	H	9,000	H	90	H	90	H
* * * * *													
BROMOXYNIL	001689-84-5	730	G	2,000	G	73,000	G	130,000	S	730	G	2,000	G
BROMOXYNIL OCTANOATE	001689-99-2	80	S	80	S	80	S	80	S	80	S	80	S
BUTADIENE, 1, 3-	000106-99-0	0.15	N	0.65	N	15	N	65	N	15	N	65	N

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		TDS ≤ 2500				TDS > 2500				R		NR	
		R	NR	R	NR	R	NR	R	NR	R	NR		
* * * * *													
BUTYLATE	002008-41-5	350	H	350	H	35,000	H	35,000	H	350	H	350	H
BUTYLBENZENE, N-	000104-51-8	370	G	1,000	G	15,000	S	15,000	S	370	G	1,000	G
BUTYLBENZENE, SEC-	000135-98-8	370	G	1,000	G	17,000	S	17,000	S	370	G	1,000	G
BUTYLBENZENE, TERT-	000098-06-6	370	G	1,000	G	30,000	S	30,000	S	370	G	1,000	G
* * * * *													
CAPTAN	133062	190	G	[740] 500	[G] S	[3,300] 500	S	[3,300] 500	S	[3,300] 500	S	[3,300] 500	S
CARBARYL	63252	700	H	700	H	70,000	H	70,000	H	[83,000] 120,000	S	[83,000] 120,000	S
CARBAZOLE	000086-74-8	33	G	130	G	1,200	S	1,200	S	1,200	S	1,200	S
* * * * *													
CARBOXIN	005234-68-4	700	H	700	H	70,000	H	70,000	H	700	H	700	H
CHLORAMBEN	000133-90-4	100	H	100	H	10,000	H	10,000	H	100	H	100	H
* * * * *													
CHLORO-1, 1-DIFLUOROETHANE, 1-	000075-68-3	140,000	N	290,000	N	1,400,000	S	1,400,000	S	140,000	N	290,000	N
* * * * *													
CHLOROACETOPHENONE, 2-	000532-27-4	0.31	G	0.88	G	31	G	88	G	310	G	880	G
CHLOROANILINE, P-	106478	150	G	410	G	[3,900] 15,000	[S] G	[3,900] 41,000	[S] G	150	G	410	G
* * * * *													
CHLOROBUTANE, 1-	000109-69-3	15,000	G	41,000	G	680,000	S	680,000	S	15,000	G	41,000	G

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		TDS ≤ 2500				TDS > 2500				R		NR	
		R	NR	R	NR	R	NR	R	NR				
* * * * *													
CHLORODIFLUOROMETHANE	000075-45-6	100	H	100	H	10,000	H	10,000	H	100	H	100	H
CHLOROETHANE	75003	[28,000] 230	[N] G	[58,000] 900	[N] G	[2,800,000] 23,000	[N] G	[5,700,000] 90,000	[S] G	[2,800,000] 23,000	[S] G	[5,700,000] 90,000	[S] G
* * * * *													
CHLORONAPHTHALENE, 2-	91587	2,900	G	[6,700] 8,200	[S] G	[6,700] 12,000	S	[6,700] 12,000	S	2,900	G	[6,700] 8,200	[S] G
CHLORONITROBENZENE, P-	000100-00-5	37	G	140	G	3,700	G	14,000	G	37	G	140	G
* * * * *													
CHLOROPROPANE, 2-	000075-29-6	280	N	580	N	28,000	N	58,000	N	280	N	580	N
CHLOROTHALONIL	001897-45-6	60	G	240	G	600	S	600	S	60	G	240	G
CHOROTOLUENE, O-	000095-49-8	100	H	100	H	10,000	H	10,000	H	100	H	100	H
CHLORPYRIFOS	2921882	20	H	20	H	[1,300] 1,100	S	[1,300] 1,100	S	20	H	20	H
CHLORSULFURON	064902-72-3	1,800	G	5,100	G	130,000	S	130,000	S	1,800	G	5,100	G
CHLORTHAL-DIMETHYL (DACTHAL) (DCPA)	001861-32-1	400	H	400	H	500	S	500	S	500	S	500	S
CHRYSENE	218019	1.9	S	[1.8] 1.9	S	[1.8] 1.9	S	[1.8] 1.9	S	[1.8] 1.9	S	[1.8] 1.9	S
* * * * *													
CRESOL, 0- (METHYLPHENOL, 2-)	000095-48-7	1,800	G	5,100	G	180,000	G	510,000	G	180,000	G	510,000	G
CRESOL, M (METHYLPHENOL, 3-)	000108-39-4	1,800	G	5,100	G	180,000	G	510,000	G	1,800,000	G	2,500,000	S

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		TDS ≤ 2500				TDS > 2500				R		NR	
		R		NR		R		NR		R		NR	
CRESOL, P (METHYLPHENOL, 4-)	000106-44-5	180	G	510	G	18,000	G	51,000	G	180,000	G	510,000	G
* * * * *													
CROTONALDEHYDE, TRANS-	000123-73-9	0.35	G	1.40	G	35	G	140	G	35	G	140	G
CUMENE	98828	[25] 1,100	N	[52] 2,300	N	[2,500] 50,000	[N] S	[5,200] 50,000	[N] S	[2,500] 50,000	[N] S	[5,200] 50,000	[N] S
CYCLOHEXANONE	108941	49,000	N	100,000	N	4,900,000	N	[500,000] 10,000,000	[S] N	49,000	N	100,000	N
CYFLUTHRIN	068359-37-5	1	S	1	S	1	S	1	S	1	S	1	S
CYROMAZINE	066215-27-8	270	G	770	G	27,000	G	77,000	G	270	G	770	G
* * * * *													
DDE, 4,4'-	72559	[1.3] 1.9	[S] G	[1.3] 7.6	[S] G	[1.3] 40	S	[1.3] 40	S	[1.3] 40	S	[1.3] 40	S
DDT, 4,4'-	50293	[1.7] 1.9	[S] G	[1.7] 5.5	S	[1.7] 5.5	S	[1.7] 5.5	S	[1.7] 5.5	S	[1.7] 5.5	S
DI(2-ETHYLHEXYL)ADIPATE	000103-23-1	400	M	400	M	40,000	M	40,000	M	200,000	S	200,000	S
* * * * *													
DIAMINOTOLUENE, 2, 4-	000095-80-7	0.21	G	1	G	21	G	81	G	210	G	819	G
* * * * *													
DIBENZO[A,H]ANTHRACENE	53703	0.09	G	0.36	G	[0.5] 0.6	S	[0.5] 0.6	S	[0.5] 0.6	S	[0.5] 0.6	S
* * * * *													
DIBROMOBENZENE, 1, 4-	000106-37-6	370	G	1,000	G	20,000	S	20,000	S	370	G	1,000	G
* * * * *													

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		R	NR	R	NR	R	NR	R	NR	R	NR		
DIBUTYL PHTHALATE, N-	84742	3,700	G	10,000	G	[13,000] 370,000	[S] G	[13,000] 400,000	S	[13,000] 400,000	S	[13,000] 400,000	S
DICHLORO-2-BUTENE, 1, 4-	000764-41-0	0.02	N	0.07	N	2	N	7	N	0.02	N	0.07	N
* * * * *													
DICHLOROBENZIDINE, 3,3-	91941	1.5	G	5.8	G	150	G	580	G	1,500	G	[5,800] 3,100	[G] S
* * * * *													
DICHLOROPROPENE, 1, 3-	000542-75-6	1	N	5	N	120	N	490	N	120	N	490	N
* * * * *													
DICYCLOPENTADIENE	000077-73-6	1	N	1	N	55	N	120	N	1	N	1	N
* * * * *													
DIETHYL PHTHALATE	84662	5,000	H	5,000	H	500,000	H	500,000	H	[900,000] 1,100,000	S	[900,000] 1,100,000	S
DIFLUBENZURON	035367-38-5	200	S	200	S	200	S	200	S	200	S	200	S
* * * * *													
DIMETHOXYBENZIDINE, 3, 3-	000119-90-4	47	G	190	G	4,700	G	19,000	G	47,000	G	60,000	S
DIMETHYLAMINOAZOBENZENE, P-	60117	0.14	G	0.57	G	14	G	57	G	140	G	[230] 570	[S] G
DIMETHYLANILINE, N, N-	000121-69-7	73	G	200	G	7,300	G	20,000	G	7,300	G	20,000	G
DIMETHYLBENZIDINE, 3, 3-	000119-93-7	0.07	G	0.28	G	7	G	28	G	72	G	280	G
* * * * *													

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		TDS ≤ 2500				TDS > 2500				R		NR			
		R		NR		R		NR		R		NR			
DIPHENAMID	000957-51-7	200	H	200	H	20,000	H	20,000	H	200	H	200	H		
* * * * *															
DIPHENYLHYDRAZINE, 1,2-	122667	0.83	G	3.3	G	83	G	[330]	250	[G]	[S]	[330]	250	[G]	[S]
* * * * *															
ENDOSULFAN	000115-29-7	58	N	120	N	480	S	480	S	480	S	480	S		
ENDOSULFAN I (ALPHA)	959988	220	G	[530]	500	S	[530]	500	S	220	G	[530]	500	S	
ENDOSULFAN II (BETA)	33213659	220	G	[280]	450	S	[280]	450	S	220	G	[280]	450	S	
* * * * *															
ETHEPHON	016672-87-0	180	G	510	G	18,000	G	51,000	G	180	G	510	G		
ETHION	563122	18	G	51	G	[600]	850	S	[600]	850	S	18	G	51	G
ETHOXYETHANOL, 2- (EGEE)	110805	[3,900]	N	[8,200]	N	[390,000]	N	[820,000]	N	[390,000]	N	[820,000]	N		
		550		1,200		55,000		120,000		55,000		120,000			
* * * * *															
ETHYL DIPROPYLTHIOCARBAMATE, S- (EPTC)	000759-94-4	910	G	2,600	G	91,000	G	260,000	G	910	G	2,600	G		
* * * * *															
ETHYL METHACRYLATE	000097-63-2	870	N	1,800	N	87,000	N	180,000	N	870	N	1,800	N		
* * * * *															

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		TDS ≤ 2500				TDS > 2500							
		R		NR		R		NR		R	NR		
ETHYLENE THIOUREA (ETU)	000096-45-7	3	H	3	H	300	H	300	H	3,000	H	3,000	H
ETHYLP-NITROPHENYL PHENYLPHOSPHOROTHIOATE	002104-64-5	0.37	G	1	G	37	G	100	G	0.37	G	1	G
* * * * *													
FENVALERATE (PYDRIN)	051630-58-1	85	S	85	S	85	S	85	S	85	S	85	S
FLUOMETURON	002164-17-2	90	H	90	H	9,000	H	9,000	H	90	H	90	H
FLUORANTHENE	206440	[270] 260	S	[270] 260	S	[270] 260	S	[270] 260	S	[270] 260	S	[270] 260	S
FLUORENE	86737	[190] 1,500	[S] G	[190] 1,900	S	[190] 1,900	S	[190] 1,900	S	[190] 1,900	S	[190] 1,900	S
* * * * *													
FOSETYL-AL	039148-24-8	110,000	G	310,000	G	11,000,000	G	31,000,000	G	110,000	G	310,000	G
FURAN	000110-00-9	10	N	20	N	970	N	2,000	N	970	N	2,000	N
FURFURAL	98011	[110] 97	[G] N	[290] 200	N	[11,000] 9,700	[G] N	[29,000] 20,000	N	[110] 97	[G] N	[290] 200	N
* * * * *													
HEXACHLOROBENZENE	118741	1	M	1	M	[6.2] 6	S	[6.2] 6	S	[6.2] 6	S	[6.2] 6	S
* * * * *													
HEXACHLOROCYCLOPENTADIENE	77474	50	M	50	M	[3,400] 1,800	S	[3,400] 1,800	S	[3,400] 1,800	S	[3,400] 1,800	S
* * * * *													
HEXYTHIAZOX (SAVEY)	078587-05-0	500	S	500	S	500	S	500	S	500	S	500	S
HYDRAZINE/HYDRAZINE SULFATE	000302-01-2	0.01	N	0.04	N	1	N	4	N	0.09	N	0.37	N

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		TDS ≤ 2500				TDS > 2500				R		NR	
		R		NR		R		NR		R		NR	
HYDROQUINONE	000123-31-9	1,500	G	4,100	G	150,000	G	410,000	G	1,500,000	G	4,100,000	G
* * * * *													
IPRODIONE	036734-19-7	1,500	G	4,100	G	13,000	S	13,000	S	1,500	G	4,100	G
* * * * *													
MANEB	012427-38-2	180	G	510	G	18,000	G	23,000	S	180	G	510	G
MERPHOS OXIDE	000078-48-8	1.10	G	3	G	110	G	310	G	1.10	G	3	G
* * * * *													
METHAMIDOPHOS	010265-92-6	2	G	5	G	180	G	510	G	2	G	5	G
* * * * *													
METHOXYCHLOR	72435	40	M	40	M	[100] 45	S	[100] 45	S	[100] 45	S	[100] 45	S
METHOXYETHANOL, 2-	000109-86-4	37	G	100	G	3,700	G	10,000	G	37	G	100	G
METHYL ACETATE	000079-20-9	37,000	G	100,000	G	3,700,000	G	10,000,000	G	37,000	G	100,000	G
METHYL ACRYLATE	000096-33-3	1,100	G	3,100	G	110,000	G	310,000	G	110,000	G	310,000	G
* * * * *													
METHYL ISOBUTYL KETONE	108101	[220] 190	N	[470] 410	N	[22,000] 19,000	N	[47,000] 41,000	N	[22,000] 19,000	N	[47,000] 41,000	N
METHYL METHACRYLATE	80626	[780] 1,900	N	4,100	N	190,000	N	410,000	N	190,000	N	410,000	N
* * * * *													
METHYL STYRENE (MIXED ISOMERS)	025013-15-4	220	G	610	G	22,000	G	61,000	G	220	G	610	G

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		R	NR	R	NR	R	NR	R	NR	R	NR		
* * * * *													
METHYLENE BIS (2-CHLOROANILINE) 4, 4-	000101-14-4	5	G	20	G	510	G	2,000	G	5	G	20	G
METHYLNAPHTHALENE, 2-	91576	[1,500] 730	G	[4,100] 2,000	G	25,000	S	25,000	S	[1,500] 730	G	[4,100] 2,000	G
METHYLSTYRENE, ALPHA	000098-83-9	680	N	1,400	N	68,000	N	140,000	N	680	N	1,400	N
* * * * *													
NAPROPAMIDE	015299-99-7	3,700	G	10,000	G	70,000	S	70,000	S	3,700	G	10,000	G
* * * * *													
NITROPHENOL, 2-	88755	[2,300] 290	G	[6,300] 820	G	[230,000] 29,000	G	[630,000] 82,000	G	[2,100,000] 290,000	[S] G	[2,100,000] 820,000	[S] G
* * * * *													
NITROSO-DI-N-BUTYLAMINE, N-	000924-16-3	0.03	N	0.11	N	3	N	11	N	2.70	N	11	N
* * * * *													
NITROSO-N-ETHYLUREA, N-	000759-73-9	0.005	G	0.019	G	0.47	G	1.9	G	0.47	G	1.9	G
* * * * *													
PCB-1016 (AROCLOR)	12674112	2.6	G	7.2	G	[49] 250	S	[49] 250	S	2.6	G	7.2	G
PCB-1221 (AROCLOR)	11104282	1.3	G	5.2	G	130	G	[200] 520	[S]G	1.3	G	5.2	G
* * * * *													

All concentrations in µG/L
 R = Residential
 NR = Non-Residential
 M = Maximum Contaminant Level
 H = Lifetime Health Advisory Level
 G = Ingestion
 N = Inhalation
 S = Aqueous Solubility Cap

APPENDIX A
Table 1—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Groundwater

REGULATED SUBSTANCE	CASRN	USED AQUIFERS								NON-USE AQUIFERS			
		TDS ≤ 2500				TDS > 2500				R		NR	
		R		NR		R		NR		R		NR	
PCB-1242 (AROCOLOR)	53469219	1.3	G	5.2	G	[130] 100	[G] S	[240] 100	S	1.3	G	5.2	G
PCB-1248 (AROCOLOR)	12672296	0.37	G	1.4	G	[6] 37	[S]G	[6] 54	S	0.37	G	1.4	G
PCB-1254 (AROCOLOR)	11097691	0.37	G	1.4	G	[12] 37	[S] G	[12] 57	S	0.37	G	1.4	G
* * * * *													
PEBULATE	001114-71-2	1,800	G	5,100	G	92,000	S	92,000	S	1,800	G	5,100	G
PENTACHLOROBENZENE	608935	29	G	82	G	[240] 740	S	[240] 740	S	[240] 740	S	[240] 740	S
PENTACHLORONITROBENZENE	82688	2.5	G	10	G	250	G	[590] 440	S	[590] 440	S	[590] 440	S
* * * * *													
PHENANTHRENE	85018	[1,200] 1,100	S	[1,200] 1,100	S	[1,200] 1,100	S	[1,200] 1,100	S	[1,200] 1,100	S	[1,200] 1,100	S
* * * * *													
PHENYLPHENOL, 2-	000090-43-7	340	G	1,300	G	34,000	G	130,000	G	340,000	G	700,000	G
* * * * *													
PICLORAM	001918-02-1	500	M	500	M	50,000	M	50,000	M	500	M	500	M
POLYCHLORINATED BIPHENYLS (AROCOLORS) (PCBS)	001336-36-3	1	M	1	M	50	M	50	M	1	M	1	M
* * * * *													

All concentrations in µG/L
R = Residential
NR = Non-Residential
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H = Lifetime Health Advisory Level
G = Ingestion
N = Inhalation
S = Aqueous Solubility Cap

APPENDIX A
Table 1—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Groundwater

REGULATED SUBSTANCE	CASRN	USED AQUIFERS								NON-USE AQUIFERS			
		TDS ≤ 2500				TDS > 2500				R		NR	
		R		NR		R		NR		R		NR	
PROPANIL	000709-98-8	180	G	510	G	18,000	G	51,000	G	180	G	510	G
PROPHAM	000122-42-9	730	G	2,000	G	73,000	G	200,000	G	730	G	2,000	G
PROPYLBENZENE, N-	000103-65-1	370	G	1,000	G	37,000	G	52,000	S	370	G	1,000	G
* * * * *													
PYRENE	129000	[13] 130	S	[13] 130	S	[13] 130	S	[13] 130	S	[13] 130	S	[13] 130	S
* * * * *													
QUINOLINE	000091-22-5	0.06	G	0.22	G	6	G	22	G	55	G	220	G
QUIZALOFOP (ASSURE)	076578-14-8	300	S	300	S	300	S	300	S	300	S	300	S
RONNEL	000299-84-3	1,800	G	5,100	G	40,000	S	40,000	S	1,800	G	5,100	G
* * * * *													
TEBUTHIURON	034014-18-1	500	H	500	H	50,000	H	50,000	H	500	H	500	H
TERBACIL	005902-51-2	90	H	90	H	9,000	H	9,000	H	90	H	90	H
* * * * *													
TETRACHLOROBENZENE, 1,2,4,5-	000095-94-3	11	G	31	G	580	S	580	S	580	S	580	S
* * * * *													
TETRACHLOROETHANE, 1,1,1,2-	000630-20-6	70	H	70	H	7,000	H	7,000	H	7,000	H	7,000	H
* * * * *													

All concentrations in µG/L
 R = Residential
 NR = Non-Residential
 M = Maximum Contaminant Level
 H = Lifetime Health Advisory Level
 G = Ingestion
 N = Inhalation
 S = Aqueous Solubility Cap

APPENDIX A
Table 1—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Groundwater

REGULATED SUBSTANCE	CASRN	USED AQUIFERS								NON-USE AQUIFERS									
		TDS ≤ 2500				TDS > 2500				R		NR							
		R		NR		R		NR		R		NR							
TETRAETHYLDITHIOPYRO-PHOSPHATE	003689-24-5	5	N	10	N	490	N	1,000	N	5	N	10	N						
THIOFANOX	039196-18-4	11	G	31	G	1,100	G	3,100	G	11	G	31	G						
* * * * *																			
TOLUIDINE, O	95534	[3.7]	2.8	G	[14]	11	G	[370]	280	G	[1,400]	1,100	G	[3,700]	2,800	G	[14,000]	11,000	G
* * * * *																			
TRIALATE	002303-17-5	470	G	1,300	G	4,000	S	4,000	S	470	G	1,300	G						
* * * * *																			
TRICHLORO-1, 2, 2-TRIFLUOROETHANE, 1,1,2-	000076-13-1	83,000	N	170,000	S	170,000	S	170,000	S	170,000	N	170,000	S						
TRICHLOROBENZENE, 1,2,4-	120821	70	M	70	M	7,000	M	7,000	M	[49,000]	S	[49,000]	S						
* * * * *																			
TRICHLOROPROPANE, 1,1,2-	000598-77-6	180	G	510	G	18,000	G	51,000	G	180	G	510	G						
* * * * *																			
TRICHLOROPROPENE, 1,2,3-	000096-19-5	180	G	510	G	18,000	G	51,000	G	180	G	510	G						
TRIFLURALIN	001582-09-8	5	H	5	H	500	H	500	H	5	H	5	H						
TRIMETHYLBENZENE, 1,3,4-(TRIMETHYLBENZENE, 1,2,4)	000095-63-6	16	N	35	N	1,600	N	3,500	N	1,600	N	3,500	N						
TRIMETHYLBENZENE, 1,3,5-	000108-67-8	16	N	35	N	1,600	N	3,500	N	16	N	35	N						
TRINITROTOLUENE, 2,4,6-	000118-96-7	2	H	2	H	200	H	200	H	2	H	2	H						

All concentrations in µG/L
R = Residential
NR = Non-Residential
M = Maximum Contaminant Level
H = Lifetime Health Advisory Level
G = Ingestion
N = Inhalation
S = Aqueous Solubility Cap

APPENDIX A
Table 1—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Groundwater

REGULATED SUBSTANCE	CASRN	USED AQUIFERS								NON-USE AQUIFERS			
		TDS ≤ 2500				TDS > 2500				R		NR	
		R		NR		R		NR		R		NR	
* * * * *													
VINYL BROMIDE (BROMOETHENE)	000593-60-2	1	N	6	N	140	N	580	N	14	N	58	N
* * * * *													
WARFARIN	81812	[0.00000092] 11	[S] G	[0.00000092] 31	[S] G	[0.00000092] 1,100	[S] G	[0.00000092] 3,100	[S] G	[0.00000092] 11,000	[S] G	[0.00000092] 17,000	S
* * * * *													
ZINEB	012122-67-7	1,800	G	5,100	G	10,000	S	10,000	S	1,800	G	5,100	G

All concentrations in µG/L
 R = Residential
 NR = Non-Residential
 M = Maximum Contaminant Level
 H = Lifetime Health Advisory Level
 G = Ingestion
 N = Inhalation
 S = Aqueous Solubility Cap

APPENDIX A
Table 2—Medium-Specific Concentrations (MSCs) for Inorganic Regulated Substances in Groundwater

REGULATED SUBSTANCE	CASRN	USE AQUIFERS								NON-USE AQUIFERS			
		TDS ≤ 2500				TDS > 2500				R		NR	
		R	NR	R	NR	R	NR	R	NR	R	NR		
* * * * *													
VANADIUM	7440622	[2.1] 260	G	[5.8] 720	G	[210] 26,000	G	[580] 72,000	G	[2,100] 260,000	G	[5,800] 720,000	G
* * * * *													

All concentrations in µg/L (except asbestos)
M = Maximum Contaminant Level
H = Lifetime Health Advisory Level
SMCL = Secondary Maximum Contaminant Level
G = Ingestion
N = Inhalation

APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
A. Direct Contact Numeric Values

REGULATED SUBSTANCE	CASRN	Residential		Non-Residential			
		0-15 feet		Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
		* * * * *					
ACEPHATE	030560-19-1	880	G	9,100	G	190,000	C
ACETALDEHYDE	75070	140	N	[520] 480	N	[600] 560	N
		* * * * *					
ACETONITRILE	75058	[400] 1,100	N	[1,100] 3,200	N	[1,300] 3,600	N
		* * * * *					
AMMONIA	007664-41-7	1,900	N	5,300	N	6,100	N
AMMONIUM SULFAMATE	007773-06-0	44,000	G	190,000	C	190,000	C
		* * * * *					
BAYGON (PROPOXUR)	000114-26-1	880	G	11,000	G	190,000	C
BENOMYL	017804-35-2	11,000	G	140,000	G	190,000	C
BENTAZON	025057-89-0	6,600	G	84,000	G	190,000	C
BENZENE	71432	[38] 41	N	[200] 210	N	[230] 240	N
BENZIDINE	000092-87-5	0.078	G	0.34	G	190,000	C
		* * * * *					
BENZOTRICHLORIDE	000098-07-7	1.4	G	6.1	G	10,000	C
		* * * * *					
BHC, DELTA-	319868	[66] 130	G	[840] 1,700	G	190,000	C
BHC, GAMMA (LINDANE)	58899	[16] 14	G	[72] 61	G	190,000	C
BIPHENYL, 1,1-	000092-52-4	11,000	G	140,000	G	190,000	C
		* * * * *					
BIS(2-CHLORO-ISOPROPYL)ETHER	108601	[2,700] 32	N	[7,400] 160	N	[8,500] 190	N
		* * * * *					
BISPHENOL A	00080-05-7	11,000	G	140,000	G	190,000	C
BROMACIL	000314-40-9	29,000	G	190,000	C	190,000	C
BROMOCHLOROMETHANE	000074-97-5	2,900	G	10,000	C	10,000	C
		* * * * *					
BROMOXYNIL	001689-84-5	4,400	G	56,000	G	190,000	C
BROMOXYNIL OCTANOATE	001689-99-2	4,400	G	56,000	G	190,000	C

All concentrations in mg/kg

G = Ingestion

N = Inhalation

C = Cap

APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
A. Direct Contact Numeric Values

REGULATED SUBSTANCE	CASRN	Residential		Non-Residential			
		0-15 feet		Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
BUTADIENE, 1,3-	000106-99-0	5.3	G	23	G	190,000	C
* * * * *							
BUTYLATE	002008-41-5	10,000	C	10,000	C	10,000	C
BUTYLBENZENE, N-	000104-51-8	2,200	G	10,000	C	10,000	C
BUTYLBENZENE, SEC-	000135-98-8	2,200	G	10,000	C	10,000	C
BUTYLBENZENE, TERT-	000098-06-6	2,200	G	10,000	C	10,000	C
* * * * *							
CARBAZOLE	000086-74-8	900	G	4,000	G	190,000	C
* * * * *							
CARBOXIN	005234-68-4	22,000	G	190,000	C	190,000	C
CHLORAMBEN	000133-90-4	3,300	G	42,000	G	190,000	C
CHLORDANE	57749	[13] 51	G	[61] 230	G	190,000	C
CHLORO-1, 1-DIFLUOROETHANE, 1-	000075-68-3	190,000	C	190,000	C	190,000	C
* * * * *							
CHLOROACETOPHENONE, 2-	000532-27-4	1.9	G	24	G	190,000	C
* * * * *							
CHLOROBUTANE, 1-	000109-69-3	10,000	C	10,000	C	10,000	C
* * * * *							
CHLORODIFLUOROMETHANE	000075-45-6	190,000	C	190,000	C	190,000	C
CHLOROETHANE	75003	[10,000] 6,200	[C] G	10,000	C	10,000	C
* * * * *							
CHLORONITROBENZENE, P-	000100-00-5	990	G	4,400	G	190,000	C
* * * * *							
CHLOROPROPANE, 2-	000075-29-6	1,900	N	5,400	N	6,100	N
CHLOROTHALONIL	001897-45-6	1,600	G	7,200	G	190,000	C
CHLOROTOLUENE, O-	000095-49-8	4,400	G	10,000	C	10,000	C
* * * * *							
CHLORSULFURON	064902-72-3	11,000	G	140,000	G	190,000	G

All concentrations in mg/kg
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 C = Cap

APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
A. Direct Contact Numeric Values

REGULATED SUBSTANCE	CASRN	Residential		Non-Residential			
		0-15 feet		Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
CHLORTHAL-DIMETHYL (DACTHAL) (DCPA)	001861-32-1	2,200	G	28,000	G	190,000	C
* * * * *							
CRESOL, 0- (METHYLPHENOL, 2-)	000095-48-7	10,000	C	10,000	C	10,000	C
CRESOL, M (METHYLPHENOL, 3-)	000108-39-4	10,000	C	10,000	C	10,000	C
CRESOL, P (METHYLPHENOL, 4-)	000106-44-5	1,100	G	14,000	G	190,000	C
* * * * *							
CROTONALDEHYDE, TRANS-	000123-73-9	9.4	G	42	G	10,000	C
* * * * *							
CYFLUTHRIN	068359-37-5	5,500	G	10,000	C	10,000	C
CYROMAZINE	066215-27-8	1,700	G	21,000	G	190,000	C
* * * * *							
DI(2-ETHYLHEXYL)ADIPATE	000103-23-1	10,000	C	10,000	C	10,000	C
* * * * *							
DIAMINOTOLUENE, 2,4-	000095-80-7	5.6	G	25	G	190,000	C
* * * * *							
DIBROMOBENZENE, 1,4-	000106-37-6	2,200	G	28,000	G	190,000	C
* * * * *							
DICHLORO-2-BUTENE, 1,4-	000764-41-0	91,000	N	190,000	C	190,000	C
* * * * *							
DICHLOROBENZENE, 1,3-	541731	[5,900] 60	N	[10,000] 170	[C] N	[10,000] 190	[C] N
* * * * *							
DICHLOROMETHANE (METHYLENE CHLORIDE)	75092	[670] 680	N	3,500	N	4,000	N
* * * * *							
DICHLOROPROPANE, 1,2-	78875	[16] 18	N	[85] 91	N	[97] 100	N
DICHLOROPROPENE, 1,3-	000542-75-6	8.6	N	44	N	51	N
* * * * *							
DICYCLOPENTADIENE	000077-73-6	6,600	G	84,000	G	190,000	C
* * * * *							

All concentrations in mg/kg

G = Ingestion

N = Inhalation

C = Cap

APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
A. Direct Contact Numeric Values

REGULATED SUBSTANCE	CASRN	Residential		Non-Residential			
		0-15 feet		Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
DIFLUBENZURON	035367-38-5	4,400	G	56,000	G	190,000	C
* * * * *							
DIMETHOXYBENZIDINE, 3,3-	000119-90-4	1,300	G	5,700	G	190,000	C
* * * * *							
DIMETHYLANILINE, N,N-	000121-69-7	440	G	5,600	G	10,000	C
DIMETHYLBENZIDINE, 3,3-	000119-93-7	1.9	G	8.6	G	10,000	C
* * * * *							
DIPHENAMID	000957-51-7	6,600	G	84,000	G	190,000	C
* * * * *							
ENDOSULFAN	000115-29-7	1,300	G	17,000	G	190,000	C
* * * * *							
ETHEPHON	016672-87-0	1,100	G	14,000	G	190,000	C
* * * * *							
ETHOXYETHANOL, 2- (EGEE)	110805	[10,000] 3,800	[C] N	10,000	C	10,000	C
* * * * *							
ETHYL DIPROPYLTHIOCARBAMATE, S- (EPTC)	000759-94-4	5,500	G	10,000	C	10,000	C
* * * * *							
ETHYL METHACRYLATE	000097-63-2	20,000	G	190,000	C	190,000	C
* * * * *							
ETHYLENE THIOUREA (ETU)	000096-45-7	18	G	220	G	190,000	C
ETHYLP-NITROPHENYL PHENYLPHOSPHOROTHIOATE	002104-64-5	2.2	G	28	G	190,000	C
* * * * *							
FENVALERATE (PYDRIN)	051630-58-1	5,500	G	10,000	C	10,000	C
FLUOMETURON	002164-17-2	2,900	G	36,000	G	190,000	C
* * * * *							
FOSETYL-AL	039148-24-8	190,000	C	190,000	C	190,000	C
FURAN	000110-00-9	220	G	2,800	G	10,000	C

All concentrations in mg/kg
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APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
A. Direct Contact Numeric Values

REGULATED SUBSTANCE	CASRN	Residential		Non-Residential			
		0-15 feet		Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
* * * * *							
HEXYTHIAZOX (SAVEY)	078587-05-0	5,500	G	70,000	G	190,000	C
HYDRAZINE/HYDRAZINE SULFATE	000302-01-2	0.064	N	0.33	N	0.38	N
HYDROQUINONE	000123-31-9	8,800	G	110,000	G	190,000	C
* * * * *							
IPRODIONE	036734-19-7	8,800	G	110,000	G	190,000	C
* * * * *							
MANEB	012427-38-2	1,100	G	14,000	G	190,000	C
MERPHOS OXIDE	000078-48-8	6.6	G	84	G	10,000	C
* * * * *							
METHAMIDOPHOS	010265-92-6	11	G	140	G	190,000	C
* * * * *							
METHOXYETHANOL, 2-	000109-86-4	220	G	1,100	N	1,200	N
METHYL ACETATE	000079-20-9	10,000	C	10,000	C	10,000	C
METHYL ACRYLATE	000096-33-3	6,600	G	10,000	C	10,000	C
* * * * *							
METHYL STYRENE (MIXED ISOMERS)	025013-15-4	1,300	G	17,000	G	190,000	C
* * * * *							
METHYLENE BIS(2-CHLOROANILINE), 4,4-	000101-14-4	140	G	610	G	190,000	C
METHYLNAPHTHALENE, 2-	91576	[8,800] 4,400	G	10,000	C	10,000	C
METHYSTYRENE, ALPHA	000098-83-9	15,000	G	190,000	C	190,000	C
NAPHTHALENE	91203	[8,800] 4,400	G	110,000	G	190,000	C
* * * * *							
NAPROPAMIDE	015299-99-7	22,000	G	190,000	C	190,000	C
* * * * *							
NITROPHENOL, 2-	88755	[14,000] 1,800	G	[170,000] 22,000	G	190,000	C

All concentrations in mg/kg

G = Ingestion

N = Inhalation

C = Cap

APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
A. Direct Contact Numeric Values

REGULATED SUBSTANCE	CASRN	Residential			Non-Residential				
		0-15 feet			Surface Soil 0-2 feet		Subsurface Soil 2-15 feet		
NITROPHENOL, 4-	100027	[14,000]	1,800	G	[170,000]	22,000	G	190,000	C
* * * * *									
NITROSO-DI-N-BUTYLAMINE, N-	000924-16-3		3.3	G	15	G		10,000	C
* * * * *									
NITROSO-N-ETHYLUREA, N-	000759-73-9		0.13	G	0.57	G		190,000	C
* * * * *									
PEBULATE	001114-71-2		10,000	C	10,000	C		10,000	C
* * * * *									
PHENYLPHENOL, 2-	000090-43-7		9,200	G	41,000	G		190,000	C
* * * * *									
PICLORAM	001918-02-1		15,000	G	190,000	C		190,000	C
POLYCHLORINATED BIPHENYLS (AROCLORS) (PCBS)	001336-36-3		9	G	40	G		190,000	C
* * * * *									
PROPANIL	000709-98-8		1,100	G	14,000	G		190,000	C
PROPHAM	000122-42-9		4,400	G	56,000	G		190,000	C
PROPYLBENZENE, N-	000103-65-1		2,200	G	10,000	C		10,000	C
* * * * *									
QUINOLINE	000091-22-5		1.5	G	6.6	G		10,000	C
QUIZALOFOP (ASSURE)	076578-14-8		2,000	G	25,000	G		190,000	C
RONNEL	000299-84-3		11,000	G	140,000	G		190,000	C
* * * * *									
TEBUTHIURON	034014-18-1		15,000	G	190,000	C		190,000	C
TERBACIL	005902-51-2		2,900	G	36,000	G		190,000	C
* * * * *									
TETRACHLOROENZENE, 1,2,4,5-	000095-94-3		66	G	840	G		190,000	C
* * * * *									
TETRACHLOROETHANE, 1,1,1,2-	000630-20-6		690	G	3,100	G		190,000	C
* * * * *									

All concentrations in mg/kg
 G = Ingestion
 N = Inhalation
 C = Cap

APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
A. Direct Contact Numeric Values

REGULATED SUBSTANCE	CASRN	Residential		Non-Residential			
		0-15 feet		Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
TETRAETHYLDITHIOPYROPHOSPHATE	003689-24-5	33	N	92	N	110	N
THIOFANOX	039196-18-4	66	G	840	G	190,000	C
* * * * *							
TOLUIDINE, O-	95534	[99] 75	G	[440] 330	G	10,000	C
* * * * *							
TRIALATE	002303-17-5	2,900	G	36,000	G	190,000	C
* * * * *							
TRICHLORO- 1,2,2-TRIFLUOROETHANE, 1,1,2-	000076-13-1	190,000	C	190,000	C	190,000	C
* * * * *							
TRICHLOROBENZENE, 1,3,5-	108703	[2,200] 1,300	G	[28,000] 17,000	G	190,000	C
TRICHLOROETHANE, 1,1,1-	71556	[10,000] 4,400	G	10,000	C	10,000	C
* * * * *							
TRICHLOROPROPANE, 1,1,2-	000508-77-6	1,100	G	10,000	C	10,000	C
* * * * *							
TRICHLOROPROPENE, 1,2,3-	000096-19-5	1,100	G	10,000	C	10,000	C
TRIFLURALIN	001582-09-8	1,700	G	10,000	G	190,000	C
TRIMETHYLBENZENE, 1,3,4-(TRIMETHYLBENZENE, 1,2,4-)	000095-63-6	110	N	320	N	360	N
TRIMETHYLBENZENE, 1,3,5-	000108-67-8	110	N	320	N	360	N
TRINITROTOLUENE, 2,4,6-	000118-96-7	110	G	1,400	G	190,000	C
* * * * *							
VINYL BROMIDE (BROMOETHENE)	000593-60-2	160	G	720	G	190,000	C
VINYL CHLORIDE	75014	[3.8] 1.3	N	[20] 3.7	N	[22] 4.3	N
* * * * *							
XYLENES (TOTAL)	1330207	[10,000] 8,300	[C] N	10,000	C	10,000	C
ZINEB	012122-67-7	11,000	G	140,000	G	190,000	C

All concentrations in mg/kg

G = Ingestion

N = Inhalation

C = Cap

APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
B. Soil to Groundwater Numeric Values¹

REGULATED SUBSTANCE	CASRN	Used Aquifers										Non-Use Aquifers						Soil Buffer Distance (feet)		
		TDS ≤ 2500					TDS > 2500					Residential			Non-Residential					
		Residential		Non-Residential			Residential		Non-Residential			Residential		Non-Residential						
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value		E	
ACENAPHTHENE	83329	220	2700	E	[350] 380	[4,300] 4,700	E	[350] 380	[4,300] 4,700	E	[350] 380	[4,300] 4,700	E	[350] 380	[4,300] 4,700	E	[350] 380	[4,300] 4,700	E	15
ACENAPHTHYLENE	208968	220	2,500	E	[390] 610	[4,400] 6,900	E	[390] 1,600	[4,400] 18,000	E	[390] 1,600	[4,400] 18,000	E	[390] 1,600	[4,400] 18,000	E	[390] 1,600	[4,400] 18,000	E	15
ACEPHATE	030560-19-1	7.6	0.84	E	30	3.3	E	760	84	E	3,000	330	E	8	1	E	30	3	E	NA
ACETALDEHYDE	75070	1.9	0.23	E	[5.7] 5.2	[0.69] 0.63	E	190	23	E	[570] 520	[69] 63	E	1.9	0.23	E	[5.7] 5.2	[0.69] 0.63	E	NA
* * * * *																				
ACETONITRILE	75058	[5.8] 170	[0.65] 19	E	[12] 350	[1.3] 39	E	[580] 10,000	[65] 1,900	E	[1,200] 10,000	[130] 3,900	E	[58] 1,700	[6.5] 190	E	[120] 3,500	[13] 390	E	NA
* * * * *																				
AMMONIA	007664-41-7	3,000	330	E	3,000	330	E	10,000	10,000	C	10,000	10,000	C	3,000	330	E	3,000	330	E	NA
AMMONIUM SULFAMATE	007773-06-0	200	22	E	200	22	E	20,000	2,200	E	20,000	2,200	E	200	22	E	200	22	E	NA
* * * * *																				
ANTHRACENE	120127	[4.3] 6.6	[230] 350	E	[4.3] 6.6	[230] 350	E	[4.3] 6.6	[230] 350	E	[4.3] 6.6	[230] 350	E	[4.3] 6.6	[230] 350	E	[4.3] 6.6	[230] 350	E	10
* * * * *																				
BAYGON (PROPOXUR)	000114-26-1	0.3	0.033	E	0.3	0.033	E	30	3	E	30	3	E	300	33	E	300	33	E	NA
BENOMYL	017804-35-2	180	20	E	200	22	E	200	22	E	200	22	E	180	20	E	200	22	E	20
BENTAZON	025057-89-0	110	12	E	310	34	E	11,000	1,200	E	31,000	3,400	E	110	12	E	310	34	E	NA
* * * * *																				
BENZIDINE	000092-87-5	0.00029	0.000032	E	0.0011	0.00012	E	0.029	0.0032	E	0.11	0.012	E	0.29	0.032	E	1.1	0.12	E	5

¹ For other options see Section 250.308
All concentrations in mg/kg
E = Number calculated by the soil to groundwater equation in Section 250.308
C = Cap
NA = The soil buffer distance option is not available for this substance

APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
B. Soil to Groundwater Numeric Values¹

REGULATED SUBSTANCE	CASRN	Used Aquifers												Non-Use Aquifers				Soil Buffer Distance (feet)		
		TDS ≤ 2500						TDS > 2500												
		Residential			Non-Residential			Residential			Non-Residential			Residential		Non-Residential				
		100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC		Generic Value	E
BENZO[A]ANTHRACENE	56553	0.09	80	E	0.36	320	E	[1.4] 1.1	[1,200] 980	E	[1.4] 1.1	[1,200] 980	E	[1.4] 1.1	[1,200] 980	E	[1.4] 1.1	[1,200] 980	E	5
* * * * *																				
BENZOIC ACID	65850	15000	2,900	E	41,000	7,900	E	190,000	[65,000] 52,000	E	190,000	[65,000] 52,000	E	15,000	2,900	E	41,000	7,900	E	NA
BENZOTRICHLORIDE	000098-07-7	0.0051	0.00057	E	0.02	0.0022	E	0.51	0.057	E	2	0.22	E	5.1	0.57	E	20	2.2	E	30
* * * * *																				
BHC, BETA-	319857	0.037	0.22	E	0.14	0.82	E	3.7	22	E	[14] 10	[82] 58	E	[37] 10	[220] 58	E	[140] 10	[820] 58	E	15
BHC, DELTA-	319868	[1.1] 2.2	[5.4] 11	E	[3.1] 6.1	[15] 30	E	[110] 220	[540] 1,100	E	[310] 610	[1,500] 3,000	E	[1,100] 800	[5,400] 3,900	E	[2,100] 800	[10,000] 3,900	E	20
* * * * *																				
BIPHENYL, 1,1-	000092-52-4	180	20	E	510	57	E	720	80	E	720	80	E	720	80	E	720	80	E	20
* * * * *																				
BIS[2-ETHYLHEXYL] PHTHALATE	117817	0.6	130	E	0.6	130	E	[34] 29	[7,400] 6,300	E	[34] 29	[7,400] 6,300	E	[34] 29	[7,400] 6,300	E	[34] 29	[7,400] 6,300	E	10
BISPHENOL A	000080-05-7	180	20	E	510	57	E	12,000	1,300	E	12,000	1,300	E	12,000	1,300	E	12,000	1,300	E	20
BROMACIL	000314-40-9	8	0.89	E	8	0.89	E	800	89	E	800	89	E	8	0.89	E	8	0.89	E	NA
BROMOCHLOROMETHANE	000074-97-5	9	1	E	9	1	E	900	100	E	900	100	E	9	1	E	9	1	E	NA
* * * * *																				
BROMOXYNIL	001689-84-5	73	8.1	E	200	22	E	7,300	810	E	13,000	1,400	E	73	8.1	E	200	22	E	NA

¹ For other options see Section 250.308

All concentrations in mg/kg

E = Number calculated by the soil to groundwater equation in Section 250.308

C = Cap

NA = The soil buffer distance option is not available for this substance

APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
B. Soil to Groundwater Numeric Values¹

REGULATED SUBSTANCE	CASRN	Used Aquifers										Non-Use Aquifers						Soil Buffer Distance (feet)		
		TDS ≤ 2500					TDS > 2500					Residential			Non-Residential					
		Residential		Non-Residential			Residential		Non-Residential			Residential		Non-Residential						
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value		E	
BROMOXYNIL OCTANOATE	001689-99-2	8	0.89	E	8	0.89	E	8	0.89	E	8	0.89	E	8	0.89	E	8	0.89	E	15
BUTADIENE, 1,3-	000106-99-0	0.015	0.0017	E	0.065	0.0072	E	1.5	0.17	E	6.5	0.72	E	1.5	0.17	E	6.5	0.72	E	NA
* * * * *																				
BUTYLATE	002008-41-5	35	3.9	E	35	3.9	E	3,500	390	E	3,500	390	E	35	3.9	E	35	3.9	E	30
BUTYLBENZENE, N-	000104-51-8	37	4.1	E	100	11	E	1,500	170	E	1,500	170	E	37	4.1	E	100	11	E	15
BUTYLBENZENE, SEC-	000135-98-8	37	4.1	E	100	11	E	1,700	190	E	1,700	190	E	37	4.1	E	100	11	E	30
BUTYLBENZENE, TERT-	000098-06-6	37	4.1	E	100	11	E	3,000	330	E	3,000	330	E	37	4.1	E	100	11	E	30
* * * * *																				
CAPTAN	133062	19	12	E	[74] 50	[45] 30	E	[330] 50	[200] 30	E	[330] 50	[200] 30	E	[330] 50	[200] 30	E	[330] 50	[200] 30	E	NA
CARBARYL	63252	70	42	E	70	42	E	7,000	4,200	E	7,000	4,200	E	[8,300] 12,000	[5,000] 7,200	E	[8,300] 12,000	[5,000] 7,200	E	NA
CARBAZOLE	000086-74-8	3.3	0.37	E	13	1.4	E	120	13	E	120	13	E	120	13	E	120	13	E	15
* * * * *																				
CARBOXIN	005234-68-4	70	7.8	E	70	7.8	E	7,000	780	E	7,000	780	E	70	8	E	70	8	E	NA
CHLORAMBEN	000133-90-4	10	1.1	E	10	1.1	E	1,000	110	E	1,000	110	E	10	1.1	E	10	1.1	E	NA
* * * * *																				
CHLORO-1,1-DIFLUOROETHANE, 1-	000075-68-3	14,000	1,600	E	29,000	3,200	E	140,000	16,000	E	140,000	16,000	E	14,000	1,600	E	29,000	3,200	E	NA
* * * * *																				

¹ For other options see Section 250.308
 All concentrations in mg/kg
 E = Number calculated by the soil to groundwater equation in Section 250.308
 C = Cap
 NA = The soil buffer distance option is not available for this substance

APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
B. Soil to Groundwater Numeric Values¹

REGULATED SUBSTANCE	CASRN	Used Aquifers												Non-Use Aquifers				Soil Buffer Distance (feet)		
		TDS ≤ 2500						TDS > 2500												
		Residential			Non-Residential			Residential			Non-Residential			Residential		Non-Residential				
		100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC		Generic Value	E
CHLOROACETOPHENONE, 2-	000532-27-4	0.031	0.0034	E	0.088	0.0098	E	3.1	0.34	E	8.8	0.98	E	31	3.4	E	88	9.8	E	NA
CHLOROANILINE, P-	106478	15	19	E	41	51	E	[300] 1,500	[400] 1,900	E	[300] 4,100	[490] 5,100	E	15	19	E	41	51	E	NA
* * * * *																				
CHLOROBUTANE, 1-	000109-69-3	1,500	170	E	4,100	460	E	10,000	7,600	E	10,000	7,600	E	1,500	170	E	4,100	460	E	30
* * * * *																				
CHLORODIFLUOROMETHANE	000075-45-6	10	1.1	E	10	1.1	E	1,000	110	E	1,100	110	E	10	1	E	10	1	E	NA
CHLOROETHANE	75003	[2,800] 23	[600] 5	E	[5,800] 90	[1,200] 19	[G] E	[10,000] 2,300	[10,000] 500	[C] E	[10,000] 9,000	[10,000] 1,900	[C] E	[10,000] 2,300	[10,000] 500	E	[10,000] 9,000	[10,000] 1,900	[C] E	NA
* * * * *																				
CHLORONAPHTHALENE, 2-	91587	290	6,200	E	[670] 820	[14,000] 18,000	E	[670] 1,200	[14,000] 26,000	E	[670] 1,200	[14,000] 26,000	E	290	6,200	E	[670] 820	[14,000] 18,000	E	15
CHLORONITROBENZENE, P-	000100-00-5	3.7	0.41	E	14	1.6	E	370	41	E	1,400	160	E	3.7	0.41	E	14	1.6	E	NA
* * * * *																				
CHLOROPROPANE, 2-	000075-29-6	28	3.1	E	58	6.4	E	2,800	310	E	5,800	640	E	28	3.1	E	58	6.4	E	NA
CHLOROTHALONIL	001897-45-6	6	0.67	E	24	2.7	E	60	6.7	E	60	6.7	E	6	0.67	E	24	2.7	E	30
CHLOROTOLUENE, O-	000095-49-8	10	1.1	E	10	1.1	E	1,000	110	E	1,000	110	E	10	1.1	E	10	1.1	E	30
CHLORPYRIFOS	2921882	2	23	E	2	23	E	[130] 110	[1,500] 1,300	E	[130] 110	[1,500] 1,300	E	2	23	E	2	23	E	15
CHLORSULFURON	064902-72-3	180	20	E	510	57	E	13,000	1,400	E	13,000	1,400	E	180	20	E	510	57	E	N/A

¹ For other options see Section 250.308
 All concentrations in mg/kg
 E = Number calculated by the soil to groundwater equation in Section 250.308
 C = Cap
 NA = The soil buffer distance option is not available for this substance

APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
B. Soil to Groundwater Numeric Values¹

REGULATED SUBSTANCE	CASRN	Used Aquifers										Non-Use Aquifers				Soil Buffer Distance (feet)				
		TDS ≤ 2500					TDS > 2500					Residential		Non-Residential						
		Residential		Non-Residential			Residential		Non-Residential			Residential		Non-Residential						
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E		100 X GW MSC	Generic Value	E	
CHLORTHAL-DIMETHYL (DACTHAL) (DCPA)	001861-32-1	40	4.4	E	40	4.4	E	50	5.6	E	50	5.6	E	50	5.6	E	50	5.6	E	15
CHRYSENE	218019	[0.18] 0.19	[220] 230	E	[0.18] 0.19	[220] 230	E	[0.18] 0.19	[220] 230	E	[0.18] 0.19	[220] 230	E	[0.18] 0.19	[220] 230	E	[0.18] 0.19	[220] 230	E	5
* * * * *																				
CRESOL, 0- (METHYLPHENOL, 2-)	000095-48-7	180	20	E	510	57	E	10,000	2,000	E	10,000	5,700	E	10,000	2,000	E	10,000	5,700	E	NA
CRESOL, M (METHYLPHENOL, 3-)	000108-39-4	180	20	E	510	57	E	10,000	2,000	E	10,000	5,700	E	10,000	10,000	C	10,000	10,000	C	NA
CRESOL, P (METHYLPHENOL, 4-)	000106-44-5	18	2	E	51	5.7	E	1,800	200	E	5,100	570	E	18,000	2,000	E	51,000	5,700	E	NA
* * * * *																				
CROTONALDEHYDE, TRANS-	000123-73-9	0.035	0.0039	E	0.14	0.016	E	3.5	0.39	E	14	1.6	E	3.5	0.39	E	14	1.6	E	NA
CUMENE	98828	[2.5] 110	[18] 790	E	[5.2] 230	[37] 1,600	E	[250] 5,000	[1,800] 10,000	[E] C	[520] 5,000	[3,700] 10,000	[E] C	[250] 5,000	[1,800] 10,000	[E] C	[520] 5,000	[3,700] 10,000	C	15
* * * * *																				
CYFLUTHRIN	068359-37-5	0.1	0.011	E	0.1	0.011	E	0.1	0.011	E	0.1	0.011	E	0.1	0.011	E	0.1	0.011	E	10
CYROMAZINE	066215-27-8	27	3	E	77	8.6	E	2,700	300	E	7,700	860	E	27	3	E	77	8.6	E	20
* * * * *																				
DDE, 4,4'-	72559	[0.13] 0.19	[28] 41	E	[0.13] 0.76	[28] 170	E	[0.13] 4	[28] 870	E	[0.13] 4	[28] 870	E	[0.13] 4	[28] 870	E	[0.13] 4	[28] 870	E	10
DDT, 4,4'-	50293	[0.17] 0.19	[100] 110	E	[0.17] 0.55	[100] 330	E	[0.17] 0.55	[100] 330	E	[0.17] 0.55	[100] 330	E	[0.17] 0.55	[100] 330	E	[0.17] 0.55	[100] 330	E	5

¹ For other options see Section 250.308
 All concentrations in mg/kg
 E = Number calculated by the soil to groundwater equation in Section 250.308
 C = Cap
 NA = The soil buffer distance option is not available for this substance

APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
B. Soil to Groundwater Numeric Values¹

REGULATED SUBSTANCE	CASRN	Used Aquifers												Non-Use Aquifers				Soil Buffer Distance (feet)		
		TDS ≤ 2500						TDS > 2500												
		Residential			Non-Residential			Residential			Non-Residential			Residential		Non-Residential				
		100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC		Generic Value	E
DI(2-ETHYLHEXYL) ADIPATE	000103-23-1	40	4.4	E	40	4.4	E	4,000	440	E	4,000	440	E	10,000	2,200	E	10,000	2,200	E	5
* * * * *																				
DIAMINOTOLUENE, 2,4-	000095-80-7	0.021	0.0023	E	0.081	0.009	E	2.1	0.23	E	8.1	0.9	E	21	2.3	E	81	9	E	NA
* * * * *																				
DIBENZO[A,H]ANTHRACENE	53703	0.009	41	E	0.036	160	E	[0.05] 0.06	[230] 270	E	[0.05] 0.06	[230] 270	E	[0.05] 0.06	[230] 270	E	[0.05] 0.06	[230] 270	E	5
* * * * *																				
DIBROMOBENZENE, 1,4-	000106-37-6	37	4.1	E	100	11	E	2,000	220	E	2,000	220	E	37	4.1	E	100	11	E	20
* * * * *																				
DIBUTYLPHTHALATE, N-	84742	370	1,500	E	1,000	4,100	E	[1,300] 10,000	[5,300] 10,000	[E] C	[1,300] 10,000	[5,300] 10,000	[E] C	[1,300] 10,000	[5,300] 10,000	[E] C	[1,300] 10,000	[5,300] 10,000	[E] C	20
DICHLORO-2-BUTENE, 1,4-	000764-41-0	0.0016	0.00018	E	0.0069	0.00077	E	0.16	0.018	E	0.69	0.077	E	0.0016	0.00018	E	0.0069	0.00077	E	NA
* * * * *																				
DICHLOROBENZIDINE, 3,3'-	91941	0.15	8.4	E	0.58	33	E	15	840	E	58	3,300	E	150	8,400	E	[580] 310	[33,000] 17,000	E	10
* * * * *																				
DICHLOROPROPENE, 1,3-	000542-75-6	0.12	0.013	E	0.49	0.054	E	12	1.3	E	49	5.4	E	12	1.3	E	49	5.4	E	NA
* * * * *																				
DICYCLOPENTADIENE	000077-73-6	0.055	0.0061	E	0.12	0.013	E	5.5	0.61	E	12	1.3	E	0.055	0.0061	E	0.12	0.013	E	30
* * * * *																				

¹ For other options see Section 250.308
 All concentrations in mg/kg
 E = Number calculated by the soil to groundwater equation in Section 250.308
 C = Cap
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APPENDIX A
Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
B. Soil to Groundwater Numeric Values¹

REGULATED SUBSTANCE	CASRN	Used Aquifers										Non-Use Aquifers				Soil Buffer Distance (feet)				
		TDS ≤ 2500					TDS > 2500					Residential		Non-Residential						
		Residential		Non-Residential			Residential		Non-Residential			Residential		Non-Residential						
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E		100 X GW MSC	Generic Value	E	
DIFLUBENZURON	035367-38-5	20	2.2	E	20	2.2	E	20	2.2	E	20	2.2	E	20	2.2	E	20	2.2	E	20
* * * * *																				
DIMETHOXYBENZIDINE, 3,3-	000119-90-4	4.7	0.52	E	19	2.1	E	470	52	E	1,900	210	E	4,700	520	E	6,000	670	E	20
DIMETHYLAMINOAZO-BENZENE, P-	60117	0.014	0.037	E	0.057	0.15	E	1.4	3.7	E	5.7	15	E	14	37	E	[20] 57	[60] 150	E	20
DIMETHYLANILINE, N,N-	000121-69-7	7.3	0.81	E	20	2.2	E	730	81	E	2,000	220	E	730	81	E	2,000	220	E	NA
DIMETHYLBENZIDINE, 3,3-	000119-93-7	0.0072	0.0008	E	0.028	0.0031	E	0.72	0.08	E	2.8	0.31	E	7.2	0.8	E	28	3.1	E	10
* * * * *																				
DIPHENAMID	000957-51-7	20	2.2	E	20	2.2	E	2,000	220	E	2,000	220	E	20	2.2	E	20	2.2	E	NA
* * * * *																				
DIPHENYLHYDRAZINE, 1,2-	122667	0.083	0.15	E	0.33	0.58	E	8.3	15	E	[33] 25	[58] 44	E	[83] 25	[150] 44	E	[330] 25	[580] 44	E	30
* * * * *																				
ENDOSULFAN	000115-29-7	5.8	0.64	E	12	1.3	E	48	5.3	E	48	5.3	E	48	5.3	E	48	5.3	E	15
ENDOSULFAN I (ALPHA)	959988	22	110	E	[53] 50	[260] 260	E	[53] 50	[280] 260	E	[53] 50	[280] 260	E	22	110	E	[53] 50	[280] 260	E	15
ENDOSULFAN II (BETA)	33213659	22	130	E	[28] 45	[170] 270	E	[28] 45	[170] 270	E	[28] 45	[170] 270	E	22	130	E	[28] 45	[170] 270	E	15
* * * * *																				
ETHEPHON	016672-87-0	18	2	E	51	5.7	E	1,800	200	E	5,100	570	E	18	2	E	51	5.7	E	NA

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REGULATED SUBSTANCE	CASRN	Used Aquifers												Non-Use Aquifers				Soil Buffer Distance (feet)		
		TDS ≤ 2500						TDS > 2500												
		Residential			Non-Residential			Residential			Non-Residential			Residential		Non-Residential				
		100 X GW MSC	Generic Value		100 X GW MSC	Generic Value		100 X GW MSC	Generic Value		100 X GW MSC	Generic Value		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value			
ETHION	563122	1.8	39	E	5.1	110	E	[60] 85	[1,300] 1,900	E	[60] 85	[1,300] 1,900	E	1.8	39	E	5.1	110	E	15
ETHOXYETHANOL, 2-(EGEE)	110805	[300] 55	[56] 7.8	E	[820] 120	[120] 17	E	[10,000] 5,500	[5,500] 780	E	10,000	[10,000] 1,700	C	[10,000] 5,500	[5,500] 780	E	10,000	[10,000] 1,700	C	NA
* * * * *																				
ETHYL DIPROPYLTHIOCARBAMATE, S- (EPTC)	000759-94-4	91	10	E	260	29	E	9,100	1,000	E	10,000	2,900	E	91	10	E	260	29	E	NA
* * * * *																				
ETHYL METHACRYLATE	000097-63-2	87	9.7	E	180	20	E	8,700	970	E	18,000	2,000	E	87	9.7	E	180	20	E	NA
* * * * *																				
ETHYLENE THIOUREA (ETU)	000096-45-7	0.3	0.033	E	0.3	0.033	E	30	3.3	E	30	3.3	E	300	33	E	300	33	E	NA
* * * * *																				
ETHYLP-NITROPHENYL PHENYLPHOSPHOROTHIOATE	002104-64-5	0.037	0.0041	E	0.1	0.011	E	3.7	0.41	E	10	1.1	E	0.037	0.0041	E	0.1	0.011	E	20
* * * * *																				
FENVALERATE (PYDRIN)	051630-58-1	8.5	0.94	E	8.5	0.94	E	8.5	0.94	E	8.5	0.94	E	8.5	0.94	E	8.5	0.94	E	15
FLUOMETURON	002164-17-2	9	1	E	9	1	E	900	100	E	900	100	E	9	1	E	9	1	E	NA
FLUORANTHENE	206440	[27] 26	[3,300] 3,200	E	[27] 26	[3,300] 3,200	E	[27] 26	[3,300] 3,200	E	[27] 26	[3,300] 3,200	E	[27] 26	[3,300] 3,200	E	[27] 26	[3,300] 3,200	E	10
FLUORENE	86737	[19] 150	[380] 3,000	E	[19] 190	[380] 3,800	E	[19] 190	[380] 3,800	E	[19] 190	[380] 3,800	E	[19] 190	[380] 3,800	E	[19] 190	[380] 3,800	E	15

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 All concentrations in mg/kg
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**Table 3—Medium-Specific Concentrations (MSCs) for Organic Regulated Substances in Soil
B. Soil to Groundwater Numeric Values¹**

REGULATED SUBSTANCE	CASRN	Used Aquifers												Non-Use Aquifers				Soil Buffer Distance (feet)		
		TDS ≤ 2500						TDS > 2500												
		Residential			Non-Residential			Residential			Non-Residential			Residential		Non-Residential				
		100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC		Generic Value	E
* * * * *																				
FOSETYL-AL	039148-24-8	11,000	1,200	E	31,000	3,400	E	190,000	120,000	E	190,000	190,000	C	11,000	1,200	E	31,000	3,400	E	NA
FURAN	000110-00-9	0.97	0.11	E	2	0.22	E	97	11	E	200	22	E	97	11	E	200	22	E	NA
FURFURAL	98011	[11] 9.7	[1.4] 1.2	E	[29] 20	[3.7] 2.5	E	[1,100] 970	[140] 120	E	[2,900] 2,000	[370] 250	E	[11] 9.7	[1.4] 1.2	E	[29] 20	[3.7] 2.5	E	NA
* * * * *																				
HEXACHLOROBENZENE	118741	0.1	0.96	E	0.1	0.96	E	[0.62] 0.6	[6] 5.8	E	[0.62] 0.6	[6] 5.8	E	[0.62] 0.6	[6] 5.8	E	[0.62] 0.6	[6] 5.8	E	15
* * * * *																				
HEXACHLOROCYCLO-PENTADIENE	77474	5	91	E	5	91	E	[340] 180	[6,200] 3,300	E	[340] 180	[6,200] 3,300	E	[340] 180	[6,200] 3,300	E	[340] 180	[6,200] 3,300	E	15
* * * * *																				
HEXYTHIAZOX (SAVEY)	078587-05-0	50	5.6	E	50	5.6	E	50	5.6	E	50	5.6	E	50	5.6	E	50	5.6	E	15
HYDRAZINE/HYDRAZINE SULFATE	000302-01-2	0.00087	0.000097	E	0.0037	0.00041	E	0.087	0.0097	E	0.37	0.041	E	0.0087	0.00097	E	0.037	0.0041	E	NA
HYDROQUINONE	000123-31-9	150	17	E	410	46	E	15,000	1,700	E	41,000	4,600	E	150,000	17,000	E	190,000	46,000	E	NA
* * * * *																				
IPRODIONE	036734-19-7	150	17	E	410	46	E	1,300	140	E	1,300	140	E	150	17	E	410	46	E	20
* * * * *																				
MANEB	012427-38-2	18	2	E	51	5.7	E	1,800	200	E	2,300	260	E	18	2	E	51	5.7	E	NA
MERPHOS OXIDE	000078-48-8	0.11	0.012	E	0.31	0.034	E	11	1.2	E	31	3.4	E	0.11	0.012	E	0.31	0.034	E	10
* * * * *																				

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All concentrations in mg/kg

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		TDS ≤ 2500						TDS > 2500												
		Residential			Non-Residential			Residential			Non-Residential			Residential		Non-Residential				
		100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC		Generic Value	E
METHAMIDOPHOS	010265-92-6	0.18	0.02	E	0.51	0.057	E	18	2	E	51	6	E	0.18	0.02	E	0.51	0.057	E	NA
* * * * *																				
METHOXYCHLOR	72435	4	630	E	4	630	E	[10] 4.5	[1,600] 710	E	[10] 4.5	[1,600] 710	E	[10] 4.5	[1,600] 710	E	[10] 4.5	[1,600] 710	E	10
METHOXYETHANOL, 2-	000109-86-4	3.7	0.41	E	1.1	1	E	370	41	E	1,000	110	E	3.7	0.41	E	10	1.1	E	NA
METHYL ACETATE	000079-20-9	3,700	410	E	10,000	1,100	E	10,000	10,000	C	10,000	10,000	C	3,700	410	E	10,000	1,100	E	NA
METHYL ACRYLATE	000096-33-3	110	12	E	310	34	E	10,000	1,200	E	10,000	3,400	E	10,000	1,200	E	10,000	3,400	E	NA
* * * * *																				
METHYL ISOBUTYL KETONE	108101	[22] 19	[3.4] 2.9	E	[47] 41	[7.3] 6.3	E	[2,200] 1,900	[340] 290	E	[4,700] 4,100	[730] 630	E	[2,200] 1,900	[340] 290	E	[4,700] 4,100	[730] 630	E	NA
METHYL METHACRYLATE	80626	[78] 190	[11] 26	E	[160] 410	[22] 56	E	[7,800] 10,000	[1,100] 2,600	E	10,000	[2,200] 5,600	E	[7,800] 10,000	[1,100] 2,600	E	10,000	[2,200] 5,600	E	NA
* * * * *																				
METHYL STYRENE (MIXED ISOMERS)	025013-15-4	22	2.4	E	61	6.8	E	2,200	240	E	6,100	680	E	22	2.4	E	61	6.8	E	15
* * * * *																				
METHYLENE BIS(2-CHLOROANILINE), 4,4-'	000101-14-4	0.51	0.057	E	2	0.22	E	51	5.7	E	200	22	E	0.51	0.057	E	2	0.22	E	15
METHYLNAPHTHALENE, 2-	91576	[150] 73	[6,000] 2,900	E	[410] 200	[10,000] 7,900	[C] E	2,500	10,000	C	2,500	10,000	C	[150] 73	[6,000] 2,900	E	[410] 200	[10,000] 7,900	[C] E	15
METHYLSTYRENE, ALPHA	000098-83-9	68	7.6	E	140	16	E	6,800	760	E	14,000	1,600	E	68	7.6	E	140	16	E	30
* * * * *																				

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		TDS ≤ 2500						TDS > 2500												
		Residential			Non-Residential			Residential			Non-Residential			Residential		Non-Residential				
		100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC		Generic Value	E
NAPROPAMIDE	015299-99-7	370	41	E	1,000	110	E	7,000	780	E	7,000	780	E	370	41	E	1,000	110	E	30
* * * * *																				
NITROPHENOL, 2-	88755	[230] 29	[47] 5.9	E	[630] 82	[130] 17	E	[23,000] 2,900	[4,700] 590	E	[63,000] 8,200	[13,000] 1,700	E	[190,000] 29,000	[43,000] 5,900	E	[190,000] 82,000	[43,000] 17,000	E	NA
* * * * *																				
NITROSO-DI-N-BUTYLAMINE, N-	000924-16-3	0.0027	0.0003	E	0.011	0.0012	E	0.27	0.03	E	1.1	0.12	E	0.27	0.03	E	1.1	0.12	E	NA
* * * * *																				
NITROSO-N-ETHYLUREA, N-	000759-73-9	0.00047	0.000052	E	0.0019	0.00021	E	0.047	0.0052	E	0.19	0.021	E	0.047	0.0052	E	0.19	0.021	E	NA
* * * * *																				
PCB-1016 (AROCLOR)	12674112	0.26	70	E	0.72	190	E	[4.9] 25	[1,300] 6,700	E	[4.9] 25	[1,300] 6,700	E	0.26	70	E	0.72	190	E	10
PCB-1221 (AROCLOR)	11104282	0.13	0.62	E	0.52	2.5	E	13	62	E	[20] 52	[95] 250	E	0.13	0.62	E	0.52	2.5	E	20
* * * * *																				
PCB-1242 (AROCLOR)	53469219	0.13	16	E	0.52	62	E	[13] 10	[1,600] 1,200	E	[24] 10	[2,900] 1,200	E	0.13	16	E	0.52	62	E	10
PCB-1248 (AROCLOR)	12672296	0.037	18	E	0.14	67	E	[0.6] 3.7	[290] 1,800	E	[0.6] 5.4	[290] 2,600	E	0.037	18	E	0.14	67	E	10
PCB-1254 (AROCLOR)	11097691	0.037	75	E	0.14	280	E	[1.2] 3.7	[2,400] 7,500	E	[1.2] 5.7	[2,400] 7,500	E	0.037	75	E	0.14	280	E	5
* * * * *																				

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REGULATED SUBSTANCE	CASRN	Used Aquifers											Non-Use Aquifers				Soil Buffer Distance (feet)			
		TDS ≤ 2500						TDS > 2500												
		Residential			Non-Residential			Residential			Non-Residential		Residential		Non-Residential					
		100 X GW MSC	Generic Value		100 X GW MSC	Generic Value		100 X GW MSC	Generic Value		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value				
PEBULATE	001114-71-2	180	20	E	510	57	E	9,200	1,000	E	9,200	1,000	E	180	20	E	510	57	E	30
PENTACHLOROBENZENE	608935	2.9	230	E	8.2	660	E	[24] 74	[1,900] 6,000	E	[24] 74	[1,900] 6,000	E	[24] 74	[1,900]	E	[24] 74	[1,900]	E	10
* * * * *																				
PHENANTHRENE	85018	[120] 110	[11,000] 10,000	E	[120] 110	[11,000] 10,000	E	[120] 110	[11,000] 10,000	E	[120] 110	[11,000] 10,000	E	[120] 110	[11,000] 10,000	E	[120] 110	[11,000] 10,000	E	10
* * * * *																				
PHENYLPHENOL, 2-	000090-43-7	34	3.8	E	130	14	E	3,400	380	E	13,000	1,400	E	34,000	3,800	E	70,000	7,800	E	15
* * * * *																				
PICLORAM	1918-02-1	50	5.6	E	50	5.6	E	5,000	560	E	5,000	560	E	50	5.6	E	50	5.6	E	NA
POLYCHLORINATED BIPHENYLS (AROCLORS) (PCBS)	001336-36-3	0.05	0.0056	E	0.05	0.0056	E	5	0.56	E	5	0.56	E	0.05	0.0056	E	0.05	0.0056	E	NA
* * * * *																				
PROPANIL	000709-98-8	18	2	E	51	5.7	E	1,800	200	E	5,100	570	E	18	2	E	51	6	E	NA
PROPHAM	000122-42-9	73	8.1	E	200	22	E	7,300	810	E	20,000	2,200	E	73	8	E	200	22	E	NA
PROPYLBENZENE, N-	000103-65-1	37	4.1	E	100	11	E	3,700	410	E	5,200	580	E	37	4.1	E	100	11	E	30
* * * * *																				
PYRENE	129000	[1.3] 13	[220] 2,200	E	[1.3] 13	[220] 2,200	E	[1.3] 13	[220] 2,200	E	[1.3] 13	[220] 2,200	E	[1.3] 13	[220] 2,200	E	[1.3] 13	[220] 2,200	E	10
* * * * *																				
QUINOLINE	000091-22-5	0.0055	0.00061	E	0.022	0.0024	E	0.55	0.061	E	2.2	0.24	E	5.5	0.61	E	22	2.4	E	20

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REGULATED SUBSTANCE	CASRN	Used Aquifers										Non-Use Aquifers				Soil Buffer Distance (feet)				
		TDS ≤ 2500					TDS > 2500					Residential		Non-Residential						
		Residential		Non-Residential			Residential		Non-Residential			Residential		Non-Residential						
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E		100 X GW MSC	Generic Value	E	
QUIZALOFOP (ASSURE)	076578-14-8	30	3.3	E	30	3.3	E	30	3.3	E	30	3.3	E	30	3.3	E	30			
RONNEL	000299-84-3	180	20	E	510	57	E	4,000	440	E	4,000	440	E	180	20	E	510	57	E	30
* * * * *																				
TEBUTHIURON	034014-18-1	50	5.6	E	50	5.6	E	5,000	560	E	5,000	560	E	50	6	E	50	6	E	30
TEBRACIL	005902-51-2	9	1	E	9	1	E	900	100	E	900	100	E	9	1	E	9	1	E	NA
* * * * *																				
TETRACHLOROENZENE 1,2,4,5-	000095-94-3	1.1	0.12	E	3.1	0.34	E	58	6.4	E	58	6.4	E	58	6.4	E	58	6.4	E	20
* * * * *																				
TETRACHLOROETHANE, 1,1,1,2-	000630-20-6	7	0.78	E	7	0.78	E	700	78	E	700	78	E	700	78	E	700	78	E	30
* * * * *																				
TETRAETHYLDITHIO- PYROPHOSPHATE	003689-24-5	0.49	0.054	E	1	0.11	E	49	5.4	E	100	11	E	0.49	0.054	E	1	0.11	E	30
THIOFANOX	039196-18-4	1.1	0.12	E	3.1	0.34	E	110	12	E	310	34	E	1.1	0.12	E	3.1	0.34	E	NA
* * * * *																				
TOLUIDINE, O-	95534	[0.37] 0.28	[0.42] 0.32	E	[1.4] 1.1	[1.6] 1.2	E	[37] 28	[42] 32	E	[140] 110	[160] 120	E	[370] 280	[420] 320	E	[1,400] 1,100	[1,600] 1,200	E	NA
* * * * *																				
TRIALATE	002303-17-5	47	5.2	E	130	14	E	400	44	E	400	44	E	47	5.2	E	130	14	E	15
* * * * *																				

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B. Soil to Groundwater Numeric Values¹

REGULATED SUBSTANCE	CASRN	Used Aquifers										Non-Use Aquifers						Soil Buffer Distance (feet)		
		TDS ≤ 2500					TDS > 2500													
		Residential		Non-Residential			Residential		Non-Residential			Residential			Non-Residential					
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value	E	100 X GW MSC	Generic Value		E	
TRICHLORO-1,2,2-TRIFLUOROETHANE, 1,1,2-	000076-13-1	8,300	920	E	17,000	1,900	E	17,000	1,900	E	17,000	1,900	E	17,000	1,900	E	17,000	1,900	E	20
TRICHLOROBENZENE, 1,2,4-	120821	7	28	E	7	28	E	700	2,800	E	700	2,800	E	[4,900] 4,400	10,000	C	[4,900] 4,400	10,000	C	20
* * * * *																				
TRICHLOROPROPANE, 1,1,2-	000598-77-6	18	2	E	51	5.7	E	1,800	200	E	5,100	570	E	18	2	E	51	5.7	E	NA
* * * * *																				
TRICHLOROPROPENE, 1,2,3-	000096-19-5	18	2	E	51	5.7	E	1,800	200	E	5,100	570	E	18	2	E	51	6	E	NA
TRIFLURALIN	001582-09-8	0.5	0.056	E	0.5	0.056	E	50	5.6	E	50	5.6	E	0.5	0.056	E	0.5	0.056	E	30
TRIMETHYLBENZENE, 1,3,4- (TRIMETHYLBENZENE, 1,2,4-)	000095-63-6	1.6	0.18	E	3.5	0.39	E	160	18	E	350	39	E	160	18	E	350	39	E	15
TRIMETHYLBENZENE, 1,3,5-	000108-67-8	1.6	0.18	E	3.5	0.39	E	160	18	E	350	39	E	1.6	0.18	E	3.5	0.39	E	30
TRINITROTOLUENE, 2,4,6-	000118-96-7	0.2	0.022	E	0.2	0.022	E	20	2.2	E	20	2.2	E	0.2	0.022	E	0.2	0.022	E	NA
* * * * *																				
VINYL BROMIDE (BROMOETHENE)	000593-60-2	0.14	0.016	E	0.58	0.064	E	14	1.6	E	58	6.4	E	1.4	0.16	E	5.8	0.64	E	NA
* * * * *																				
WARFARIN	81812	[9.2E-08] 1.1	[2.2E-07] 2.6	E	[9.2E-08] 3.1	[2.2E-07] 7.4	E	[9.2E-08] 110	[2.2E-07] 260	E	[9.2E-08] 310	[2.2E-07] 740	E	[9.2E-08] 1,100	[2.2E-07] 2,600	E	[9.2E-08] 1,700	[2.2E-07] 4,100	E	30
ZINEB	012122-67-7	180	20	E	510	57	E	1,000	110	E	1,000	110	E	180	20	E	510	57	E	NA

¹ For other options see Section 250.308
 All concentrations in mg/kg
 E = Number calculated by the soil to groundwater equation in Section 250.308
 C = Cap
 NA = The soil buffer distance option is not available for this substance

APPENDIX A
Table 4—Medium-Specific Concentrations (MSCs) for Inorganic Regulated Substances in Soil
A. Direct Contact Numeric Values

REGULATED SUBSTANCE	CASRN	Residential MSC		Non-Residential MSCs			
		0-15 feet		Surface Soil 0-2 feet		Subsurface Soil 2-15 feet	
	* * * * *						
[ASBESTOS]	[12001295]	[1,100]	[N]	[5,500]	[N]	[190,000]	[C]
	* * * * *						
BERYLLIUM	7440417	[4.2] 440	G	[18] 5,600	G	190,000	C
	* * * * *						
CHROMIUM VI	18540299	[1,100] 660	G	[14,000] 8,400	G	190,000	C
	* * * * *						
COPPER	7440508	[190,000] 8,100	[C] G	[190,000] 100,000	[C] G	190,000	C
	* * * * *						
MERCURY	7439976	[19] 66	G	[240] 840	G	190,000	C
	* * * * *						
THALLIUM	7440280	[18] 15	G	[220] 200	G	190,000	C
	* * * * *						
VANADIUM	7440622	[13] 1,500	G	[160] 20,000	G	190,000	C
	* * * * *						

All concentrations in mg/kg
R—Residential
NR—Non-Residential
G—Ingestion
N—Inhalation
C—Cap
U—UBK Model
S—SEGH Model
NA—Not Applicable

APPENDIX A
Table 4—Medium-Specific Concentrations (MSCs) for Inorganic Regulated Substances in Soil
B. Soil to Groundwater Numeric Values¹

RELATED SUBSTANCE	CASRN	Used Aquifers								Non-use Aquifers				Soil Buffer Distance (feet)
		TDS ≤ 2500				TDS > 2500				R		NR		
		R		NR		R		NR		R		NR		
		100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	100 X GW MSC	Generic Value	
[ASBESTOS]	[1.2E+07]	[NA]	[NA]	[NA]	[NA]	[NA]	[NA]	[NA]	[NA]	[NA]	[NA]	[NA]	[NA]	[NA]
BORON AND COMPOUNDS	7440428	[6.0] 60	6.7	60	6.7	6,000	670	6,000	670	60,000	6,700	60,000	6,700	NA
CHROMIUM VI	1.9E+07	[18] 10	[340] 190	[51] 10	[970] 190	[1,800] 1,000	[34,000] 19,000	[5,100] 1,000	[97,000] 19,000	[18,000] 10,000	190,000	[51,000] 10,000	190,000	15
VANADIUM	7440622	[0.21] 26	[210] 26,000	[0.58] 72	[580] 72,000	[21] 2,600	[21,000] 190,000	[58] 7,200	[58,000] 190,000	[210] 26,000	190,000	[580] 72,000	190,000	5

¹ For other options see Section 250.308
 All concentrations in mg/kg
 R=Residential
 NR=Non-Residential
 G=Ingestion
 N=Inhalation
 E=Soil to groundwater equation
 C=Cap
 NA=Not Applicable

APPENDIX A
Table 5—Physical and Toxicological Properties
A. Organic Regulated Substances

<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> <i>(mg/kg-d)</i>	<i>CSFo</i> <i>(mg/kg-d)¹</i>	<i>RfDi</i> <i>(mg/m3)</i>	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> <i>(mg/L)</i>	<i>Aqueous Sol Reference</i>	<i>TF Vol from Surface Soil</i>	<i>TF Vol from Sub-Surface Soil</i>	<i>Or-ganic Liquid</i>	<i>Boiling Point (degrees)</i>	<i>Attenuation lambda</i>
ACENAPHTHENE	83329	0.06		0.06		4900		[3.47] 3.8	1,5,6				279	1.24
ACENAPHTHYLENE	208968	0.06		0.06		4500		[3.93] 16.1	5,6,7				280	2.11
ACETALDEHYDE	75070	[0.0022] 0.0026	0.0077	[0.0028] 0.0026	0.0077	4.1	X	1000000	[11] 1	13100	15100	X	20.4	
ACETONE	67641	0.1		8.86		0.31	X	1000000	[11] 1	13100	15000	X	56	18.07
ACEPHATE	30560-19-1	0.004	0.0087			3		818000	6					
ACETONITRILE	75058	[0.006]		[0.006] 0.017		0.5	X	[74000] 1000000	[11] 1	13100	15000	X	81.6	4.50
ACETOPHENONE	98862	0.1		0.1		170		5500	[12] 1			X	202.6	
ACETYLAMINOFLUORENE, 2-(2AAF)	53963		3.8		[4.55] 3.8	1600		[5.29] 10.13	[11] 7				303	0.69
ACROLEIN	107028	0.02		5.71429E-06		0.56	X	[212500] 208000	[11] 1,2,4	13100	15100	X	52.69	4.50
ACRYLAMIDE	79061	0.0002	4.5	0.0002	4.55	25		[640000] 2151000	[11] 4				[125] 193	
ACRYLIC ACID	79107	0.5		0.0002857		29	X	1000000	[11] 2	13000	14900	X	141.2	1.39
ACRYLONITRILE	107131	0.001	0.54	0.0005714	0.238	11	X	[74500] 73500	[11] 1	13100	15100	X	77.3	5.50
ALACHLOR	15972608	0.01	0.08	0.01	0.08	110		140	[4] 2				100	
ALDICARB	116063	0.001		0.001		22		6000	[9] 2				287	0.40
ALDRIN	309002	0.00003	17	0.00003	17.15	48000		[0.18] 0.02	[11] 4,5,6				145	0.22
ALLYL ALCOHOL	107186	0.005		0.005		3.2	X	[320000] 1000000	[15] 2	13100	15000	X	97	18.07
AMINOBIIPHENYL, 4-	92671		21		21	110		[311] 1200	[11] 5				302	18.07
AMITROLE	61825		0.94		0.945	120		280000	[7] 4				200	0.69

¹ Aqueous solubility references are keyed to the numbered list found at § 250.304(f)

APPENDIX A
Table 5—Physical and Toxicological Properties
A. Organic Regulated Substances

<i>Regulated Substance</i>	CAS	<i>RfDo</i> (mg/kg-d)	<i>CSFo</i> (mg/kg-d) ⁻¹	<i>RfDi</i> (mg/m ³)	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> (mg/L)	<i>Aqueous Sol Reference</i>	<i>TF Vol from Surface Soil</i>	<i>TF Vol from Sub-Surface Soil</i>	<i>Or-ganic Liquid</i>	<i>Boiling Point (degrees)</i>	<i>Attenuation lambda</i>
AMMONIA	7664-41-7	0.97		0.028571429		3	X	310000	2,5,7	13100	15000	X	-33.3	
AMMONIUM SULFAMATE	7773-06-0	0.2		0.2		3		216,000	10				200	
ANILINE	62533	[0.0016] 0.00029	0.0057	0.0002857	0.0056	190	X	[36000] 33800	[11] 1	13000	14900	X	184.4	
ANTHRACENE	120127	0.3		0.3		21000		[0.0434] 0.066	[11] 1,5,6,7,8,9				340	0.28
ATRAZINE	1912249	0.035	0.222	0.035	0.222	130		70	[8] 2,4,5				200	
BAYGON (PROPOXUR)	114-26-1	0.004		0.004		31		2000	2,4,5				decomp.	4.50
BENOMYL	17804-35-2	0.005				1900		2	5					
BENTAZON	25057-89-0	0.03				13		500	2					
BENZENE	71432	0.003	0.029	0.0017	[0.02905] 0.027	58	X	[1790] 1780.5	[11] 1,2,3,4	13100	15000	X	80.9	0.35
BENZIDINE	92-87-5	0.003	230	0.003	234.5	530000		520	1,2,4				400	15.81
BENZO[A]ANTHRACENE	56553		0.73		0.385	350000		[0.014]	1,5,6				437.6	0.19
BENZO[A]PYRENE	50328		7.3		3.85	910000		0.0038	1,5,6				495	0.24
BENZO[B]HFLUORANTHENE	205992		0.73		0.385	550000		0.0012	5,6,7				357	0.21
BENZO[GHI]PERYLENE	191242	0.06		0.06		2800000		0.00026	1,5,6				500	0.19
BENZO[K]FLUORANTHENE	207089		0.073		0.0385	4400000		0.00055	5,6,7				480	0.06
BENZOIC ACID	65850	4		4		32		[3400] 2700	2,3,4,5				249.2	
BENZOTRICHLORIDE	98-07-7		13			920		53	1,5,13			X	220.8	121413.60
BENZYL ALCOHOL	100516	0.3		0.3		100		[42900] 40000	1,2,3			X	205.3	
BENZYL CHLORIDE	100447		0.17		0.1715	190	X	[525] 493	[11] 1	13000	15000	X	179.4	20.90

¹ Aqueous solubility references are keyed to the numbered list found at 250.304(f)

APPENDIX A
Table 5—Physical and Toxicological Properties
A. Organic Regulated Substances

<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> <i>(mg/kg-d)</i>	<i>CSFo</i> <i>(mg/kg-d)¹</i>	<i>RfDi</i> <i>(mg/m³)</i>	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> <i>(mg/L)</i>	<i>Aqueous Sol Reference</i>	<i>TF Vol from Surface Soil</i>	<i>TF Vol from Sub-Surface Soil</i>	<i>Or-ganic Liquid</i>	<i>Boiling Point (degrees)</i>	<i>Attenuation lambda</i>
BHC, ALPHA	319846	[0.0003] 0.0006	6.3	[0.0003] 0.0006	6.3	1800		[2] 1.7	[5] 4,5,6,7				288	0.94
BHC, BETA-	319857	[0.0003] 0.0006	1.8	[0.0003] 0.0006	1.855	2300		[5] 0.1	[5] 6				60	1.02
BHC, DELTA-	319868	[0.0003] 0.0006		[0.0003] 0.0006		1900		[21.3] 8	[12] 6				60	1.26
BHC, GAMMA (LINDANE)	58899	0.0003	[1.1] 1.3	0.0003	1.085	1400		7.3	[11] 4,5,6				323.4	1.05
BIPHENYL, 1,1-	92-52-4	0.05		0.05		1700		7.2	1				255	18.07
BIS(2-CHLORO-ISOPROPYL)ETHER	108601	0.04	0.07	0.04	0.035	62	X	1700	[12] 5	13000	14900	X	189	0.69
BIS(2-CHLOROETHYL)ETHER	111444		1.1		1.155	76	X	[17200] 10200	[11] 1,4,5	13000	14900	X	178.75	0.69
BIS(CHLOROMETHYL)ETHER	542881		220		217	16	X	22000	[2] 6	13100	15100	X	105	57270.57
BIS[2-ETHYLHEXYL] PHTHALATE	117817	0.02	0.014	0.02	[0.0084] 0.014	87000		[0.34] 0.285	[11] 4,5,6			X	384	0.65
BISPHENOL A	80-05-7	0.05				1500		120	4				220	0.69
BROMACIL	314-40-90	0.13				58		815	2					
BROMOCHLOROMETHANE	74-97-5	0.013				27	X	16700	4	13100	15000	X	68	
BROMODICHLOROMETHANE	75274	0.02	0.062	0.02	0.1295	93	X	[6735] 4500	[11] 6	13100	15000	X	87	
BROMOMETHANE	74839	0.0014		0.0014285		170	X	[15220] 17,500	[11] 2	13100	15000	X	3.55	6.66
BROMOXYNIL	1689-84-5	0.02				300		130	2					
BROMOXYNIL OCTANOATE	1689-99-2	0.02				18000		0.08	12					5.75
BUTADIENE, 1,3-	106-99-0		3.4		0.98	120		735	1				-4.5	4.50
BUTYL ALCOHOL, N-	71363	0.1		0.1		3.2	X	[63200] 74000	[11] 1	13000	14900	X	117.73	4.68
BUTYLATE	2008-41-5	0.05				540	X	45	2	13200	15200	X	138	

¹ Aqueous solubility references are keyed to the numbered list found at 250.304(f)

APPENDIX A
Table 5—Physical and Toxicological Properties
A. Organic Regulated Substances

<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> <i>(mg/kg-d)</i>	<i>CSFo</i> <i>(mg/kg-d)¹</i>	<i>RfDi</i> <i>(mg/m3)</i>	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> <i>(mg/L)</i>	<i>Aqueous Sol Reference</i>	<i>TF Vol from Surface Soil</i>	<i>TF Vol from Sub-Surface Soil</i>	<i>Or-ganic Liquid</i>	<i>Boiling Point (degrees)</i>	<i>Attenuation lambda</i>
BUTYLBENZENE, N-	104-51-8	0.01				2500	X	15	1,6,7	13100	15100	X	183.1	
BUTYLBENZENE, SEC-	135-98-8	0.01				890	X	17	1,6,7	13100	15000	X	173.5	
BUTYLBENZENE, TERT-	98-06-6	0.01				680	X	30	1,6,7	13100	15000	X	169	
BUTYLBENZYL PHTHALATE	85687	0.2		0.2		34000		2.69	[11] 4,5,6			X	370	1.39
CAPTAN	133062	0.13	0.0035	0.13	0.00231	200		[3.3] 0.5	[11] 4				259	589.39
CARBARYL	63252	0.1		0.1		190		[82.6] 120	[11] 2,4,5				315	4.22
CARBAZOLE	86-74-8		0.02			2500		1.2	1,5,6				355	
CARBOFURAN	1563662	0.005		0.005		43		700	[13] 2				200	
CARBON DISULFIDE	75150	0.1		0.19999		300	X	[1185] 2100	[11] 1,2,3	13100	15100	X	46.2	
CARBON TETRACHLORIDE	56235	0.0007	0.13	0.00057	0.0525	160	X	[804.8] 795	[11] 1,2,3	13100	15000	X	76.7	0.07
CARBOXIN	5234-68-4	0.1				260		170	5,6,8					
CHLORAMBEN	133-90-4	0.015		0.015		20		700	2				210	
CHLORDANE	57749	[0.00006] 0.0005	[1.3] 0.35	[0.00006] 0.0002	[1.3] 0.35	98000		0.056	[11] 4,5,7				175	0.09
CHLORO-1,1-DIFLUOROETHANE,1-	75-68-3			14.28571492		22		1400	4				-9.2	
CHLORO-1-PROPENE, 3- (ALLYL CHLORIDE)	107051	0.000286	0.021	0.0002857	0.021	48	X	[3370] 3300	[11] 1,3,5,7,10	13100	15000	X	45.1	18.07
CHLOROACETOPHENONE,2-	532-27-4	0.00000857		8.57143E-06		76		1100	3				247	4.50
CHLOROANILINE, P-	106478	0.004		0.004		460		[3.9] 3900	[2] 1				232	
CHLOROBENZENE	108907	0.02		0.005714		200	X	[497] 490	[11] 3			X	131.69	0.84
CHLOROBENZILATE	510156	0.02	0.27	0.02	0.273	2600		13	[11] 4			X	415	3.60
CHLOROBUTANE, 1-	109-69-3	0.4				580	X	680	1,2,3,4	13200	15000	X	78.5	

¹ Aqueous solubility references are keyed to the numbered list found at 250.304(f)

APPENDIX A
Table 5—Physical and Toxicological Properties
A. Organic Regulated Substances

<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> <i>(mg/kg-d)</i>	<i>CSFo</i> <i>(mg/kg-d)¹</i>	<i>RfDi</i> <i>(mg/m3)</i>	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> <i>(mg/L)</i>	<i>Aqueous Sol</i> <i>Reference</i>	<i>TF</i> <i>Vol from</i> <i>Surface</i> <i>Soil</i>	<i>TF</i> <i>Vol from</i> <i>Sub-</i> <i>Surface</i> <i>Soil</i>	<i>Or-</i> <i>ganic</i> <i>Liquid</i>	<i>Boiling</i> <i>Point</i> <i>(degrees)</i>	<i>Attenua-</i> <i>tion</i> <i>lambda</i>
CHLORODIBROMOMETHANE	124481	0.02	0.084	0.02	0.0945	83	X	[4000] 4200	[2] 4,6,7,9	13100	15100	X	116	1.39
CHLORODIFLUOROMETHANE	75-45-6			14.28571429		59	X	2899	4	13200	15000		-40.8	
CHLOROETHANE	75003	2.86	0.0029	2.857		42	X	[5678] 5700	[11] 1	13100	15000	X	12.27	4.50
CHLOROETHYL VINYL ETHER, 2-	110758	0.025		0.025		6.6	X	15000	[2] 4,6,7	13100	15100	X	108	
CHLOROFORM	67663	0.01	0.0061	0.01	0.0805	56	X	[7950] 8000	[11] 1,2,3	13100	15000	X	61.18	0.01
CHLORONAPHTHALENE, 2-	91587	0.08		0.08		8500		[6.74] 11.7	[5] 1				256	
CHLORONITROBENZENE, P-	100-00-5		0.018			480		220	1				242	
CHLOROPHENOL, 2-	95578	0.005		0.005		400	X	[28500] 24000	[5] 1,3,4	12900	14900	X	174.9	
CHLOROPRENE	126998	0.02		0.0019999		50	X	[2115] 1736	[11] 9	13100	15000	X	59.4	0.69
CHLOROPROPANE, 2-	75-29-6		0.028571492			260	X	3100	1,3,5	13200	15000	X	47.2	
CHLOROTHALONIL	1897-45-6	0.015	0.011		0.0031	980		0.6	2				350	
CHLOROTOLUENE, O-	95-45-8	0.02				760	X	422	14,15	13100	15000	X	158.97	
CHLORPYRIFOS	2921882	0.003		0.003		4600		[1.3] 1.12	[3] 2,4,6,7				200	
CHLORSULFURON	64902-72-3	0.05				11		192	2,5,6,8,9				152	
* * * * *														
CHLORTHAL-DIMETHYL (DACTHAL) (DCPA)	1861-32-1	0.01				6500		0.5	2,5,7				360	1.37
CHRYSENE	218019		0.0073		0.00385	490000		[0.0018] 0.0019	[5] 1				448	0.13
CRESOL,O- (METHYLPHENOL, 2-)	95-48-7	0.05				97	X	2500	3,5,6	12900	14800	X	191	18.07
CRESOL,M (METHYLPHENOL, 3-)	109-39-4	0.05				35		2500	2			X	202	5.16

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Table 5—Physical and Toxicological Properties
A. Organic Regulated Substances

<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> <i>(mg/kg-d)</i>	<i>CSFo</i> <i>(mg/kg-d)⁻¹</i>	<i>RfDi</i> <i>(mg/m3)</i>	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> <i>(mg/L)</i>	<i>Aqueous Sol</i> <i>Reference</i>	<i>TF</i> <i>Vol from</i> <i>Surface</i> <i>Soil</i>	<i>TF</i> <i>Vol from</i> <i>Sub-</i> <i>Surface</i> <i>Soil</i>	<i>Or-</i> <i>ganic</i> <i>Liquid</i>	<i>Boiling</i> <i>Point</i> <i>(degrees)</i>	<i>Attenua-</i> <i>tion</i> <i>lambda</i>
CRESOL,P (METHYLPHENOL, 4-)	106-44-5	0.005				49		22000	6				202	9.03
CRESOL(S)	1319773	0.005		0.005		25	X	[19320] 20000	[14] 2	13000	14900	X	138.5	5.16
CRESOL, P-CHLORO-M-	59507	0.005		0.005		780		[3850] 3846	[5] 2				235	
CROTONALDEHYDE	4170303		1.9		1.9	5.6	X	[181000] 180000	[18] 3			X	104	18.07
CROTONALDEHYDE, TRANS-	123-73-9		1.9			6	X	156000	1	13100	15100	X	104	18.07
CUMENE	98828	[0.04] 0.01		[0.0025713] 0.11		2800	X	[49.9] 50	[11] 1,5,6	13100	15100	X	152.4	15.81
CYCLOHEXANONE	108941	5		5		66	X	[5000] 36500	[15] 1,2,4,5	13000	14900	X	157	
CYFLUTHRIN	68359-37-5	0.025				130000	X	0.001	2	13000	15000	X		
CYROMAZINE	66215-27-8	0.0075				1200		11000	12				222	
DDD, 4,4'-	72548		0.24		0.2415	44000		0.16	5,6,7				193	0.02
DDE, 4,4'-	72559		0.34		0.34	87000		[0.0013] 0.04	5				348.1	0.02
DDT, 4,4'-	50293	0.0005	0.34	0.0005	0.34	240000		[0.0017] 0.005	5,6,7				260	0.02
DI(2-ETHYLHEXYL)ADIPATE	103-23-1	0.6	0.0012			47000000		200	5	13000	14900	X	214	4.50
DIALLATE	2303164		0.061		0.061	190	X	[14] 40	[11] 2,4,6,8	12900	14900	X	150	1.39
DIAMINOTOLUENE, 2,4-	95-80-7		3.2		4	36		7470	4				292	0.69
DIAZINON	333415	0.0009		0.0009		500		[40] 50	[15] 2,4,6,8				306.1	
DIBENZO[A,H]ANTHRACENE	53703		7.3		4.2	1800000		[0.0005] 0.0006	1,5,6				524	0.13
DIBROMO-3-CHLOROPROPANE, 1,2-	96128	0.0000571	1.4	0.0000571	0.00242	140	X	[1230] 1000	[11] 4	13000	15000	X	196	0.69

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A. Organic Regulated Substances

<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> <i>(mg/kg-d)</i>	<i>CSFo</i> <i>(mg/kg-d)¹</i>	<i>RfDi</i> <i>(mg/m³)</i>	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> <i>(mg/L)</i>	<i>Aqueous Sol</i> <i>Reference</i>	<i>TF</i> <i>Vol from</i> <i>Surface</i> <i>Soil</i>	<i>TF</i> <i>Vol from</i> <i>Sub-</i> <i>Surface</i> <i>Soil</i>	<i>Or-</i> <i>ganic</i> <i>Liquid</i>	<i>Boiling</i> <i>Point</i> <i>(degrees)</i>	<i>Attenua-</i> <i>tion</i> <i>lambda</i>
DIBROMOBENZENE, 1,4-	106-37-6	0.01				1600		20	1				220.4	
DIBROMOETHANE, 1,2- (ETHYLENE DIBROMIDE)	106934	0.0000571	85	0.0000571	0.77	54	X	[4152] 4150	[11] 1,2,3,5	13100	15100	X	131.36	2.11
DIBROMOMETHANE	74953	0.01		0.01		110	X	[11930] 11400	[11] 1	13100	15100	X	96.25	4.50
DIBUTYL PHTHALATE, N-	84742	0.1		0.1		1600		[13] 400	[11] 1,2,3			X	340	11.00
DICHLORO-2-BUTENE, 1,4-	764-41-0				9.3	180		850	9				156	
DICHLOROBENZENE, 1,2-	95501	0.09		0.0571		350	X	[83.96] 147	[11] 1,4,5,6,7	13100	15100	X	180.48	0.69
DICHLOROBENZENE, 1,3-	541731	[0.089] 0.0009		[0.089] 0.0009		360	X	[125] 106	[11] 1	13100	15100	X	173	0.69
DICHLOROBENZENE, P-	106467	0.229	0.024	0.229	[0.0385] 0.04	510		[81.3] 82.9	[11] 1				174.12	0.69
DICHLOROBENZIDINE, 3,3'-	91941		0.45		1.19	22000		[12.3] 3.11	[11] 4,5,6				368	0.69
DICHLORODIFLUOROMETHANE (FREON 12)	75718	0.2		0.0571		360	X	280	[5] 1	13200	15000	X	-29.8	0.69
DICHLOROETHANE, 1,1-	75343	0.1	0.0057	0.143	0.0056	52	X	[5060] 5000	[5] 2	13100	15000	X	57.3	0.16
DICHLOROETHANE, 1,2-	107062	0.03	0.091	0.23	0.091	38	X	[8608] 8412	[11] 1,2,3,4	13100	15000	X	83.48	[0.07] 0.69
DICHLOROETHYLENE, 1,1-	75354	0.009	0.6	0.009	0.175	65	X	[2250] 2500	[11] 1,4,5	13100	15000	X	31.56	0.19
DICHLOROETHYLENE, CIS-1,2-	156592	0.01		0.01		49	X	[800] 3500	[17] 1	13100	15000	X	60	0.01
DICHLOROETHYLENE, TRANS-1,2-	156605	0.02		0.02		47	X	6300	[5] 1	13100	15000	X	47.5	0.01
DICHLOROMETHANE (METHYLENE CHLORIDE)	75092	0.06	0.0075	0.857	0.00165	16	X	[13030] 20000	[11] 1,2,3	13100	15000	X	39.64	4.50
DICHLOROPHENOL, 2,4-	120832	0.003		0.003		160		4500	[11] 1				209.5	5.88

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<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> (mg/kg-d)	<i>CSFo</i> (mg/kg-d) ⁻¹	<i>RfDi</i> (mg/m ³)	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> (mg/L)	<i>Aqueous Sol Reference</i>	<i>TF Vol from Surface Soil</i>	<i>TF Vol from Sub-Surface Soil</i>	<i>Organic Liquid</i>	<i>Boiling Point (degrees)</i>	<i>Attenuation lambda</i>
DICHLOROPHOENOXYACETIC ACID, 2,4- (2,4-D)	94757	0.01		0.01		59		677	[11] 4,5,6,7,10				[160] 215	1.39
DICHLOROPROPANE, 1,2-	78875	[0.00123] 0.09	0.068	[0.00123] 0.0011	[0.068] 0.063	47	X	2700	[11] 1,3,4	13100	15000	X	96	0.10
DICHLOROPROPENE, 1,3-	542-75-6	0.0003	0.18	0.005714286	0.13	27	X	2700	6	13100	15000	X	108	22.38
DICHLOROPROPIONIC ACID (DALAPON), 2,2-	75990	0.03		0.03		62	X	[502000] 500000	[16] 5	13000	14900	X	190	2.11
DICHLORVOS	62737	0.0005	0.29	0.0001429	0.291	50		10000	[11] 2,4,5				140	
DICYCLOPENTADIENE	77-73-6	0.03		5.71429E-05		810	X	40	5			X	167	
DIELDRIN	60571	0.00005	16	0.00005	16.1	11000		[0.2] 0.17	4,5,6			X	385	0.12
DIETHYL PHTHALATE	84662	0.8		0.8		81		[896] 1080	[11] 4,5,6			X	298	2.25
DIFLUBENZURON	36367-38-5	0.02				1000		0.2	2				201	
DIMETHOATE	60515	0.0002		0.0002		110		25000	[13] 4				200	2.26
DIMETHOXYBENZIDINE, 3,3-	119-90-4		0.014			1300		60	9				331	0.69
DIMETHYLAMINOAZOBENZENE, P-	60117		4.6		4.55	1000		[0.23] 13.6	[11] 7				200	4.50
DIMETHYLANILINE, N,N-	121-69-7	0.002				180	X	1200	5,6,7,9	13000	14900	X	192	0.69
DIMETHYLBENZIDINE, 3,3-	119-93-7		9.2		9.2	22000		1300	10			X	300	18.07
DIMETHYLHYDRAZINE, 1,1-	57147		1.72		1.72	0.2	X	1000000	[11] 2	13000	15000	X	63	5.75
DIMETHYLPHENOL, 2,4-	105679	0.02		0.02		130		[7870] 7869	[11] 1,4,6,7			X	210.9	18.07
DINITROBENZENE, 1,3-	99650	0.0001		0.0001		150		[469] 523	3,5,6,7				300	0.69
DINITROPHENOL, 2,4-	51285	0.002		0.002		0.79		[2787] 5600	[11] 2,4,5,6,7				113	0.48

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DINITROTOLUENE, 2,4-	121142	0.002	0.31	0.002	0.31	51		270	[11] 4,5,6				300	0.69
DINITROTOLUENE, 2,6- (2,6-DNT)	606202	0.001		0.001		74		[182] 200	[11] 6				300	0.69
DINOSEB	88857	0.001		0.001		120		[52] 50	[1] 5				[42] 223	1.03
DIOXANE, 1,4-	123911		0.011		0.027	7.8	X	1000000	[11] 5	13000	14900	X	101.32	0.69
DIPHENAMID	957-51-7	0.03				200		260	5				210	
DIPHENYLAMINE	122394	0.025		0.025		190		300	[12] 3				302	4.50
DIPHENYLHYDRAZINE, 1,2-	122667		0.8		0.77	660		[68] 0.252	[11] 6				309	0.69
DIQUAT	85007	0.0022		0.0022		2.6		700000	[7] 5				355	
DISULFOTON	298044	0.00004		0.00004		1000	X	25	[9] 4,5,6	13400	15400	X	133	6.02
DIURON	330541	0.002		0.002		300		42	[3] 2,4,5				155	
ENDOSULFAN	115-29-7	0.006		0.006		2000		0.48	4				106	2.78
ENDOSULFAN I (ALPHA)	959988	0.006		0.006		2000		[0.53] 0.5	[5] 6				200	
ENDOSULFAN II (BETA)	33213659	0.006		0.006		2300		[0.28] 0.45	[5] 6				390	
ENDOSULFAN SULFATE	1031078	0.006		0.006		2300		0.117	[5] 7,9				200	
ENDOTHALL	145733	0.02		0.02		120		100000	[1] 2				200	
ENDRIN	72208	0.0003		0.0003		11000		[0.26] 0.23	[5] 4,6,7,9				245	
EPICHLOROHYDRIN	106898	0.002	0.0099	0.0002857	0.0042	35	X	[65900] 65800	[11] 1,3,4	13000	14900	X	116.11	4.50
ETHEPHON	16672-87-0	0.005				2		1240000	12				201	
ETHION	563122	0.0005		0.0005		8700		[0.6] 0.85	[15] 4,6,9,10			X	200	

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ETHOXYETHANOL, 2- (EGEE)	110805	0.4		[0.4] 0.057		12	X	1000000	[15] 2	13200	15000	X	135.5	4.50
ETHYL ACETATE	141786	0.9		0.9		59	X	[80000] 80800	1,2,3,4,5,6	13100	15000	X	77.06	18.07
ETHYL ACRYLATE	140885		0.048		0.048	110	X	15000	[11] 1,2,6	13100	15100	X	100	18.07
ETHYL BENZENE	100414	0.1		0.286		220	X	[206] 161	[11] 1,3,4	13100	15000	X	136.19	1.11
ETHYLDIPROPYLTHIOCARBAMATE, S- (EPTC)	759-94-4	0.025				240	X	365	2	12900	14900	X	127	
ETHYL ETHER	60297	0.2		0.2		68	X	[69000] 60400	[3] 1	13100	15100	X	34.5	
ETHYLMETHACRYLATE	97-63-2	0.09		0.09		22		4635.5	9,10				117	
ETHYLENE GLYCOL	107211	2		2		4.4	X	1000000	[11] 2	13100	15100	X	197.5	10.54
ETHYLENE THIOUREA (ETU)	96-45-7	0.00008	0.11	0.00008	0.045	0.23		20000	2					4.50
ETHYLP-NITROPHENYL-PHENYLPHOSPHOROTHIOATE	2104-64-5	0.00001				1200		3.1	4				215	
FENAMIPHOS	22224926	0.00025		0.00025		300		[700] 329	[9] 2				200	
FENVALERATE (PYDRIN)	51630-58-1	0.025				4400		0.085	5	20500	25800	X	300	
FLUOMETURON	2164-17-2	0.013				68		97.5	2,5,6,8					
FLUORANTHENE	206440	0.04		0.04		49000		[0.265] 0.26	1,5,6				375	0.29
FLUORENE	86737	0.04		0.04		7900		[0.19] 1.9	[5] 1				298	2.11
FLUOROTRICHLOROMETHANE (FREON 11)	75694	0.3		0.2		130	X	[1240] 1090	1,4,5,6	13100	15000	X	23.63	0.35
FONOFOS	944229	0.002		0.002		1100	X	13	[9] 5,6,8	13400	15500	X	130	
FORMALDEHYDE	50000	0.2	0.0455	[0.2] 0.0011	0.0455	3.6	X	[50000] 55000	[11] 1	13100	15100	X	-21	18.07

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FORMIC ACID	64186	2		2		0.54	X	1000000	[15] 2	13000	14900	X	100.7	18.07
FOSETYL-AL	39148-24-8	3				310		120000	2					
FURAN	110-00-9	0.001				130	X	10000	1	13100	15000	X	31.36	2.25
FURFURAL	98011	0.003		0.0143		6.3	X	[83000] 91000	1,2,3	13000	14900	X	161.7	
GLYPHOSATE	1071836	0.1		0.1		3500		12000	[4] 1,5,6				186	
HEPTACHLOR	76448	0.0005	4.5	0.0005	4.55	6800		0.18	[11] 4,6,7				310	46.84
HEPTACHLOR EPOXIDE	1024573	0.000013	9.1	0.000013	9.1	21000		[0.275] 0.311	[5] 4,6,7,9				200	0.23
HEXACHLOROBENZENE	118741	0.0008	1.6	0.0008	1.61	3800		[0.0062] 0.006	[11] 1,4,5				319.3	0.06
HEXACHLOROBUTADIENE	87683	0.0002	0.078	0.0002	0.077	4700		[3.2] 2.89	[11] 4,5,6,7		X	215	0.69	
HEXACHLOROCYCLOPENTADIENE	77474	0.007		0.00002		7200		[3.4] 1.8	[11] 5,6,7		X	239	4.50	
HEXACHLOROETHANE	67721	0.001	0.014	0.001	0.014	2200		50	[11] 1				[186.8] 187	0.69
HEXANE	110543	0.06		0.0571		3600	X	[9.47] 9.5	[3] 1,5,6	13100	15000	X	69	
HEXYTHIAZOX (SAVEY)	78587-05-0	0.025				6500		0.5	2					
HYDRAZINE/HYDRAZINE SUFLATE	302-01-2		3		17.15	0.0053	X	1000000	2	13000	15000	X	113.5	18.07
HYDROQUINONE	123-31-9	0.04		0.04		10		70000	2,3,5				285	18.07
* * * * *														
IPIODIONE	36734-19-7	0.04				1100		13	2					

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ISOBUTYL ALCOHOL	78831	0.3		0.3		60	X	[95000] 81000	1,2,3,4,5	13000	14900	X	108.1	17.57
ISOPHORONE	78591	0.2	0.00095	0.2	0.00095	31		12000	2,4,5			X	215.2	4.50
KEPONE	143500	0.0005	16		16.1	55000		7.6	[3] 4				350	0.17
MALATHION	121755	0.02	[0.00095]	0.02	[0.00095]	1300	X	[145] 143	[3] 4	14000	16300	X	156.5	2.46
MALEIC HYDRAZIDE	123331	0.5		0.5		2.8		6000	[15] 4				260	
MANEB	12427- 38-2	0.005				1		23	9,13					
MERPHOS OXIDE	78-48-8	0.00003				53000	X	2.3	8,10,12	13100	15100	X	150	
METHACRYLONITRILE	126987	0.0001		0.0002		21	X	[25000] 25700	[12] 1	13100	15100	X	90.3	
METHAMIDOPHOS	10265- 92-6	0.00005				5		2000000	5					
METHANOL	67561	0.5		0.5		2.8	X	1000000	[11] 2	13100	15100	X	64.55	36.14
METHOMYL	16752775	0.025		0.025		20		58000	[9] 2				144	
METHOXYCHLOR	72435	0.005	[0.00095]	0.005	[0.00095]	63000		[0.1] 0.045	[11] 4,5,6				346	0.69
METHOXYETHANOL, 2-	109-86-4	0.001		0.005714286			X	1000000	2	13100	15000	X	124.3	4.50
METHYL ACETATE	79-20-9	1				30	X	243500	4,5,6	13100	15100	X	56.9	
METHYL ACRYLATE	96-33-3	0.03				55	X	52000	1,2,5	13100	15100	X	70	18.07
METHYL CHLORIDE	74873	0.004	0.013	0.029	0.0063	6	X	[5325] 6180	[11] 1,2,3,4	13200	15000	X	-24.2	4.50
METHYL ETHYL KETONE	78933	0.6		0.286		32	X	[223000] 275000	[11] 1,2,3,4,5	13100	15100	X	79.6	2.57
METHYL ISOBUTYL KETONE	108101	0.08		[0.0229] 0.023		17	X	[19000] 19550	[11] 1,2,4,5	13100	15100	X	117.4	18.07

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APPENDIX A
Table 5—Physical and Toxicological Properties
A. Organic Regulated Substances

<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> <i>(mg/kg-d)</i>	<i>CSFo</i> <i>(mg/kg-d)⁻¹</i>	<i>RfDi</i> <i>(mg/m3)</i>	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> <i>(mg/L)</i>	<i>Aqueous Sol</i> <i>Reference</i>	<i>TF</i> <i>Vol from</i> <i>Surface</i> <i>Soil</i>	<i>TF</i> <i>Vol from</i> <i>Sub-</i> <i>Surface</i> <i>Soil</i>	<i>Or-</i> <i>ganic</i> <i>Liquid</i>	<i>Boiling</i> <i>Point</i> <i>(degrees)</i>	<i>Attenua-</i> <i>tion</i> <i>lambda</i>
METHYL METHACRYLATE	80626	[0.08] 1.4		[0.08] 0.2		10	X	[15000] 15600	[11] 1	13100	15100	X	100.3	4.50
METHYL METHANESULFONATE	66273		0.099		0.098	5.2		200000	[12] 2				203	
METHYL PARATHION	298000	0.00025		0.00025		790	X	[50] 25	[9] 4,5,6	13500	15600	X	133	3.61
METHYLSTYRENE (MIXED ISOMERS)	25013-15-4	0.006		0.011428571		2.200		89	9					
METHYL TERT-BUTYL ETHER (MTBE)	1634044	0.857		0.857		12	X	[51000] 45000	[11] 1,2,4,6	13100	15100	X	55.2	
METHYLENE BIS(2-CHLOROANILINE),4,4'	101-14-4	0.0007	0.13	0.0007	0.13	3.000		13.9	10					
METHYLNAPHTHALENE, 2-	91576	[0.04] 0.02		[0.00286] 0.00086		16000		[24.6] 25	[5] 1			X	[241.05] 241	
METHYLSTYRENE, ALPHA	98-83-9	0.07				660	X	560	9			X	165.4	
NAPHTHALENE	91203	[0.04] 0.02		[0.00286] 0.00086		950		[31] 30	[11] 3				[217.9] 218	0.98
NAPHTHYLAMINE, 1-	134327		1.8		1.8	3200		[1698] 1690	[11] 2				301	0.69
NAPHTHYLAMINE, 2-	91598		1.8		1.8	87		[263] 6,4	[11] 6				306	0.69
NAPROPAMIDE	15299-99-7	0.1				880		70	2					
NITROANILINE, M-	99092	0.00005714		0.00005714		18		[890] 100	[5] 3				[306.4] 306	
NITROANILINE, O-	88744	0.00005714		0.00005714		27		[1260] 1200	[5] 6				[284.1] 284	
NITROANILINE, P-	100016	0.00005714		0.00005714		15		800	[5] 2				[331.7] 332	
NITROBENZENE	98953	0.0005		[0.0005714] 0.0006		130		[1900] 2000	[11] 2			X	[210.8] 211	0.64
NITROPHENOL, 2-	88755	[0.062] 0.008		[0.062] 0.008		37		2100	[13] 1,2,3,4,5,6				215	9.01
NITROPHENOL, 4-	100027	[0.062] 0.008		[0.062] 0.008		230		16000	[11] 2				279	25.81

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APPENDIX A
Table 5—Physical and Toxicological Properties
A. Organic Regulated Substances

<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> <i>(mg/kg-d)</i>	<i>CSFo</i> <i>(mg/kg-d)¹</i>	<i>RfDi</i> <i>(mg/m3)</i>	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> <i>(mg/L)</i>	<i>Aqueous Sol</i> <i>Reference</i>	<i>TF</i> <i>Vol from</i> <i>Surface</i> <i>Soil</i>	<i>TF</i> <i>Vol from</i> <i>Sub-</i> <i>Surface</i> <i>Soil</i>	<i>Or-</i> <i>ganic</i> <i>Liquid</i>	<i>Boiling</i> <i>Point</i> <i>(degrees)</i>	<i>Attenua-</i> <i>tion</i> <i>lambda</i>
NITROPROPANE, 2-	79469	[0.00571] 0.005714286	[9.45] 9.4	[0.00571] 0.005714	[9.45] 9.4	20	X	[17000] 16700	[11] 1,3,4,5	13000	14900	X	[120.25] 120	0.69
* * * * *														
NITROSODIETHYLAMINE, N-	55185		150		[151] 150.5	26	X	93000	[11] 10	13000	14900	X	176	0.69
NITROSODIMETHYLAMINE, N-	62759		51		49	8.5	X	1000000	[11] 2	13000	14900	X	154	0.69
NITROSO-DI-N-BUTYLAMINE,N-	924-16-3		5.4		5.6	450		1200	9,10,13			X	235	0.69
NITROSO-DI-N-PROPYLAMINE, N-	621647	0.095	7	0.095	7	11		[9894] 9900	[11] 6			X	206	0.69
NITROSODIPHENYLAMINE, N-	86306		0.0049		0.0091	580		35	[11] 1				[268.7] 269	3.72
NITROSO-N-ETHYLUREA, N	759-73-9		140		27	2		13000	9				125	1734.48
OCTYL PHTHALATE, DI-N-	117840	0.02		0.02		980000000		3	[11] 5			X	234	0.69
OXAMYL (VYDATE)	23135220	0.025		0.025		7.1		280000	[9] 2				101	
PARATHION	56382	0.006		0.006		2300		[6.54] 20	[11] 2,4,5,6,7			X	375	
PCB-1016 (AROCLOR)	12674112	0.00007	0.09	0.00007	0.09	110000		[0.049] 0.25	5			X	340	
PCB-1221 (AROCLOR)	11104282		0.5		0.5	1900		[0.2] 0.59	5			X	340	
PCB-1232 (AROCLOR)	11141165		0.5		0.5	1500		1.45	[5] 7			X	340	
PCB-1242 (AROCLOR)	53469219		0.5		0.05	48000		[0.24] 0.1	5			X	340	
PCB-1248 (AROCLOR)	12672296		1.8		1.8	190000		[0.006] 0.054	[5] 7,9,11			X	340	
PCB-1254 (AROCLOR)	11097691	0.00002	1.8	0.00002	1.8	810000		[0.012] 0.057	5			X	340	
PCB-1260 (AROCLOR)	11096825		0.6		0.6	1800000		0.08	5				[31] 385	
PEBULATE	1114-71-2	0.05				630	X	92	5	13000	14900	X	142	
PENTACHLOROBENZENE	608935	0.0008		0.0008		32000		[0.24] 0.74	[3] 1,5,6,7				277	0.37

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APPENDIX A
Table 5—Physical and Toxicological Properties
A. Organic Regulated Substances

<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> <i>(mg/kg-d)</i>	<i>CSFo</i> <i>(mg/kg-d)⁻¹</i>	<i>RfDi</i> <i>(mg/m3)</i>	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> <i>(mg/L)</i>	<i>Aqueous Sol</i> <i>Reference</i>	<i>TF</i> <i>Vol from</i> <i>Surface</i> <i>Soil</i>	<i>TF</i> <i>Vol from</i> <i>Sub-</i> <i>Surface</i> <i>Soil</i>	<i>Or-</i> <i>ganic</i> <i>Liquid</i>	<i>Boiling</i> <i>Point</i> <i>(degrees)</i>	<i>Attenua-</i> <i>tion</i> <i>lambda</i>
PENTACHLORONITROBENZENE	82688	0.003	0.26	0.003	0.26	7900		[0.59] 0.44	[11] 4,6,8				328	0.36
PENTACHLOROPHENOL	87865	0.03	0.12	0.03	[0.12] 0.018	20000		14	[11] 1,2,4,5				[309.5] 310	0.17
PHENACETIN	62442		0.0022		[0.0022] 0.002205	110		[760] 763	[12] 2,3,9				200	4.50
PHENANTHRENE	85018	0.3		0.3		38000		[1.18] 1.1	1,4,5				341.2	0.63
PHENOL	108952	0.6		0.6		22		[82800] 84300	[11] 1,2,3,4			X	[181.84] 182	36.14
PHENYLENEDIAMINE, M-	108452	0.006		0.006		12		[447974] 351000	3				286	4.50
PHENYLPHENOL,2-	90-43-7		0.00194			5700		700	5				280	19.07
PHORATE	298022	0.0002		0.0002		810	X	50	[12] 2	13100	15100	X	118	
PHTHALIC ANHYDRIDE	85449	2		[0.0343] 0.034284		79		[6200] 6170	[11] 2				[284.5] 285	13490.40
PICLORAM	6-60-7	0.07				15		430	2					
POLYCHLORINATED BIPHENYLS (AROCLORS) (PCBS)	1336-36-3		2		2			0.505	10,13					
PRONAMIDE	23950585	0.075		0.075		200		15	[12] 2				321	
PROPANIL	709-98-8	0.005				160		225	2					
PROPHAM	122-42-9	0.02				51		250	5					
PROPYLBENZENE, N-	103-65-1	0.01				720	X	52	6	13100	15100	X	159.2	
PROPYLENE OXIDE	75569	[0.00857] 0.008571429	0.24	0.008571	[0.0132] 0.013	25	X	[590000] 405000	[11] 1	13100	15000	X	[34.23] 34	
PYRENE	129000	0.03		0.03		68000		[0.013] 0.132	[5] 1				393	0.07
PYRIDINE	110861	0.001		0.001		0.0066	X	1000000	[11] 2	13100	15000	X	[115.25] 115	18.07
QUINOLINE	91-22-5		12		1300		60000	1,3,5		13000	14900	X	237.7	12.65
QUIZALOFOP (ASSURE)	76578-14-8	0.009				580		0.3	2				220	
RONNEL	299-84-3	0.05					580		40	2				151
SIMAZINE	122349	0.005	0.12	0.005	0.12	110		5	[4] 5				225	
STRYCHNINE	57249	0.0003		0.0003		280		[300] 143	[13] 5				270	4.50

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APPENDIX A
Table 5—Physical and Toxicological Properties
A. Organic Regulated Substances

<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> (mg/kg-d)	<i>CSFo</i> (mg/kg-d) ¹	<i>RfDi</i> (mg/m3)	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> (mg/L)	<i>Aqueous Sol Reference</i>	<i>TF Vol from Surface Soil</i>	<i>TF Vol from Sub-Surface Soil</i>	<i>Or-ganic Liquid</i>	<i>Boiling Point (degrees)</i>	<i>Attenuation lambda</i>
STYRENE	100425	0.2		[0.286] 0.2857		910	X	[320] 300	[11] 5	13100	15100	X	[145.14] 145	1.20
TEBUTHIURON	34014-18-1	0.07				620		2500	2					
TERBACIL	5902-51-2	0.013				53		710	2					
TERBUFOS	13071799	0.000025		0.000025		510	X	[4.5] 5	[7] 6	13000	15000	X	69	
TETRACHLOROBENZENE,1,2,4,5-	95-94-3	0.0003		0.0003		1800		0.583	1,5,6,7				245	0.69
TETRACHLORODIBENZO-P-DIOXIN, 2,3,7,8- (TCDD)	1746016		150000		[116000]	4300000		0.0000193	[12] 6				[412.2] 412	0.21
TETRACHLOROETHANE,1,1,1,2-	630-20-6	0.03	0.026	0.03	0.0259	980	X	1100	1			X	130.5	3.79
TETRACHLOROETHANE, 1,1,2,2-	79345		[0.27] 0.2	[0.04]	0.203	79	X	[2962] 2860	[11] 2	13100	15100	X	[146.5] 147	0.56
TETRACHLOROETHYLENE (PCE)	127184	0.01	0.052	[0.0857] 0.077	0.00203	300	X	[200] 162	[11] 1,2,3,4,5	13100	15000	X	[121.07] 121	0.03
TETRACHLOROPHENOL, 2,3,4,6-	58902	0.03		0.03		6200		[1000] 183	[15] 6				150	0.69
TETRAETHYL LEAD	78002	0.0000001		0.0000001		4900		[0.21] 0.8	[15] 5			X	200	4.50
TETRAETHYLDITHIOPYRO-PHOSPHATE	3689-24-5	0.0005		0.0005		550	X	25	2	13000	14900	X	136	
THIOFANOX	39196-18-4	0.0003			0.022				5200	9				
THIRAM	137268	0.005		0.005		1000		30	[3] 4				200	
TOLUENE	108883	0.2		[0.114] 0.11428		130	X	[526] 532.4	[11] 1,2,3,4	13100	15000	X	110.63	9.01
TOLUIDINE, M-	108441		0.24		0.24	140		[15114] 15030	[18] 6			X	203.3	
TOLUIDINE, O-	95534		[0.18] 0.24		0.1785	410		[16600] 15000	[11] 1,3,5			X	[200.4] 200	18.07
TOLUIDINE, P-	106490		0.19		0.19	320		[6640] 7410	[6] 1,2,3				[200.4] 200	
TOXAPHENE	8001352	0.001	1.1	0.001	1.12	1500		[0.55] 3	[11] 2,4,5				[431.8] 432	

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APPENDIX A
Table 5—Physical and Toxicological Properties
A. Organic Regulated Substances

<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> (mg/kg-d)	<i>CSFo</i> (mg/kg-d) ¹	<i>RfDi</i> (mg/m3)	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> (mg/L)	<i>Aqueous Sol Reference</i>	<i>TF</i> <i>Vol from Surface Soil</i>	<i>TF</i> <i>Vol from Sub-Surface Soil</i>	<i>Or-ganic Liquid</i>	<i>Boiling Point</i> (degrees)	<i>Attenuation lambda</i>
TRIALATE	2303-17-5	0.013				2000		4	5				117	
TRIBROMOMETHANE (BROMOFORM)	75252	0.02	0.0079	0.02	0.00385	130	X	[3010] 3050	[11] 1,2,3,4	13100	15100	X	149.2	0.69
TRICHLORO-1,2,2-TRIFLUORO-ETHANE,1,1,2	76-13-1	30		8.571428571		1200	X	170	1			X	47.7	0.35
TRICHLOROBENZENE, 1,2,4-	120821	0.01		[0.0571] 0.05714		1500		[49] 44.4	[11] 1,4,6,7			X	213	0.69
TRICHLOROBENZENE, 1,3,5-	108703	0.01		[0.0571] 0.05714		3100		[6.01] 5.8	[3] 5				208	
TRICHLOROETHANE, 1,1,1-	71556	[0.571] 0.02		[0.571] 0.29		100	X	1495	[11] 1,4,5,6	13100	15000	X	[74.08] 74	0.05
TRICHLOROETHANE, 1,1,2-	79005	0.004	0.057	0.004	0.056	76	X	4420	[11] 1	13100	15100	X	[113.5] 114	0.03
TRICHLOROETHYLENE (TCE)	79016	[0.002]	0.011	[0.143]	0.00595	93	X	1100	[11] 1	13100	15000	X	86.7	0.02
TRICHLOROPHENOL, 2,4,5-	95954	0.1		0.1		2400		[1200] 1000	[11] 1,2,4				[245.5] 146	0.14
TRICHLOROPHENOL, 2,4,6-	88062	[0.042]	0.011	[0.042]	0.01085	1100		[800] 850	[11] 1,2,4,5				246	0.14
TRICHLOROPHENOXYACETIC ACID, 2,4,5- (2,4,5-T)	93765	0.01		0.01		43		[240] 278	[3] 2,4,5				[278.8] 279	1.39
TRICHLOROPHENOXYPROPIONIC ACID, 2,4,5- (2,4,5-TP)(SILVEX)	93721	0.008		0.008		1700		140	[1] 2				200	
TRICHLOROPROPANE,1,1,2-	598-77-6	0.005				24	X	2700	14	13100	1500	X	117	
TRICHLOROPROPANE, 1,2,3-	96184	0.006	7	0.0005714	7	280	X	[1800] 1896	[15] 1,4,6	13100	15100	X	156.8	0.35
TRICHLOROPROPENE,1,2,3-	96-19-5	0.005				190	X	2700	14	13100	15000	X	142	
TRIFLURALIN	1582-09-8	0.0075	0.0077	0.0075	0.0077	720		4	2,5,6,7				139	
TRIMETHYLBENZENE,1,3,4-(TRIMETHYLBENZENE,1,2,4-)	95-63-6	0.05		0.0017		2200	X	56	1	13100	15000	X	169	
TRIMETHYLBENZENE,1,3,5-	108-67-8	0.05		0.0017		660	X	48.9	1	13100	15100	X	164.7	
TRINITROTOLUENE,2,4,6-	118-96-7	0.0005	0.03			1		100	2				240	
VINYL ACETATE	108054	1		[0.0571] 0.05714		2.8	X	20000	[11] 1	13200	15000	X	[72.5] 73	
VINYL BROMIDE (BROMOETHENE)	593-60-2	0.000857	0.11	0.000857143	0.11	150		4180	12				15.8	0.09
VINYL CHLORIDE	75014	0.00002	1.9	0.00002	0.294	10	X	[8800] 2700	[11] 1	13200	15000	X	[-13.37] -13	0.09

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APPENDIX A
Table 5—Physical and Toxicological Properties
A. Organic Regulated Substances

<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> <i>(mg/kg-d)</i>	<i>CSFo</i> <i>(mg/kg-d)⁻¹</i>	<i>RfDi</i> <i>(mg/m³)</i>	<i>CSFi</i>	<i>Koc</i>	<i>VOC</i>	<i>Aqueous Sol</i> <i>(mg/L)</i>	<i>Aqueous Sol Reference</i>	<i>TF Vol from Surface Soil</i>	<i>TF Vol from Sub-Surface Soil</i>	<i>Or-ganic Liquid</i>	<i>Boiling Point (degrees)</i>	<i>Attenuation lambda</i>
WARFARIN	81812	0.0003		0.0003		910		[9.17E-09] 17	[9] 4				356	4.50
XYLENES (TOTAL)	1330207	2		[2] 0.12		350	X	175	[10] 13	13100	15000	X	140	0.69
ZINEB	12122-67-7	0.05				19		10	4					

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APPENDIX A
Table 5—Physical and Toxicological Properties
B. Inorganic Regulated Substances

<i>Regulated Substance</i>	<i>CAS</i>	<i>RfDo</i> <i>(mg/kg-d)</i>	<i>CSFo</i> <i>(mg/kg-d)⁻¹</i>	<i>RfDi</i> <i>(mg/m3)</i>	<i>CSFi</i>	<i>Kd</i>
ALUMINUM	7429905	1		0.001		
* * * * *						
[ASBESTOS]	[12001295]				[805]	
BARIUM AND COMPOUNDS	7440393	0.07		[0.000143] 0.0001		41
BERYLLIUM	7440417	[0.005] 0.002	4.3	[0.005] 0.00000571	8.4	790
* * * * *						
CHROMIUM III	16065831	[1] 1.5		[0.00000571]		1,800,000
CHROMIUM VI	18540299	[0.005] 0.003		[0.005] 0.0000286	42	19
* * * * *						
COPPER	7440508	[2,600] 0.0371				360
* * * * *						
IRON	7439896	0.3		0.3		
* * * * *						
MANGANESE	7439965	0.14		0.0000143		
MERCURY	7439976	[8.57E-05] 0.0003		8.57E-05		52
NICKEL	7440020	0.02		[0.02] 0.0000571	0.84	65
* * * * *						
THALLIUM	7440280	[0.00008] 0.00007		[0.00008] 0.00007		71
* * * * *						
VANADIUM	7440622	[5.71E-05] 0.007		5.71E-05		1000
* * * * *						

APPENDIX A
Table 6—Threshold of Regulation Compounds

REGULATED SUBSTANCE	CASRN	ALL AQUIFER GROUNDWATER MSC (vg/L)	Residential Soil MSC (mg/kg) 0-15 feet	Non-Residential Soil MSCs		Soil to Groundwater ¹ (mg/kg)
				Surface Soil (mg/kg) 0-2 feet	Subsurface Soil (mg/kg) 2-15 feet	
		* * * * *				
[BIS(2-CHLORO-1-METHYL-ETHYL)ETHER]	[108601]	[5]	[100]	[100]	[100]	[0.5]
		* * * * *				

¹ The value in the table is 100 times the groundwater MSC.
The option to use the SPLP is also available to calculate the soil to groundwater numeric value.
(See Section 250.308)

[Pa.B. Doc. No. 00-1322. Filed for public inspection August 4, 2000, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Banking

The Executive Board approved a reorganization of the Department of Banking effective July 21, 2000.

The following organization chart at 30 Pa.B. 4012 (August 5, 2000) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

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

[Pa.B. Doc. No. 00-1323. Filed for public inspection August 4, 2000, 9:00 a.m.]

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the State Police

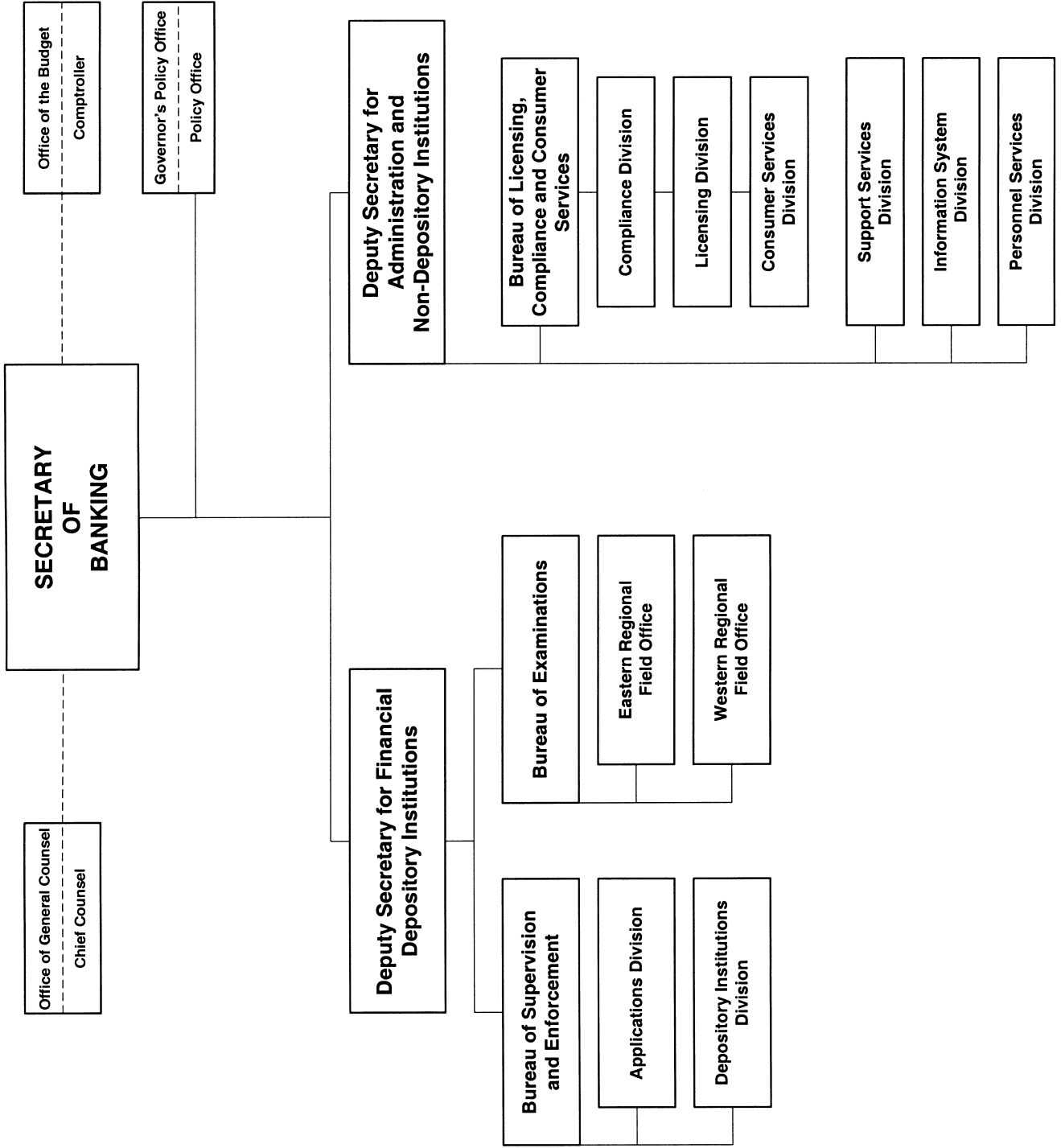
The Executive Board approved a reorganization of the State Police effective July 21, 2000.

The following organization chart at 30 Pa.B. 4013 (August 5, 2000) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

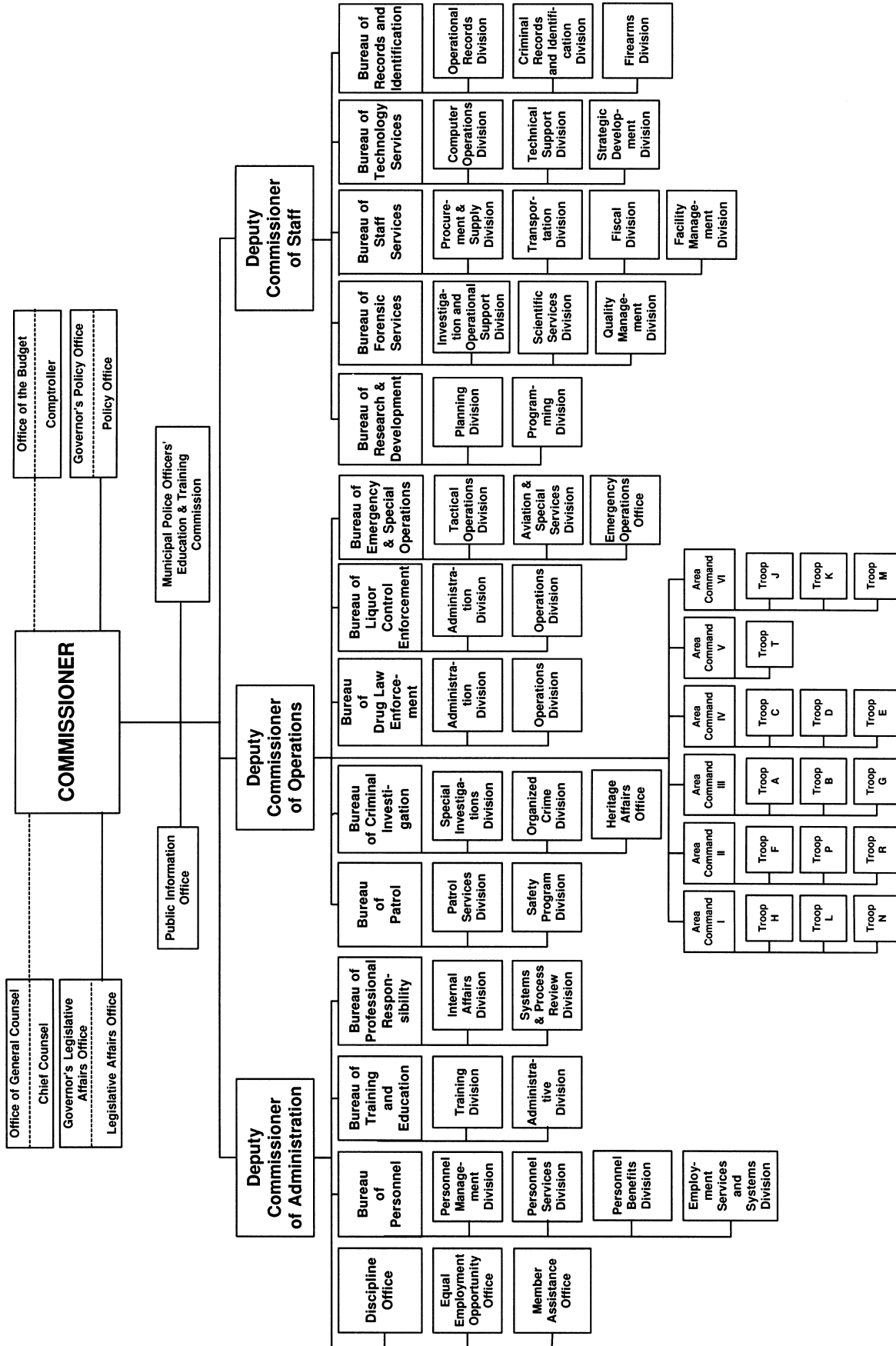
(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 00-1324. Filed for public inspection August 4, 2000, 9:00 a.m.]

DEPARTMENT OF BANKING



PENNSYLVANIA STATE POLICE



NOTICES

DEPARTMENT OF AGRICULTURE

FY2000-2001 Annual Plan for Awarding Grants Under the Pennsylvania Agricultural Fair Act

The Department of Agriculture (Department), under authority of section 8 (a) of the act of July 8, 1986 (P. L. 437, No. 92), known as the Pennsylvania Agricultural Fair Act, hereby announces that the Secretary of Agriculture, with the advice and assistance of the Agricultural Fair Advisory Committee at its meeting of July 22, 1999, adopted the FY2000-2001 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 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 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 premium's 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 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 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 agribusi-

ness 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 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 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 payments in accordance with the following schedule:

(a) By February 1, 2001 for payment under paragraph 1-7.

(b) By September 30, 2001 for payment approved and authorized in FY2000-2001 under paragraph 8.

SAMUEL E. HAYES, Jr.,
Secretary

[Pa.B. Doc. No. 00-1325. Filed for public inspection August 4, 2000, 9:00 a.m.]

Plum Pox Virus Commercial Orchard Fruit Tree Indemnity Program

The Department of Agriculture (Department) hereby gives notice of the procedures and requirements under which it will award grants under the Plum Pox Virus Commercial Orchard Fruit Tree Indemnity Program (Program). In summary, the Program is intended to provide commercial stone fruit producers reimbursement for 15% of the losses they will sustain as a result of the destruction of peach trees, nectarine trees and other stone fruit trees as part of the Department's Plum Pox Virus (PPV) eradication effort. The Program complements a forthcoming initiative of the United States Department of Agriculture (USDA) to reimburse commercial stone fruit producers for 85% of these losses. As described within this notice, the formula under which payments will be made under the Program is identical to the formula to be employed by USDA in making its payments. This notice restates statutory authority and provides background information.

Authority

Section 208 of the General Appropriation Act of 2000 (act of May 24, 2000) (P. L. ____, No. 21A) appropriates the sum of \$3,100,000 to the Department for fruit tree indemnity payments relating to PPV.

Background

PPV, a plant pest indigenous to Europe, is a serious plant pest that injures and damages stone fruits such as peaches, nectarines, plums and apricots by drastically reducing the fruit yields from these stone fruit trees and by disfiguring the fruit to the point it is unmarketable. PPV has been detected on stone fruit trees located in Latimore, Huntington, Tyrone and Menallen Townships

(Adams County), and in South Middleton Township (Cumberland County). PPV has the potential to cause serious damage to the stone fruit production and stone fruit nursery industries within this Commonwealth. PPV is transmitted from infected trees by aphids and by budding or grafting with PPV-infected plant material.

The Department has used its authority under the Plant Pest Act (3 P. S. §§ 258.1—258.27) to establish a quarantine with respect to the townships where PPV has been detected. Quarantine orders were published at 29 Pa.B. 5735 (November 6, 1999) and 30 Pa.B. 3269 (July 1, 2000), and may be revised in the future as the Department's effort to contain and eradicate this plant pest moves forward. The quarantine orders prohibit the movement of stone fruit trees and stone fruit budwood within the quarantined areas, and prohibit the movement of stone fruit trees and stone fruit budwood out of the quarantined areas.

There is no known control for PPV other than the destruction of infected trees and the aphids that can carry the disease. The Program is intended to implement the Department's statutory authority to compensate fruit tree owners for a portion of the losses they will experience as a result of having to destroy stone fruit trees at the order of this Department.

The Department has, with the assistance of agricultural economists from the Pennsylvania State University, worked with the United States Department of Agriculture to develop a PPV loss reimbursement formula that is acceptable to both the Department and USDA and that reasonably reflects the losses a commercial stone fruit producer would sustain with respect to stone fruit acreage destroyed to combat PPV. In summary, this formula considers the age of the trees being destroyed, the fact that the grower would not be permitted to replant stone fruit trees for at least 3 years after the destruction of the trees, the expected lifetime income from the trees and the expected costs of producing stone fruit crops from the trees production, and then discounts that sum (by a rate of 12.5%) to its net present value. Under this formula, the net present value of return per-acre of stone fruit is as follows:

<i>Age of Trees</i>	<i>Net Present Value</i>	<i>Age of Trees</i>	<i>Net Present Value</i>
1	\$ 5,654	14	\$14,146
2	\$ 8,698	15	\$13,366
3	\$11,093	16	\$12,490
4	\$14,433	17	\$11,593
5	\$17,065	18	\$10,675
6	\$17,551	19	\$ 9,731
7	\$17,647	20	\$ 8,760
8	\$17,305	21	\$ 7,758
9	\$16,921	22	\$ 6,810
10	\$16,488	23	\$ 5,924
11	\$16,002	24	\$ 5,107
12	\$15,454	25	\$ 4,368
13	\$14,838		

The Program will employ a grant application form to distribute grant funds. This procedure is substantively identical to that employed by the Department in awarding grants under its Commercial Orchard and Fruit Tree Nursery Indemnity Program (30 Pa.B. 48 (January 1, 2000)), a related program that reimburses certain individuals for costs of removing infected trees or applying pesticides or herbicides at the order of the Department.

Eligibility

A person who is a commercial stone fruit producer is eligible to apply for a grant under the Program.

Applications

A person who wishes to apply for a grant under the Program may download an application form from the Department's website: www.pda.state.pa.us. The Department will also provide grant application forms upon request telephoned to the Department's Bureau of Plant Industry, at (717) 772-5203, or upon written request to the following address: Pennsylvania Department of Agriculture, ATTN: Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

An application for a grant under the Program will require the following information of an applicant:

1. The name and address of the applicant.
2. Verification that the applicant is a commercial stone fruit producer.
3. A description of the location of the stone fruit orchard with respect to which a grant is sought.
4. Verification that the stone fruit orchard with respect to which a grant is sought was ordered destroyed by order of the Department or the USDA, Animal and Plant Health Inspection Service, Plant Protection and Quarantine (USDA-APHIS-PPQ), for purposes of controlling or containing PPV.
5. Verification that, prior to the destruction of the orchard, the applicant and the Department conducted a physical inspection of the orchard to assess the acreage, by age, of the stone fruit trees contained therein, and had agreed upon this acreage (to the tenth-of-an-acre or smaller portion of an acre), in writing.
6. A breakdown of the total acreage of the stone fruit orchard, by age of trees, with the acreage for each age of tree expressed to the tenth-of-an-acre or smaller portion of an acre.
7. Verification that the stone fruit orchard was, in fact, destroyed in accordance with the order of the Department or the USDA-APHIS-PPQ.

8. A signature acknowledging that representations made in the application are true, and further acknowledging that the criminal punishments and penalties of 18 Pa.C.S.A. § 4904 (relating to unsworn falsification to authorities) apply to any false statement made in the application.

An applicant shall submit a complete application form to the Department at the mailing address set forth earlier in this section.

Review of Applications

The Department will review and approve or disapprove any complete, timely grant application within 30 days of receipt. The Department will stamp or otherwise identify each grant application to record the date and the order in which these applications are received. The Department will consider grant applications in the order they are received. The Department will approve a grant application if all of the following criteria are met:

1. The application is complete and provides the Department all the information necessary to a reasoned review of the document.

2. There are sufficient unencumbered funds available from the \$3,100,000 appropriation contained in the Appropriation Act of 2000 to fund the grant amount sought in the reimbursement grant application.

Notice of Decision

The Department will, within 10 days of completing its review, mail a grant applicant written notice as to whether the grant application is approved. If the application is not approved, the written notice will specify the basis for disapproval.

Expiration of Appropriation

Any portion of the \$3,100,000 appropriation funding the Program that is not used by June 30, 2001 shall lapse into the General Fund. If a grant application is not approved by the Department by that date, it shall be disapproved on the basis that funding has lapsed.

No Right or Entitlement to Funds

The appropriation of funds under the Appropriation Act of 2000 does not create in any person a right or entitlement to a grant from these funds. Departmental approval of a grant application is the event that establishes entitlement of the applicant to the grant funds sought, provided appropriated funds are available in an amount adequate to fund the grant.

Additional Information

Further information may be obtained by contacting the Department of Agriculture, Attn: Lyle B. Forer, Director, Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5203.

SAMUEL E. HAYES, Jr.,
Secretary

[Pa.B. Doc. No. 00-1326. Filed for public inspection August 4, 2000, 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 25, 2000.

BANKING INSTITUTIONS

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-24-00	Firstservice Bank Lansdale Montgomery County	170 N. Flowers Mill Road Langhorne Middletown Township Bucks County	Approved
7-25-00	Somerset Trust Company Somerset Somerset County	612 Logan Place Confluence Somerset County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-20-00	Laurel Bank Johnstown Cambria County	<i>To:</i> 534 Main Street Berlin Somerset County <i>From:</i> 506 Main Street Berlin Somerset County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-15-00	Fulton Bank Lancaster Lancaster County	1603 Manheim Pike Lancaster Lancaster County	Effective

Foreign Bank Organization Offices

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-30-00	ABN AMRO Bank N.V. Foppingadreef 22 Amsterdam The Netherlands	One PPG Place Pittsburgh Allegheny County	Discontinued

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
7-25-00	Wilmington Trust of Pennsylvania West Chester Chester County	To provide for a change in the principal place of business <i>from</i> : 1522 McDaniel Drive, West Chester, Chester County, PA 19380; <i>to</i> 795 East Lancaster Ave., Suite 6, Villanova, Delaware County, PA 19085.	Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

DAVID E. ZUERN,
Secretary

[Pa.B. Doc. No. 00-1327. Filed for public inspection August 4, 2000, 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 wastewaters into the surface waters of this Commonwealth. Unless otherwise indicated on the basis of preliminary review and application of lawful standards and regulations the Department of Environmental Protection (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 comment 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 Management 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 accommodations to participate in the proceeding should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

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

PA 0026468. Sewage, **Lower Bucks County Joint Municipal Authority**, 7811 New Falls Road, Levittown, PA 19058-0460.

This application is for renewal of an NPDES permit to discharge treated sewage and stormwater from Lower Bucks County Joint Municipal Authority's Wastewater Treatment Plant in Bristol Township, **Bucks County**. This is an existing discharge to Delaware River (Estuary Zone 2).

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

The nearest downstream public water supply intake is for Philadelphia Suburban Water Company which is approximately 2 1/2 miles downstream of the point of discharge. Also, the nearest upstream Water Supply intake is for Lower Bucks County Joint Municipal Authority's potable water treatment plant, which is approximately 1,500 feet upstream of the point of discharge. The Estuary is tidal in this area.

The proposed effluent limits for Outfall 001, based on an average flow of 10 mgd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD ₅	19	29	39
Suspended Solids	30	45	60
Ammonia (as N)	35		70
BOD ₅ (Percent Removal)	≥88.5		
CBOD ₂₀ (lb/day)	2,410		
Total Residual Chlorine	0.5		1.6
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 2.0 mg/l at all times		
pH	within limits of 6.0—9.0 standard units at all times		
Total Copper	monitor/report		
Total Lead	monitor/report		
Total Zinc	monitor/report		
Tetrachloroethylene	monitor/report		

The proposed effluent limits for Outfalls 002 and 003 (Stormwater) are as follows:

<i>Parameter</i>	<i>Average Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD ₅	monitor/report	monitor/report
COD	monitor/report	monitor/report
Suspended Solids	monitor/report	monitor/report
Oil and Grease	monitor/report	monitor/report
pH	monitor/report	monitor/report
Total Kjeldahl Nitrogen	monitor/report	monitor/report
Total Phosphorus	monitor/report	monitor/report
Iron (Dissolved)	monitor/report	monitor/report

Other Conditions:

- The EPA waiver is not in effect.
- Conditions for future permit modification.
- Implementation of industrial pre-treatment program requirements.
- Effective disinfection.
- 88.5% reduction of BOD₅ per DRBC requirements.
- Special Test Methods for certain pollutants.
- Stormwater Requirements.

Northeast Region: Environmental Protection Manager, Water Management, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2553.

PA 0020176. Sewerage, **Slatington Borough Authority**, 125 South Walnut Street, Slatington, PA 18080.

This proposed action is for rerate of a NPDES permit to discharge treated sewage into Lehigh River in Slatington Borough, **Lehigh County**.

The receiving stream is classified for the following uses: trout stocking fishery, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing proposed downstream potable water supply (PWS) considered during the evaluation is Northampton Water Supply on Lehigh River.

The proposed effluent limits for Outfall 001 based on a design flow of 1.15 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>7 Day Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
Fecal Coliform	200/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times		
Total Residual Chlorine	.5		1

The EPA waiver is in effect.

Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.

PA 0027022. Sewage, SIC Code 4952, **Altoona City Authority** (Westerly Wastewater Treatment Facility), 20 Greenwood Road, Altoona, PA 16602-7114.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to Beaverdam Branch, in Allegheny Township, **Blair County**.

The receiving stream is classified for trout stocking, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was the United 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 for a design flow of 9.0 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	2.5	—	5.0
(11-1 to 4-30)	4.0	—	8.0
Total Copper	0.027	—	0.068
Total Phosphorus		monitor and report	
Total Nitrogen		monitor and report	
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
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	

Persons may make an appointment to review the Department files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is not in effect.

PA 0083691. Industrial waste, SIC Code 4941, **West Earl Township**, 157 West Metzler Road, Brownstown, PA 17508.

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

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

The proposed effluent limits for Outfalls 001 and 002 for a design flow of 0.0097 mgd are:

<i>Parameter</i>	<i>Average Monthly (mos/kg)</i>	<i>Maximum Daily (mos/kg)</i>	<i>Instantaneous Maximum (mos/kg)</i>
Osmotic Pressure	XXX	2,000	2,500
pH		6—9	

Persons may make an appointment to review the Department files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is not in effect.

PA0026743. Sewage, SIC Code 4952, **City of Lancaster**, 160 North Duke Street, Lancaster, PA 17608.

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

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

The proposed effluent limits for Outfall 001 for a design flow of 29.73 (Interim) and 32.08 (Final) mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	22.5	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH ₃ -N (5-1 to 10-31)	2.5	—	5.0
(11-1 to 4-30)	7.5	—	15
Total Phosphorus	2.0	—	4.0
Total Residual Chlorine	0.14	—	0.44
Total Nitrogen		monitor	
Dissolved Oxygen		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,050/100 ml as a geometric average	

Persons may make an appointment to review the Department files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is not in effect.

PA 0027014. Sewage, SIC Code 4952, **Altoona City Authority** (Easterly Wastewater Treatment Facility), 20 Greenwood Road, Altoona, PA 16602-7114.

This application is for renewal of an NPDES permit for an existing discharge of treated sewage to the Little Juniata River, in Logan Township, **Blair County**.

The receiving stream is classified for trout stocking fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was United 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 for a design flow of 8.0 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅ (5-1 to 10-31)	15	22	30
(11-1 to 4-30)	20	30	40
Total Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	2	—	4
(11-1 to 4-30)	3.5	—	7
Total Copper	0.017	—	0.042
Total Phosphorus		monitor and report	
Total Nitrogen		monitor and report	
Total Zinc	0.108	—	0.270
Dissolved Oxygen (2-15 to 7-31)		minimum of 6.0 at all times	
(8-1 to 2-14)		minimum of 5.0 at all times	
pH		from 6.0 to 9.0 inclusive	
Fecal Coliforms (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	

Persons may make an appointment to review the Department files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is not in effect.

PA 0088323. Industrial waste, SIC Code 4911, **Calpine Construction Finance Company, L. P.**, The Pilot House, Second Floor, Lewis Wharf, Boston, MA 02110.

This application is for issuance of an NPDES permit for a new discharge of treated industrial waste to the Schuylkill River, in Ontelaunee Township, **Berks County**.

The receiving stream is classified for warm water fishes, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Pottstown Borough located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.35 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 Dissolved Solids	1,500	3,000	3,000
Total Zinc	1.0	2.0	2.5

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Chromium	0.20	0.90	0.50
Chromium VI	monitor and report	monitor and report	—
Oil and Grease	15	30	30
Temperature	—	monitor and report	—
Total Residual Chlorine	0.20	—	0.50
PCB—1242		nondetectable	
PCB—1254		nondetectable	
PCB—1221		nondetectable	
PCB—1232		nondetectable	
PCB—1248		nondetectable	
PCB—1260		nondetectable	
PCB—1016		nondetectable	
pH		6.0 to 9.0 at all times	

Persons may make an appointment to review the Department files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is in effect.

Northcentral Region: Environmental Program Manager, Water Management, 208 W. Third Street, Suite 101, Williamsport, PA 17701-6510, (717) 327-3666.

PA 0028282. Sewerage, SIC 4952, **Eagles Mere Borough Authority**, P. O. Box 393, Eagles Mere, PA 17731-0393.

This proposed action is for re-issuance of an NPDES permit of treated sewage to The Outlet, Mackey's Run and unnamed tributary of Double Run in Eagles Mere Borough, **Sullivan County**.

The receiving streams are classified for the following uses: high quality-cold water fishery for the Outlet and Mackey's Run and cold water fishery for Double Run and aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is Pennsylvania-American Water Company intake at Milton.

The proposed effluent limits for Outfall 001 and 001A based on a design flow of 0.066 mgd are:

<i>Discharge Parameter</i>	<i>Concentrations (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum</i>
Dissolved Oxygen	monitor		
pH (Std Units)	within the range 6.0 to 9.0		
Total Cl ₂ Residual	monitor and report/provide effective de-chlorination		
CBOD ₅			
(7-1 to 10-31)	15	25	30
(11-1 to 6-30)	25	40	50
TSS	30	45	60
NH ₃ -N			
(7-1 to 10-31)	3	4.5	6
(11-1 to 6-30)	9	13.5	18
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		

The proposed effluent limits for Outfall 001B, based on a design flow of varies upon rainfall mgd are:

<i>Discharge Parameter</i>	<i>Concentrations (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum</i>
Dissolved Oxygen	monitor		
pH (Std Units)	within the range 6.0 to 9.0		
CBOD ₅			
(7-1 to 10-31)	monitor	XXX	XXX
(11-1 to 6-30)	monitor	XXX	XXX
TSS	monitor	XXX	XXX
NH ₃ -N			
(7-1 to 10-31)	monitor	XXX	XXX
(11-1 to 6-30)	monitor	XXX	XXX
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		

The proposed effluent limits for Outfalls 002 and 002A based on a design flow of 0.066 mgd are:

<i>Discharge Parameter</i>	<i>Concentrations (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum</i>
Dissolved Oxygen		monitor	
pH (Std Units)		within the range 6.0 to 9.0	
Total Cl ₂ Residual		monitor and report/provide effective de-chlorination	
CBOD ₅			
(7-1 to 10-31)	15	25	30
(11-1 to 6-30)	25	40	50
TSS	30	45	60
NH ₃ -N			
(7-1 to 10-31)	3	4.5	6
(11-1 to 6-30)	9	13.5	18
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	

The proposed effluent limits for Outfall 002B based on a design flow of varies upon rainfall mgd are:

<i>Discharge Parameter</i>	<i>Concentrations (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum</i>
Dissolved Oxygen		monitor	
pH (Std Units)		Within the range 6.0 to 9.0	
CBOD ₅			
(7-1 to 10-31)	XXX	monitor	XXX
(11-1 to 6-30)	XXX	monitor	XXX
TSS	XXX	monitor	XXX
NH ₃ -N			
(7-1 to 10-31)	XXX	monitor	XXX
(11-1 to 6-30)	XXX	monitor	XXX
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	

The proposed effluent limits for Outfall 003 based on a design flow of 0.0265 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
TSS	30	45	60
Ammonia Nitrogen			
(5-1 to 10-31)	12	18	24
TRC	monitor	monitor	monitor
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2000/100 ml as a geometric average	
pH		6.0—9.0 at all times	

Other Conditions: none

The EPA waiver is in effect.

PA 0112275. Industrial waste, SIC, 3274, **Con-Lime, Inc.**, P. O. Box 118, Bellefonte, PA 16823.

This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater to Buffalo Run in Benner Township, **Centre County**.

The receiving stream is classified for the following uses: high quality cold water fishery, aquatic life, water supply and recreation. For the purposes of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton approximately 90 river miles downstream.

The proposed effluent limits for Outfall 001 and Outfall 002 are:

Parameter	Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instantaneous Maximum
Total Suspended Solids	30	45	60
Total Iron	report		
pH	6.0—9.0 at all times		

The EPA waiver is in effect.

PA 0228257. SIC 3312, **ISTIL (USA) Milton, Inc.**, P. O. Box 298, Milton, PA 17847.

This proposed action is for issuance of an NPDES permit for a new discharge of treated steel mill contact and noncontact cooling water to 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 of TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply (PWS) considered during the evaluation is PA American Water Company located at Milton.

The proposed effluent limits for Outfall 001, based on a design flow of 0.011 mgd are:

Discharge Parameter	Average Monthly	Maximum Daily	Instantaneous Maximum
pH (Std units)	within the range 6.0 to 9.0		
Total Suspended Solids	25	60	75
Total Iron	12	18	24
Oil/Grease	10	30	30
Temperature			105°F
Cadmium		monitor/report	
Total Chromium		monitor/report	
Copper		monitor/report	
Lead		monitor/report	
Mercury		monitor/report	
Nickel		monitor/report	
Silver		monitor/report	
Zinc		monitor/report	

Other Conditions:

1. Chemical Additives
2. Collected Screenings, etc.

The EPA waiver is in effect.

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

PA 0218553. Industrial waste, SIC, 3273, **Beaver Concrete and Gravel Company**, 600 Railroad Street, Rochester, PA 15074.

This application is for issuance of an NPDES permit to discharge stormwater from Beaver Concrete and Gravel Company in Rochester Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Ohio River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is Arco Chemical Company, located in Monaca, 5.0 miles below the discharge point.

Outfall 001: new discharge of stormwater.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Suspended Solids			30		60
Oil and Grease			monitor and report		
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA 0029840. Sewage, **Armstrong County Commissioners**, 402 Market Street, Kittanning, PA 16201.

This application is for renewal of an NPDES permit to discharge treated sewage from the Armsdale Sewage Treatment Plant in Rayburn Township, **Armstrong County**.

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

Outfall 001: existing discharge, design flow of 0.06 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅ Day	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	13.0	19.5		26.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: The design flow of the plant may increase to 0.21 mgd before the NPDES permit expires. The limits for a 0.21 mgd flow would be as follows:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum</i>
CBOD ₅ Day (5-1 to 10-31)	15	22.5	30
(11-1 to 4-30)	25	37.5	50
Suspended Solids	30	45	60
Ammonia Nitrogen (5-1 to 10-31)	6.0	9.0	12.0
(11-1 to 4-30)	18.0	27.0	36.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	7,000/100 ml as a geometric mean		
Total Residual Chlorine	0.5		1.6
Dissolved Oxygen	not less than 5.0 mg/l		
pH	not less than 6.0 nor greater than 9.0		

The EPA waiver is in effect.

PA 0038504. Sewage, **Village of Searights—Limited Partnership**, P. O. Box 600, Uniontown, PA 15401.

This application is for renewal of an NPDES permit to discharge treated sewage from the Village of Searights Sewage Treatment Plant in Menallen Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Saltlick Run, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the California Water Company located on the Monongahela River.

Outfall 001: existing discharge, design flow of 0.06 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅ Day	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	2.5			5.0
(11-1 to 4-30)	7.5			15.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,500/100 as a geometric mean			
Total Residual Chlorine (1st month—36month)	monitor and report			
(37th month—expiration)	0.2			0.5
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA 0098396. Sewage, **Oak Estates, Inc.**, 600 Laurelview Drive, Mt. Pleasant, PA 15666.

This application is for renewal of an NPDES permit to discharge treated sewage from Laurelview Manor MHP STP in Bullsken Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Jacobs Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westmoreland County Municipal Authority—McKeesport.

Outfall 001: existing discharge, design flow of 0.03 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅ Day	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.5			7.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 as a geometric mean			
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA 0104558. Sewage. **Ebbert's Laundromat**, 3880 Sandy Lake Road, Cochranon, PA 16314.

This application is for renewal of an NPDES permit to discharge treated sewage to an unnamed tributary to French Creek in Fairfield 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is Ebbert's Laundromat on French Creek located at Franklin, approximately 15 miles below point of discharge.

The proposed effluent limits for Outfall No. 001, based on a design flow of 0.005 mgd are:

Parameter	Monthly Average (mg/l)	Weekly Average (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)	monitor and report		
CBOD ₅	25		50
TSS	30		60
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,400/100 ml as a geometric average		
Total Residual Chlorine	1.5		3.5
pH	within limits of 6.0 to 9.0 standard units at all times		

The EPA waiver is in effect.

PA 0039233. Sewage. **Rhodes Country Court**, P. O. Box 397 (PA Rt. 157), Reno, PA 16343.

This application is for renewal of an NPDES permit, to discharge treated sewage to Sage Run in Cranberry Township, **Venango County**. This is an existing discharge.

The receiving water is classified for the following uses: cold water fish, aquatic life, water supply and recreation. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Emlenton Water Company on the Allegheny River located at River Mile 90.0 and is located 40.0 miles below point of discharge.

The proposed discharge limits for Outfall No. 001 based on a design flow of 0.013 mgd are:

Parameter	Average Monthly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	50
TSS	30	60
Ammonia-Nitrogen		
(5-1 to 10-31)	17	34
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 mg/l at all times	
pH	6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0023591. Sewage. **Washington Township Municipal Authority**, P. O. Box 79, Fryburg, PA 16326.

This application is for renewal of an NPDES Permit to discharge treated sewage to the East Sandy Creek in Washington Township, **Clarion 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, NO₂-NO₃, 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 50 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 based on a design flow of 0.04 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
TSS	30	45	60
Ammonia-Nitrogen			
(5-1 to 10-31)	4		8
(11-1 to 4-30)	12		24
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		5,200/100 ml as a geometric average	
Total Residual Chlorine	0.34		0.8
pH		6.0—9.0 at all times	

The EPA waiver is in effect.

PA 0021598. Sewage. **Conneaut Lake Joint Municipal Authority**, First Street Extension, Conneaut Lake, PA 16316

This application is for renewal of an NPDES permit to discharge treated sewage to Conneaut Outlet in Sadsbury 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, NO₂-NO₃, fluoride and phenolics, the existing/proposed downstream potable water supply considered during the evaluation is the Franklin General Authority on French Creek located at Franklin, approximately 21 miles below point of discharge.

The proposed effluent limits for Outfall No. 001 (after chlorine contact tank) based on a design flow of 1.175 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Weekly Average (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	monitor and report		
CBOD ₅			
(5-1 to 10-31)	15	22.5	30
(11-1 to 4-30)	25	40	50
TSS	30	45	60
Ammonia Nitrogen			
(5-1 to 10-31)	4.2		8.4
(11-1 to 4-30)	12.5		25
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		6,000/100 ml as a geometric average	
Total Residual Chlorine	0.04		0.13
Dissolved Oxygen		minimum of 3 mg/l at all times	
pH		within limits of 6.0 to 9.0 standard units at all times	

The EPA waiver is not 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 protests. Each commentator 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 under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

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

A. 6570401. Sewage. **ALCOA (Aluminum Company of America)**, Alcoa Technical Center, 100 Alcoa Technical Drive, Alcoa Center, PA 15069. This application is for replacement of the liner for the treatment lagoon at the Alcoa Technical Center STP in Upper Burrell Township, **Westmoreland County**.

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

WQM Permit No. 2500409. Sewage. **Cranesville Borough**, 10195 John Williams Avenue, Cranesville, PA 16410. This project is for the replacement of a sewage lift station with a submersible pump station in Cranesville Borough, **Erie County**.

WQM Permit No. 4300407. Sewage, **James R. Ondo**, 211 West Jamestown Road, Greenville, PA 16125. This project is for the construction of a Single Residence Sewage Treatment Plant in West Salem Township, **Mercer County**.

WQM Permit No. 4300408. Sewage, **James A. Pumphrey**, 1687 Lake Rd., Mercer, PA 16137. This project is for the construction of a Single Residence Sewage Treatment Plant in Jefferson Township, **Mercer County**.

**INDIVIDUAL PERMITS
(PAS)**

NPDES Individual

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 (Department) proposes to issue a permit to discharge, subject to certain limitations set forth in the permit and special conditions. The 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 discharge.

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 of 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 Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

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

Lehigh County Conservation District, District Manager, Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Road, Allentown, PA 18104, (610) 391-9583.

NPDES Permit PAS10Q207. Stormwater. **PA Dept. of Transportation Eng.**, Donald E. Lerch, 1713 Lehigh Street, Allentown, PA 18103 has applied to discharge stormwater from a construction activity located in Lower Macungie Township, **Lehigh County** to Little Lehigh Creek, HQ-CWF.

Monroe County Conservation District, District Manager, 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.

NPDES Permit No. PAS10S091. Stormwater. **Fox Chase, Steven Setar & Nyles Possinger**, 44 Overlook Drive, Stroudsburg, PA 18360 has applied to discharge stormwater from a construction activity located in Jackson Township, **Monroe County**, to a tributary to Kettle Creek, HQ-CWF.

Northcentral Regional Office: Regional Water Management Program Manager, 208 W. 3rd St., Suite 101, Williamsport, PA 17701, (570) 327-3574.

Clearfield County Conservation District, 650 Leonard St., Clearfield, PA 16830, (814) 765-2629.

ESCP1700801. Erosion and Sedimentation Control Permit, **Industrial Timber & Land Co.**, 23925 Commerce Park, Beachwood, OH 44122 has applied to discharge stormwater from a construction activity located in Houston Township, **Clearfield County** to Mountain Run.

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

NPDES Permit No. PAS10L022. Stormwater. **Atlantic Renewable Energy Corporation**, 1825 I Street, N. W., Suite 400, Washington, DC 20006 has applied to discharge stormwater from a construction site located in Stewart Township and Springfield Township, **Fayette County** to Fulton Run, HQ-CWF, Bear Run, HQ-CWF and Cranberry Glade Run, HQ-CWF.

NPDES Permit PAS10L023. Stormwater. **Stream Restoration, Inc.**, 3016 Unionville Road, Cranberry Township, PA 16066 has applied to discharge stormwater from a construction site located in Stewart Township, **Fayette County** to Laurel Run, HQ-CWF.

NPDES Permit PAS10W080. Stormwater. **West McMurray Development, Inc.**, 300 Weyman Plaza, Suite 210, Pittsburgh, PA 15236 has applied to discharge stormwater from a construction site located in North Strabane Township, **Washington County** to an unnamed tributary to Little Chartiers Creek, HQ-WWF.

SAFE DRINKING WATER

Application received for a Construction Permit issued under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17).

Regional Office: Northcentral Field Operations, Environmental Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701.

A. Minor Amendment. The Department has received a permit application from **Geisinger Medical Center**, 100 North Academy Avenue, Danville, PA 17822, Borough of Danville, **Montour County**. The application is for modification to supply and distribution piping to eliminate 5,000 gallons wet sump. Well No. 3 will feed directly to the 500,000 gallon reservoir. A 6" branch pipe will supply the east branch distribution pumps off the 8" main supply from the reservoir.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (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 is used to identify 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 standard, Statewide health standard, the site-specific standard, or who intend to remediate a site as a special industrial area, must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected 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, or who receives approval of a special industrial area remediation identified under the act, will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(l)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is pub-

lished in a newspaper of general circulation in the area of the site. For the sites identified as proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period the municipality may request that the person identified, as the remediator of the site, develop and implement a public involvement plan. Requests to be involved, and comments, should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate contact the Environmental Cleanup Program Manager in the Department 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 A. Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Pennsylvania Power & Light Company (PPL)—Distribution Pole #60337N50512 (Madison Street), Jermyn Borough, **Lackawanna County**. PPL Electric Utilities Corporation, 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 be contaminated with PCBs (polychlorinated biphenyls). The notice indicates that the site will be remediated to meet the Statewide human health standard.

Namer Residence, Ross Township, **Monroe County**. Drew Gould, Gould Environmental, Inc., 701 N. Pennsylvania Avenue, Morrisville, PA 19067 has submitted a Notice of Intent to Remediate (on behalf of his client, Margaret Sansone, N. Delaware Drive, Bangor, PA 18013) concerning the remediation of site soils and groundwater found or suspected to have been contaminated with kerosene. The applicant proposes to remediate the site to meet the Statewide health standard. A Final Report was simultaneously submitted. Please refer to additional *Pennsylvania Bulletin* notice.

AIR QUALITY

Notice of Plan Approval and Operating Permit Applications

Nonmajor Sources and Modifications

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department has received applications for plan approvals and/or operating permits from the following facilities. Although the sources covered by these applications may be located at a major facility, the sources being

installed or modified do not trigger major new source review or prevention of significant deterioration requirements.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the Regional Offices identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

Persons wishing to file protests or comments on the proposed plan approval and/or operating permits must submit the protest or comment within 30 days from the date of this notice. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with Department Regional Offices must include a concise statement of the objections to the issuance of the plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior to the date of the hearing.

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121–143, the Federal Clean Air Act and regulations adopted under the act.

OPERATING PERMITS

Applications received and intent to issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001–4015).

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

28-05024: American Stair & Cabinetry (5171 Innovation Way, Chambersburg, PA 17201) for a Synthetic Minor Operating Permit for two spray booths at its wood furniture manufacturing facility in Greene Township, **Franklin County**.

36-05111: Lippert Components, Inc. (2375 Tamiami Trail North, Suite 110, Naples, FL 34103) for a Synthetic Minor Operating Permit for a mobile home and recreational vehicle frame manufacturing facility in Brecknock Township, **Lancaster County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

NM-25-00337: Custom Engineering Co. (2800 McClelland Avenue, Erie, PA 16510) for a Natural Minor Operating Permit for operation of a welding, cutting, abrading and coating steel plate in the City of Erie, **Erie County**.

Notice of Intent to Issue Title V Operating Permits

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a Title V Operating Permit to the following facilities. These facilities are major facilities subject to the operating permit requirements under Title V of the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G (relating to operating permit requirements; and Title V operating permits).

Appointments to review copies of the Title V application, proposed permit and other relevant information

must be made by contacting Records Management at the regional office telephone number noted. For additional information, contact the regional office noted.

Interested persons may submit written comments, suggestions or objections concerning the proposed Title V permit to the regional office within 30 days of publication of this notice. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the persons submitting the comments, along with the reference number of the proposed permit. The commentator should also include a concise statement of any objections to the permit issuance and the relevant facts upon which the objections are based.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period and will provide notice of any scheduled public hearing at least 30 days in advance of the hearing. The hearing notice will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation where the facility is located.

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

TV-63-00549: William H. Martin, Inc.—Arden Landfill, subsidiary of Waste Management, Inc. (Arden Station Road, P.O. Box BC, Washington, PA 15301) for operation of a municipal solid waste landfill in Chartiers Township, **Washington County**. The design capacity of this landfill makes it subject to the operating permit requirements of Title V of the Federal Clean Air Act, and 25 Pa. Code Chapter 127, Subchapter G (relating to Title V Operating Permit Requirements).

TV-30-00099: Allegheny Energy Supply Co., LLC—Hatfield Ferry Power Station (800 Cabin Hill Drive, Greensburg, PA 15601-1689) in Monongahela Township, **Greene County**. The facility's major sources of emissions include three electric generating steam boilers, two auxiliary generating boilers, three emergency diesel generators, No. 2 fuel oil storage tanks, wastewater treatment system, cooling towers, portable space heaters and fugitive dust emission sources from coal handling.

TV-65-00137: Allegheny Ludlum Corp. (100 River Road, Brackenridge, PA 15014) for their specialty steel products finishing mill in Vandergrift, **Westmoreland County**. The facility's major sources of emissions include two natural gas-fired boilers, two anneal and pickle lines and two cold reduction mills which emit major quantities of oxides of nitrogen (NO_x).

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

25-00070: Gunit Corp. (603 West 12th Street, Erie, PA 16501) located in Erie, **Erie County**. The facility is primarily used for production of gray and ductile iron products. The facility's air emission sources include material handling equipment, melt and holding furnaces, pouring, cooling, shakeout, surface coating operations, and miscellaneous natural gas fired furnaces. The facility is a major facility due to its potential to emit particulate matter less than 10 microns in diameter and volatile organic compounds.

25-00025: GE Transportation Systems—Erie (2901 East Lake Road—Bldg. 9, Erie, PA 16531) located in Lawrence Park Twp., **Erie County**. The facility's air emission sources include the Powerhouse (four coal fired

boilers), coal and ash handling and storage, various surface coatings operations, and the diesel engine manufacturing and testing facility. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments.

Notice of Intent to Amend a Title V Operating Permit

In accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to amend the Title V Operating Permit of OMNOVA Solutions, Inc., for the plant located in West Brunswick Township, Schuylkill County. The facility currently has a Title V Operating Permit No. 54-00009.

Plan Approval No. 54-320-001 will be incorporated into the Title V operating permit through an amendment.

Plan Approval No. 54-320-001 is for the installation and operation of a high performance coating line and a mix room with a thermal oxidizer as the air-cleaning device. This installation will result in VOC emissions by 28.0 tons per year from the facility. The plan approval limits VOC emissions from this source to 28.0 tons per year on a 12-month rolling sum. The thermal oxidizer must meet 98% destruction efficiency for the VOC emissions with 100% capture efficiency. The operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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 Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Persons wishing to provide the Department with additional information that they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. Each written comment must contain the following: name, address and telephone number of the person submitting the comments; identification of the proposed permit No. 54-00009; and, a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines notification is sufficient. Written comments or requests for a public hearing should be directed to James D. Parette, Acting Chief Engineering Services, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, (570) 826-2531 within 30 days after publication date.

PLAN APPROVALS

Applications received and intent to issue Plan Approvals under the Air Pollution Control Act (35 P. S. §§ 4001—4015).

Northeast Regional Office: Air Quality Program, Two Public Square, Wilkes-Barre, PA 17811-0790, (570) 826-2531.

39-399-049: GEO Specialty Chemicals, Inc. (2409 Cedar Crest Boulevard, Allentown, PA 18104) for con-

struction of a lime silo and associated air cleaning device at the Trimet facility in South Whitehall Township, **Lehigh County**.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

28-03022: Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201) for installation of two mineral silos at the Chambersburg Quarry in Guilford Township, **Franklin County**. This source is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for New Stationary Sources.

36-03117: DONSCO, Inc. (P. O. Box 2001, Wrightsville, PA 17368) for installation of a surface coating operation in West Hempfield Township, **Lancaster County**.

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

PA-26-520A: Dynamic Materials Corp. (1138 Industrial Park Drive, P. O. Box 317, Mt. Braddock, PA 15465) for installation of a dust collector at Mt. Braddock Facility in North Union Township, **Fayette County**.

PA-04-705A: Pittsburgh Coatings (8105 Perry Highway, Pittsburgh, PA 15237) for a surface coating operation at the Ambridge Plant in Ambridge Borough, **Beaver County**.

PA-63-066A: Wheeling Pittsburgh Steel Corp. (1 Wheeling Pittsburgh Steel Drive, Allenport, PA 15412) for installation of a Pickle Line Replacement Scrubber at Allenport Plant in Allenport Borough, **Washington County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-24-151A: Glenn O. Hawbaker (1247 Million Dollar Highway, Kersey, PA 15846) for construction of a portable drum mix asphalt plant in Fox Township, **Elk County**.

Merck & Co., Inc.

Riverside Borough, Northumberland County

Merck & Co., Inc., (P. O. Box 600, Danville, PA 17821-0600) has submitted an application (#49-331-001) to the Department of Environmental Protection (Department) under 25 Pa. Code § 127.11 for approval to construct a hazardous waste incinerator and ancillary equipment at its Cherokee facility in Riverside Borough, Northumberland County.

Merck & Co., Inc. is a major facility for which a Title V operating permit application (#TVOP-49-00007) has been submitted but for which no Title V operating permit has yet been issued.

Information provided by Merck indicates that the hazardous waste incinerator and its ancillary equipment will potentially emit up to 24 tons of carbon monoxide per 12 consecutive month period, 5.54 tons of volatile organic compounds per 12 consecutive month period, some of which will also constitute hazardous air pollutants, 7.9 tons of sulfur oxides per 12 consecutive month period, 64 tons of nitrogen oxides per 12 consecutive month period, 4.809 tons of particulate matter per 12 consecutive month period, 4.809 tons of particulate matter less than or equal to 10 microns (PM₁₀) per 12 consecutive month period, 0.005 tons of lead and cadmium per 12 consecutive month period, 0.004 tons of mercury per 12 consecutive month

period, 4.2×10^{-8} tons of dioxins and furans (expressed as toxicity equivalents of 2,3,7,8-TCDD) per 12 consecutive month period, 0.02 ton of arsenic, beryllium, and chromium per 12 consecutive month period, and 6.5 tons of hydrochloric acid and chlorine gas per 12 consecutive month period. A preliminary review of this information by the Department indicates that the hazardous waste incinerator and its ancillary equipment will meet all applicable air quality requirements including the best available technology requirements of §§ 127.1 and 127.12, Subpart EEE of the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63.1200—63.1213, Subpart Kb of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.110b—60.117b, Subpart E of the National Emission Standards for Hazardous Air Pollutants, 40 CFR 61.50—61.56, and the Department policy on risk assessments for hazardous waste combustors. Based on this finding, the Department proposes to approve the application and issue plan approval for the proposed hazardous waste incinerator and ancillary equipment. If this plan approval is issued and if the hazardous waste incinerator and ancillary equipment are subsequently found to be in compliance with all conditions of the plan approval as well as all applicable regulatory requirements, the plan approval will be incorporated into an operating permit by administrative amendment in accordance with § 127.450.

To ensure compliance with all applicable standards, the Department proposes to place the following conditions in the respective plan approval:

1. The hazardous waste incinerator and ancillary equipment are to be constructed in accordance with the plans submitted with the application (as approved herein).

2. This plan approval is issued for the construction of the following:

a. One 55,000,000 Btu per hour Hankin Environmental Systems, Inc. custom-designed fluidized bed hazardous waste incinerator equipped with a 20,000,000 Btu per hour low NO_x , natural gas/No. 2 fuel oil-fired burner. This incinerator shall be used to incinerate the following waste streams generated at the Cherokee facility:

- i. aqueous wastes
- ii. avermectin solvent wastes
- iii. solvent wastes
- iv. sludge wastes

These waste streams are further described in Section 1 of the application submitted for this plan approval.

b. Four 30,000 gallon capacity fixed-roof hazardous waste storage tanks (TA-931, TA-932, TA-934 and TA-935).

c. One 7,500 gallon capacity heated, fixed-roof hazardous waste storage tank (TA-900).

d. One drum unloading station and associated 2,000-gallon capacity fixed-roof hazardous waste storage tank (TA-920).

- e. One tank truck loading/unloading station.
- f. One 2,500 cubic foot silo for the storage of sand.
- g. Two clay slurry storage tanks (TA-201 and TA-202).
- h. Sludge holding tank TA-701.
- i. Sludge belt filter press.
- j. Sludge feed hopper HP-290A.
- k. One 500 gallon #2 fuel oil storage tank.

3. Under the best available technology provisions of §§ 127.1 and 127.12, the hazardous waste incinerator identified in Condition 2a herein shall be operated as follows whether it is being used to incinerate hazardous waste or nonhazardous waste:

a. The incinerator's 20,000,000 Btu per hour low NO_x burner shall be used to bring the incinerator's exit gas temperature to at least 1,450°F prior to any waste being introduced to the incinerator. The burner shall be fired on only natural gas and/or No. 2 fuel oil with sulfur content of not greater than 0.5% by weight and to which no waste materials have been added.

b. The incinerator shall subject all air contaminant emissions generated from the combustion of the wastes to a minimum outlet temperature of at least 1,450°F, 1-hour rolling average.

c. The incinerator shall destroy all principal organic hazardous constituents (POHCs) to an efficiency of at least 99.99%. This level of destruction is required by section 63.1203(c)(1) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants.

d. In accordance with section 63.1209(b)(1) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants and § 127.12(a)(3), Merck shall install, certify, maintain and operate a continuous temperature monitoring and recording system that will accurately monitor and record the outlet temperature from the hazardous waste incinerator combustion chamber. Merck shall also comply with all applicable requirements specified for this monitoring system in 25 Pa. Code Chapter 139 and the Department's Continuous Source Monitoring Manual.

e. In accordance with section 63.1209(c)(1) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants, prior to any waste being introduced to the incinerator, the company must analyze each feedstream. Each analysis shall be conducted in accordance with the company's feedstream analysis plan, which must be prepared, and approved by the Department, in accordance with section 63.1209(c)(2) of Subpart EEE.

f. Under no circumstances shall any offsite wastes be burned in this incinerator. Offsite wastes shall be defined as any wastes not actually generated at the Merck Cherokee facility.

4. Under the best available technology provisions of §§ 127.1 and 127.12, the air contaminant emissions from the hazardous waste incinerator identified in Condition 2a herein shall be controlled by the following air cleaning system which shall comply with the following operational parameter limitations:

a. One water-cooled quench. The temperature of the exit gases from the quench shall be monitored and recorded and shall never exceed 189°F, 1-hour rolling average.

b. One Airpol, Inc. #7489QV Venturi Scrubber utilizing water as the scrubbing medium. The scrubbing water flow rate shall be monitored and recorded and shall be maintained at a rate of not less than 300 gpm, 1-hour rolling average. The pressure drop across the scrubber shall be monitored and recorded and shall be not less than 30 inches w.g. 1-hour rolling average. The outlet of the ash thickener overflow tank (which recycles the scrubbing water to the Venturi Scrubber) shall be equipped with a conductivity meter that shall monitor and record the conductivity of the recycled scrubbing water to determine solids content. The recordings shall be

used to calculate a 1-hour rolling average conductivity value. The final exhaust stack of the air cleaning system shall be equipped with a flow meter that shall accurately monitor and record the stack gas flow rate. This monitor shall be used in lieu of a gas flow meter on the venturi scrubber and shall be used to calculate a 1-hour rolling average flow rate.

c. One Airpol, Inc. #7489S tray tower scrubber utilizing a caustic scrubbing solution. The scrubbing solution flow rate, along with the final stack gas flow rate, shall be monitored and recorded and the liquid to gas ratio obtained from these two recordings shall be not less than 0.0076 gallons of scrubbing solution per standard cubic foot of exhaust gas, 1-hour rolling average. The pressure drop across the scrubber shall be monitored and recorded and shall be not less than 20 inches w.g., 1-hour rolling average. The caustic solution feed pressure shall be monitored and recorded so as to obtain a 1-hour rolling average pressure in psi. The pH at the scrubbing solution inlet to the scrubber shall be monitored and recorded and shall be not less than 5, 1-hour rolling average. The scrubbing solution recycle line to the scrubber shall be equipped with a conductivity meter that shall monitor and record the conductivity of the recycled scrubbing solution to determine solids content. The recordings shall be used to calculate a 1-hour rolling average conductivity value.

d. One Airpol, Inc. #7489W wet, single stage electrostatic precipitator. The secondary power input to the precipitator shall be monitored and recorded and shall be not less than 110 kilovolts, 1-hour rolling average.

These specific air cleaning devices shall be operated in series and in the order in which they are presented herein.

5. Under the best available technology provisions of §§ 127.1 and 127.12, the four storage tanks identified in Condition 2b herein and the one storage tank identified in Condition 2c herein shall be nitrogen blanketed and equipped with pilot-operated pressure relief valves. Additionally, all five storage tanks identified in this condition shall be vented to the hazardous waste incinerator and its air cleaning system. The tanks may be vented to atmosphere (after the nitrogen blanket and conservation vent) for up to 240 hours per calendar year under section 63.1203(e) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants.

6. Under the best available technology provisions of §§ 127.1 and 127.12, the storage tank identified in Condition 2d herein shall be nitrogen blanketed and equipped with a pilot-operated pressure relief valve.

7. Under the best available technology provisions of §§ 127.1 and 127.12, all tank trucks filled at the loading/unloading station identified in Condition 2e herein shall be filled subsurface. Additionally, the amount of wastes transferred to the tank trucks shall never exceed 84,000 gallons per 12 consecutive month period.

8. Under the best available technology provisions of §§ 127.1 and 127.12, the air contaminant emissions from the sand storage silo identified in Condition 2f herein shall be controlled by a bin vent collector, specifically, a DCE, Inc., fabric collector. Additionally, the particulate matter emissions from the site, after control, shall never exceed 0.01 grains per dry standard cubic foot.

9. Under the best available technology provisions of §§ 127.1 and 127.12, the company shall install and

maintain monitors/recorders that shall accurately monitor and record the following parameters to obtain 1-hour rolling averages:

- a. aqueous waste stream feed rate in gallons per minute
- b. avermectin solvent waste stream feed rate in gallon per minute
- c. solvent waste stream feed rate in gallons per minute
- d. sludge waste stream feed rate in gallons per minute

10. In accordance with section 63.1209(a)(1)(i) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants and § 127.12(a)(3), Merck shall install, certify, maintain and operate a continuous emission monitoring system for carbon monoxide and oxygen on the final exhaust stack of the hazardous waste incinerator identified in Condition 2a herein. Additionally, in accordance with § 127.12(a)(3) Merck shall install, certify, maintain and operate a continuous emission monitoring system for nitrogen oxides on the final exhaust stack of the hazardous waste incinerator. Merck shall also comply with all applicable requirements specified for these monitoring systems in Chapter 139 and the Department's Continuous Source Monitoring Manual.

Additionally, under section 63.1209(a)(1)(iii) of Subpart EEE, the company must install, calibrate, maintain and operate a particulate matter continuous emission monitoring system on the final exhaust stack of the hazardous waste incinerator; however, compliance with this requirement is not required until such time as the Environmental Protection Agency promulgates all performance specifications and operational requirements applicable to particulate matter continuous emission monitoring systems.

11. Under section 63.1203(b) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants and the best available technology provisions of §§ 127.1 and 127.12, the hazardous waste incinerator identified in Condition 2a herein shall comply with the following emissions limitations:

<i>Pollutant</i>	<i>Emission Limit</i>
dioxins/furans	0.20 nanograms (ng) toxicity equivalence (TEQ)/dry standard cubic meter (dscm), corrected to 7% oxygen
lead and cadmium	24 micrograms (µg)/dscm, combined, corrected to 7% oxygen
arsenic, beryllium and chromium	97 µg/dscm, combined, corrected to 7% oxygen
carbon monoxide	100 ppmv, dry, corrected to 7% oxygen, 1 hour rolling average
hydrocarbons	10 ppmv, dry, as propane, corrected to 7% oxygen, 1 hour rolling average
hydrochloric acid and chlorine gas	21 ppmv, dry, combined, corrected to 7% oxygen, as hydrochloric acid equivalents

Under the best available technology provisions of §§ 127.1 and 127.12, the hazardous waste incinerator identified in Condition 2a herein shall comply with a mercury limit of 20 µg/dscm, corrected to 7% oxygen.

12. Under the best available technology provisions of §§ 127.1 and 127.12, the particulate matter emission rate from the hazardous waste incinerator identified in Condi-

tion 2a herein shall not exceed 0.010 grains/dry standard cubic foot (dscf), corrected to 7% oxygen. Should the Department determine that the results of the particulate matter testing of the hazardous waste incinerator indicate an exceedance of this emission limit then the incinerator shall comply with the emission limit of 34 milligrams (mg)/dscm, corrected to 7% oxygen, specified in section 63.1203(b)(7) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants.

13. Under the best available technology provisions of §§ 127.1 and 127.12, the hazardous waste incinerator identified in Condition 2a herein shall comply with the following emissions limitations:

<i>Pollutant</i>	<i>Emission Limit</i>
volatile organic compounds	10 ppmv, corrected to 7% oxygen
sulfur dioxide	Minimum 99% removal efficiency, not to exceed 1.8 pounds per hour
nitrogen oxides, expressed as NO ₂	14.6 pounds per hour, 30-day rolling average
hydrochloric acid and chlorine gas	Minimum 99% removal efficiency, not to exceed 21 ppmv, dry, combined, corrected to 7% oxygen, as hydrochloric acid equivalents

14. Under the best available technology provisions of §§ 127.1 and 127.12, the combined air contaminant emissions from all sources identified in Condition 2 herein shall never exceed the following limits:

<i>Pollutant</i>	<i>Emission Limit (tons per 12- consecutive month period)</i>
Carbon monoxide (CO)	24
Volatile organic compounds (VOCs)	5.54
Sulfur oxides, as SO ₂	7.9
Nitrogen oxides, expressed as NO ₂	64
Particulate matter (PM)	4.809
PM ₁₀	4.809
Semi-volatile metals (lead and cadmium)	0.005
Mercury	0.004
Dioxins/Furans	0.00000042
Low-volatile metals (arsenic beryllium and chromium)	0.02
Hydrochloric acid and chlorine gas	6.5

15. Under section 63.1206(c)(3) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants and the best available technology provisions of §§ 127.1 and 127.12, the hazardous waste incinerator must be equipped with an automatic waste feed cutoff (AWFCO) system that shall immediately and automatically cut off all waste feeds should any of the following occur:

a. An exceedance of any of the operating parameter limitations specified in Conditions 3b, 4a, 4b, 4c, 4d and 9 herein.

b. An exceedance of the carbon monoxide emission limit specified in Condition 11 herein.

c. An exceedance or equaling of the span value for any of the monitors identified in Conditions 3d, 4a, 4b, 4c, 4d and 9 herein.

d. A malfunction of any of the monitors identified in Conditions 3d, 4a, 4b, 4c, 4d, 9 and 10 (carbon monoxide and oxygen CEMs only) herein.

e. A malfunction of any component of the AWFCO system.

The AWFCO shall be interlocked with the monitors identified in Conditions 3d, 4a, 4b, 4c, 4d, 9 and 10 (carbon monoxide and oxygen CEMs only) herein. Whenever the AWFCO system initiates a cutoff the gases generated within the incinerator must continue to be vented through the entire air cleaning system, identified in condition 4 herein, until a time as no waste remains within the incinerator. None of the waste feeds may be reinitiated until a time as the incident that caused the automatic cutoff has been corrected and the incinerator, AWFCO system, and all monitors are operating in compliance with all applicable conditions contained herein.

Additionally, under section 63.1206(c)(3)(vii) of Subpart EEE the AWFCO must be tested at least weekly to verify operability. Should this testing schedule unduly restrict or upset operations, Merck may request the Department to approve a less frequent testing schedule. Regardless, the testing frequency shall never be less than monthly.

16. The company shall implement an operator training and certification program that complies with the provisions of section 63.1206(c)(6) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants. Individuals subject to these provisions include any person who has responsibilities affecting operations that may affect emissions of hazardous air pollutants from the incinerator. The persons include, but are not limited to, chief facility operators, control room operators, continuous monitoring system operators, persons that sample and analyze feedstreams, persons that manage and charge feedstreams to the combustor, persons that operate emission control devices, ash and waste handlers, and maintenance personnel. The company shall ensure that the incinerator is operated and maintained at all times by persons who are trained and certified to perform these and any other duties that may affect emissions of hazardous air pollutants.

17. The company shall prepare, and operate the incinerator in conformance with, an operation and maintenance plan that complies with the provisions of section 63.1206(c)(7) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants. The plan shall describe in detail procedures for operation, inspection, maintenance and corrective measures for all components of the incinerator, including associated pollution control equipment, that could affect emissions of regulated hazardous air pollutants. The plan must describe how the company will operate and maintain the combustor in a manner consistent with good pollution control practices for minimizing emissions at least to the levels achieved during the comprehensive performance test.

18. The company must comply with all applicable notification requirements identified in section 63.1210 of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants.

19. The company must comply with all applicable reporting requirements identified in section 63.1211 of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants.

20. Under section 63.1209(b)(3) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants, all monitoring/recording devices identified in Conditions 3d, 4a, 4b, 4c, 4d and 9 herein must sample the regulated parameter without interruption, and evaluate the detector response at least once every 15 seconds, and compute and record the average values at least every 60 seconds.

Additionally, the company shall comply with the following calibration requirements of section 63.1209(b)(2) of Subpart EEE:

a. All thermocouples or other temperature sensors must be calibrated at least once every 3 months.

b. The accuracy of all weight measurement devices used to monitor flowrates must be $\pm 1\%$ of the weight being measured. The calibration of these devices must be verified at least once every 3 months.

21. Merck shall submit a Phase I application to the Department for the continuous monitoring systems required by Conditions 3d and 10 herein at least 1 year prior to the anticipated date of the incinerator testing required by Condition 24 herein.

22. The incinerator identified in Condition 2a herein shall not be operated for any reason unless the continuous monitoring systems identified in Conditions 3d and 10 herein have received Phase I approval from the Department and have subsequently been installed and made operational.

23. All required relative accuracy testing shall have been completed on all continuous monitoring systems identified in Conditions 3d and 10 herein and the systems shall be fully certified in accordance with all applicable regulatory requirements within 180 days of the date that any waste is first incinerated in the incinerator identified in Condition 2a herein unless this timeframe conflicts with the timeframe needed to comply with the testing requirements of Condition 24 herein.

24. The company shall conduct testing on the hazardous waste incinerator as follows:

a. Under section 63.1207(b)(1) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants, the company must conduct a comprehensive performance test on the hazardous waste incinerator in order to demonstrate compliance with the emission limitations specified in Conditions 11 and 12 herein, establish final limits for the operating parameters monitored by the monitors/recorders identified in Conditions 3d, 4a, 4b, 4c, 4d and 9 herein, and demonstrate compliance with the performance specifications for the continuous emissions monitors required by Condition 10 (carbon monoxide and oxygen CEMs only) herein. The initial comprehensive test must be commenced within 180 days of the date that hazardous waste is first burned in the incinerator unless some more restrictive testing deadline is required in Subpart EEE. The tests must be conducted while hazardous wastes are actually being burned within the incinerator.

b. The company must conduct performance tests on the hazardous waste incinerator to demonstrate compliance with the emission limitations specified in Condition 13 herein. With the exception of the nitrogen oxides testing all other testing shall consist of a minimum of three individual 1-hour test runs using test reference methods acceptable to the Department. The tests must be commenced within 180 days of the date that waste is first

burned in the incinerator. The tests must be conducted while hazardous wastes are actually being burned within the incinerator.

c. The company must conduct a compliance determination on the hazardous waste incinerator to demonstrate compliance with the nitrogen oxides emission limitation specified in Condition 13 herein. This determination shall be conducted using the certified continuous emission monitoring system required in condition 10 herein to obtain a 30-day rolling average emission rate. The 30-day rolling average emission rate shall be calculated using the hourly emissions data recorded by the monitoring system during the respective 30-day test period only when waste is actually being burned in the incinerator. A portion of the 30-day test period must occur simultaneously with the comprehensive test required by Condition 24a herein.

d. As part of the initial comprehensive performance test, as identified in Condition 24a herein, the company shall test for all of the compounds of potential concern (COPCs), as identified by the Department. The Department has identified the COPCs and their respective estimated emission rates used in the preliminary multipathway risk assessment for the hazardous waste incinerator. All tests shall consist of three individual test runs.

25. Under section 63.1208(b) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants, the following test methods must be used during the comprehensive test required by Condition 24 herein:

<i>Pollutant</i>	<i>Test Method</i>
Dioxins and furans	Method 0023A of EPA publication SW-846
Mercury	Method 29 (40 CFR Part 60, Appendix A)
Cadmium and lead	
Arsenic, beryllium and chromium	
Hydrochloric acid and chlorine	Either Methods 26A, 320, or 321 (40 CFR Part 60, Appendix A)
Particulate matter	Either Method 5 of 5I (40 CFR, Part 60, Appendix A)
Feedstream analyses	Any reliable analytical method to determine feedstream concentrations of metals, chlorine and other constituents; must also comply with the provisions of section 63.1208(b)(8) of Subpart EEE

26. The company shall submit pretest protocols for all testing required by Condition 24 herein as follows:

a. Under section 63.1207(e)(1)(i) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants, the company shall submit a pretest protocol for the comprehensive performance test required by Condition 24a herein at least 1 year prior to the commencement of the respective test. The content of the pretest protocol shall comply with the provisions of section 63.1207(f)(1) of Subpart EEE. This protocol must also address the testing of the COPCs as identified in Condition 24d herein.

b. The company shall submit a pretest protocol for the tests required by Conditions 24b and 24c herein at least 1 year prior to the commencement of the respective tests. This protocol shall contain a description of the specific

testing and analytical procedures to be used in performing the testing, a listing of all incinerator operating parameters to be monitored during test performance, and dimensioned sketches of the test port locations showing the upstream and downstream duct work, stack and the like, configurations.

27. The Department shall be given at least 60 days advance notice of the scheduled dates for the performance of any testing required by Condition 24 herein. The Department is under no obligation to accept the results of any testing performed without adequate advance notice having been provided.

28. The company shall submit the following post-test documentation:

a. Under section 63.1207(j)(1) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants, within 90 days of completion of the comprehensive tests required by Condition 24a herein the company must submit a notification of intent to comply (NIC) documenting compliance or noncompliance with the emissions limitations identified in Conditions 11 and 12 herein, the continuous monitoring systems identified in Conditions 3d, 4a, 4b, 4c, 4d, 9 and 10 (carbon monoxide and oxygen CEMs only) herein, and the operating parameter limits identified in Conditions 3b, 4a, 4b, 4c, 4d and 9 herein. Obviously, for the company to comply with the provisions of this requirement the company must submit to the Department all stack test reports, CEM reports and any other reports or documentation needed to verify compliance. Under section 63.1207(j)(4) of Subpart EEE, the company may request of the Department a time extension of the NIC submittal deadline should the company, for reasons beyond its control, not be able to comply with the deadline.

b. Within 90 days of completion of the testing required by Condition 24b and 24c herein the company shall submit two copies of the test report to the Department. The report shall contain the results of the testing, a description of the testing and analytical procedures actually used, all incinerator, air cleaning device, and waste feed data collected during the tests, a copy of all raw data and a copy of the calculations generated during the data analysis.

c. Within 90 days of completion of the comprehensive performance test, as identified in Condition 24a herein, the company shall submit to the Department revised cumulative cancer and noncancer risk values and all supporting documentation. The risk values shall be calculated as follows. The company shall calculate average COPC emission rates and correct for all upset conditions to obtain plausible maximum annual average emission rates, from the data obtained from the testing required by Condition 24d herein. These plausible maximum annual average emission rates shall be used in the multipathway risk assessment model, previously approved by the Department, in order to obtain both the cancer and noncancer cumulative risk values.

These revised cumulative cancer and noncancer risk values shall be less than or equal to the acceptable target levels, established by the Environmental Protection Agency, respectively, 1.00E-05 (cancer) and 2.50E-01 (noncancer) based upon current human health risk assessment guidance. Should either of the revised cumulative risk values exceed their respective acceptable target levels, the company shall within 30 days prepare and submit to the Department a compliance plan which shall address how Merck intends to bring the risk levels into compliance with the provisions of this condition.

29. Based on the outcome of the testing required by Condition 24 herein, the Department reserves the right to reestablish any operational parameter limitation, identified in Conditions 3b, 4a, 4b, 4c, 4d and 9 herein, or, if none was established in this plan approval, to establish such a parameter limitation.

30. Under section 63.1207(l)(1) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants, should the results of the comprehensive test, as required by Condition 24a herein, indicate an exceedance of any of the emission limits identified in Conditions 11 or 12 herein the company must immediately cease burning waste in the incinerator identified in Condition 2a herein. The company will notify the Department of this non-compliant situation by the Notification of Compliance identified in Condition 28 herein. Wastes may then only be burned in the incinerator for the purposes of retesting to verify compliance and may not exceed 720 hours in total. The company can request an extension of this limit should more time be needed for testing purposes.

31. Under section 63.1203(e) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants and the best available technology provisions of §§ 127.1 and 127.12, the company shall initiate a leak detection and repair (LDAR) program to minimize fugitive organic emissions from any source identified in Condition 2 herein that has the potential to generate fugitive organic emissions.

32. Merck shall maintain comprehensive, accurate records of the following:

a. The volume of natural gas burned in the incinerator on a monthly basis.

b. The volume of No. 2 fuel oil burned in the incinerator on a monthly basis.

c. Date and time any tank trucks are unloaded to the hazardous waste storage tanks and the origination of the wastes contained in the tank trucks.

d. Date and time any tank trucks receive hazardous waste from any of the storage tanks, the reason the hazardous waste was transferred to the trucks (as opposed to burning said wastes in the incinerator), and the gallons of hazardous waste transferred to the trucks on a monthly basis.

e. All readings and average readings obtained from all continuous monitoring systems identified in Conditions 3d, 4a, 4b, 4c, 4d, 9 and 10 herein.

f. Total hours per calendar year that the air contaminant emissions from any of the hazardous waste storage tanks identified in Conditions 2b and 2c herein are not vented to the hazardous waste incinerator and total hours that said emissions are vented to the incinerator but any component of the incinerator's air cleaning system, as identified in Condition 4 herein, is not operating in compliance with all applicable plan approval conditions and Department rules and regulations.

g. The volume of aqueous wastes burned in the incinerator on an hourly basis.

h. The volume of Avermectin solvent wastes burned in the incinerator on an hourly basis.

i. The volume of solvent wastes burned in the incinerator on an hourly basis.

j. The volume of sludge wastes burned in the incinerator on an hourly basis.

k. The date, time and duration of any instance where the AWFCO system, as identified in Condition 15 herein, was initiated, the cause for the initiation, and the procedures performed to resolve the cause of the initiation.

l. A list of all persons that have been trained and certified by the training and certification program required by Condition 16 herein.

m. A copy of the operation and maintenance plan required by Condition 17 herein.

n. All information needed to demonstrate compliance with the LDAR program identified in Condition 31 herein.

o. Dates, times and results of all recalibration checks of all monitoring equipment as is required by Conditions 15 and 20 herein.

The company shall maintain these records onsite for at least 5 years and shall make these records available to the Department upon request.

33. The four storage tanks identified in Condition 2b herein are subject to Subpart Kb of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.110b–60.117b. The company shall comply with all applicable requirements of this subpart as well as any other applicable Subpart of the Standards of Performance, including any recordkeeping and reporting requirements. Under 40 CFR 60.4 of the Standards of Performance, the submission of all requests, reports, applications, submittals and other communications required by the Standards of Performance must be made to both the Department of Environmental Protection and the Environmental Protection Agency. The Environmental Protection Agency copies may be sent to United States EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

34. The incinerator identified in Condition 2a herein is subject to Subpart E (National Emissions Standard for Mercury) of the National Emission Standards for Hazardous Air Pollutants, 40 CFR 61.50–61.56. Under section 61.53(d) of Subpart E the company must, within 90 days of startup of the incinerator, conduct mercury emissions testing on said incinerator. Under section 61.54 of Subpart E the company may, in lieu of mercury emissions testing of the incinerator, conduct sludge testing within 90 days of startup of the incinerator. The company can request of the Department a deferment of this testing beyond the 90 days.

35. On an annual basis for the 2 years subsequent to the initial compliance performance test, the company shall conduct testing for any of the COPCs identified in Table 1 herein which resulted in significant risk as determined by the initial compliance performance test. This compliance testing shall be conducted at normal operating conditions and shall provide the data needed to calculate plausible maximum annual average COPC emission rates for primary risk contributors. At least 60 days prior to any annual tests, the company shall submit a pretest protocol to the Department, which shall address the testing procedures and analytical methods to be used. Within 90 days after completion of the annual tests, the company shall submit revised cancer and noncancer risk values and all supporting documentation. These revised cancer and noncancer risk values shall be calculated as follows. The company shall calculate average COPC emission rates and correct for all upset conditions to obtain plausible maximum annual average emission rates, from the data obtained from the testing required by this

condition. Any nondetects from analytical testing will be treated in accordance with Department policy. These plausible maximum annual average emission rates shall then be averaged along with all previous plausible maximum annual average emission rates and shall then be used in the multipathway risk assessment model, previously approved by the Department, to obtain both cancer and noncancer risk values. These average values shall be less than or equal to the acceptable target levels, established by the Environmental Protection Agency, respectively, 1.00E-05 (cancer) and 2.50E-01 (noncancer). Should either of the revised average risk values exceed their respective acceptable target levels, the company shall within 30 days prepare and submit to the Department a compliance plan which will address how Merck intends to bring the average risk levels into compliance with the provisions of this condition.

36. The Department reserves the right to determine the frequency of compliance testing, and alter the COPC list, based on the data gathered from previous testing.

37. Under section 63.1207(d) of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants and the best available technology provisions of §§ 127.1 and 127.12, the company shall conduct all necessary retests in conformance with the deadlines specified in Subpart EEE.

In accordance with the best available technology provisions of §§ 127.1 and 127.12 the company shall test for sulfur oxides and volatile organic compounds in accordance with the retest schedule for the comprehensive performance test identified in section 32.1207(d)(1) of Subpart EEE.

Additionally, dependent upon the source testing results, the Department reserves the right to increase the frequency of retest for any air contaminant including any air contaminant not regulated by Subpart EEE of the National Emission Standards for Hazardous Air Pollutants.

38. The company is responsible for complying with all applicable provisions of Subpart EEE of the National Emission Standards for Hazardous Air Pollutants, 40 CFR 63.1200–63.1213, including any provisions not specifically identified herein.

39. Issuance of an operating permit for the aforementioned sources is contingent upon the sources being constructed, the air cleaning devices being installed, and the sources and associated air cleaning devices being maintained and operated, as described in the application and supplemental materials submitted for plan approval, as well as in accordance with all conditions contained herein, and upon satisfactory demonstration that any air contaminants emitted from the sources are in compliance with the requirements specified herein and with the requirements specified in 25 Pa. Code §§ 123.1, 123.12, 123.21, 123.31 and 123.41, as well as in compliance with the requirements specified in, or established under, any other applicable rule or regulation contained in Article III, and in compliance with the requirements specified in 40 CFR 60.110b–60.117b (Subpart Kb) of the Federal Standards of Performance for New Stationary Sources, 40 CFR 63.1200–63.1213 (Subpart EEE) of the National Emission Standards for Hazardous Air Pollutants, and 40 CFR 61.50–61.56 (Subpart E) of the National Emission Standards for Hazardous Air Pollutants.

40. The company shall immediately notify the Department of any malfunction of the sources or associated air cleaning devices which results in, or may possibly be resulting in, the emission of air contaminants in excess of

the limitations specified in, or established under, any applicable rule or regulation contained in 25 Pa. Code Article III or in excess of the limitations specified in any condition contained herein or which otherwise results in, or may possibly be resulting in, noncompliance with the requirements specified in any condition contained herein, or in excess of the limitations specified in 40 CFR 60.110b—60.117b (Subpart Kb) of the Federal Standards of Performance for New Stationary Sources, 40 CFR 63.1200—63.1213 (Subpart EEE) of the National Emission Standards for Hazardous Air Pollutants, or 40 CFR 61.50—61.56 (Subpart E) of the National Emission Standards for Hazardous Air Pollutants.

41. This plan approval authorizes temporary operation of the hazardous waste incinerator and its ancillary equipment for a period of up to 180 days.

In accordance with § 127.45, the proposed plan approval conditions do one or more of the following:

1. Identify the air contamination sources and location.
2. Establish allowable emission rates.
3. Establish monitoring, recordkeeping, testing and reporting requirements.
4. Ensure proper operation and adequate maintenance.

A copy of the application and the Department's analysis are available for public inspection during normal business hours at the address listed.

Persons wishing to protest the issuance of this plan approval or provide the Department with additional information, which he/she believes should be considered prior to the issuance of the plan approval, may submit the protest or information to the Department at the address listed below. Each written protest or comment should include the following: name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval #49-331-001, and a concise statement regarding the relevancy of the information or any objections to the issuance of the plan approval.

A public hearing may be held if the Department, in its discretion, decides that a hearing is warranted based on the information received. All persons protesting the issuance of plan approval, submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a newspaper of general circulation in Northumberland County, or by publication in the *Pennsylvania Bulletin*, or by telephone, where the Department determines notification by telephone is sufficient. All protests, comments and requests must be received by the Department no later than 30 days after publication of this notice.

Written protests, comments or requests for a public hearing should be directed to David W. Aldenderfer, Regional Air Quality Program Manager, Department of Environmental Protection, Northcentral Region, 208 West 3rd Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3745.

For additional information regarding the Department's analysis of the plan approval application, contact John Twardowski, Air Pollution Control Engineer, Air Quality Program, 208 West 3rd Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3745.

MINING

APPLICATIONS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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 the 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 the 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. These 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, 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.

Greensburg District Office, R. R. 2, Box 603-C, Greensburg, PA 15601.

Coal Applications Received

26850107. Oak Run Coal, Inc. (P. O. Box 576, Uniontown, PA 15401). Renewal application received for continued reclamation of a bituminous surface mine located in Georges Township, **Fayette County**, affecting 124.7 acres. Receiving streams: Muddy Run to Georges Creek. Renewal application received: July 12, 2000.

26900110. Robert Sperko (208 Plummer Road, McClellandtown, PA 15458). Renewal application received for continued reclamation of a bituminous surface mine located in German Township, **Fayette County**, affecting 90.0 acres. Receiving streams: Browns Run and its unnamed tributaries. Renewal application received: July 18, 2000.

Knox District Office, P. O. Box 669, Knox, PA 16232.

10930105. Rosebud Mining Company (R. D. 9, Box 379A, Kittanning, PA 16201). Revision to an existing bituminous surface strip and auger operation in Bruin Borough and Parker Township affecting 289.4 acres. Receiving streams: Bear Creek, South Branch Creek and Unnamed Tributaries of South Branch. Revision to include a post mining landuse change from forestland to unmanaged natural habitat. Application received July 19, 2000.

37840104. The Ambrosia Coal and Construction Co. (R. D. 1, Edinburg, PA 16116). Renewal of an existing bituminous surface strip, auger and tipple refuse disposal operation in North Beaver Township, **Lawrence County**, affecting 400.0 acres. Receiving streams: Three unnamed tributaries to Hickory Run. Application for reclamation only. Application received: July 19, 2000.

Ebensburg District Office, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931-0625.

11900101. Permit Renewal, **Cooney Brothers Coal Company** (P. O. Box 246, Cresson, PA 16630), for continued operation of a bituminous surface-auger mine in Adams and Summerhill Townships, **Cambria County**, affecting 180.0 acres, receiving stream an unnamed tributary to the South Fork of the Little Conemaugh River, application received July 13, 2000.

56990102. Permit Transfer from **Duppstadt Coal to Duppstadt Coal** (2835 Stutzmantown Road, Somerset, PA 15501), for continued operation of a bituminous surface mine in Elk Lick Township, **Somerset County**, affecting 87.8 acres, receiving stream Tub Mill Run, unnamed tributaries to Tub Mill Run, and unnamed tributaries to Casselman River, application received July 14, 2000.

56890111. Permit Transfer from **Duppstadt Coal to Duppstadt Coal** (2835 Stutzmantown Road, Somerset, PA 15501), for continued operation of a bituminous surface mine in Elk Lick Township, **Somerset County**, affecting 70.8 acres, receiving stream Tub Mill Run and unnamed tributaries to Laurel Run, application received July 14, 2000.

McMurray District Office, 3913 Washington Road, McMurray, PA 15317.

56733702. MF Land Co., Inc. (P. O. Box 68, Boswell, PA 15531), to renew the permit for the Warnick Refuse Site in Jenner Township, **Somerset County** to renew the existing permit for reclamation only, no additional discharges. Application received May 25, 2000.

03971301. DLR Mining, Inc. (3065 Airport Road, Indiana, PA 15701), to revise the permit for the Ridge Mine in South Bend Township, **Armstrong County** to revise the existing permit and add 145 underground acres and 120 acres to the subsidence control boundary, no additional discharges. Application received June 8, 2000.

32841312. Keystone Coal Mining Corp. (P. O. Box 219, Shelocta, PA 15774), to revise the permit for the Urling No. 1 Mine in Washington Township, **Indiana County** to revise the existing permit to change the land use at Mudlick Portal Area to warehousing and industrial and revise the reclamation plan, no additional discharges. Application received June 9, 2000.

63743702. Eighty Four Mining Co. (P. O. Box 284, Eighty Four, PA 15330), to renew the permit for the Mine No. 84 Refuse Disposal Area in Somerset Township, **Washington County**, for renewal no additional discharges. Application received June 27, 2000.

30743711. RAG Cumberland Resources, L. P. (P. O. Box 1020, Waynesburg, PA 15370), to renew the permit for the Cumberland Coal Refuse Disposal in Whiteley Township, **Greene County**, for renewal, no additional discharges. Application received June 29, 2000.

Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Noncoal Applications Received

7975SM1A1C4. Haines & Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474), correction to an existing quarry operation in Hilltown Township, **Bucks County** for a stream variance to Morris Run. Application received July 17, 2000.

Greensburg District Office, R. R. 2, Box 603-C, Greensburg, PA 15601.

26840301. Norman Thomson (P. O. Box 10, Lemont Furnace, PA 15456). NPDES renewal application received for a coke oven ash large noncoal permit located in North Union Township, **Fayette County**. Receiving streams: unnamed tributary to Cove Run to Redstone Creek to the Monongahela River. NPDES renewal application received: July 19, 2000.

BUREAU OF DEEP MINE SAFETY

Rosebud Mining Company; Tracey Lynne Mine

The Bureau of Deep Mine Safety has received a request for variance from the Rosebud Mining Company. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Gaida by calling (724) 439-7469 or from the BDMS web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

The Department is publishing a summary of the request to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act (act) (52 P. S. §§ 701 and 702) provides a mechanism for operators to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 242(c) states that where belt conveyors are installed, main stoppings and regulators shall be so arranged as to reduce the quantity of air traveling in the belt conveyor entry to a minimum for effective ventilation and to provide an intake air split as an escapeway from the face area to the main air current.

Summary of the request: Rosebud Mining Company requests a variance to use point carbon monoxide early warning fire detection system and entries in common with the belt conveyor entry in short term panels at the Tracy Lynne Mine.

Rosebud Mining Company; Dutch Run Mine

The Bureau of Deep Mine Safety has received a request for variance from the Rosebud Mining Company. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Allison Gaida by calling (724) 439-7469 or from the BDMS web site at <http://www.dep.state.pa.us/dep/deputate/minres/dms/dms.htm>.

The Department is publishing a summary of the request to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to Richard E. Stickler, Director, Bureau of Deep Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Bituminous Coal Mine Act (act) (52 P. S. §§ 701 and 702) provides a mechanism for operators to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 242(c) states that where belt conveyors are installed, main stoppings and regulators shall be so arranged as to reduce the quantity of air traveling in the belt conveyor entry to a minimum for effective ventilation and to provide an intake air split as an escapeway from the face area to the main air current.

Summary of the request: Rosebud Mining Company requests a variance to use point carbon monoxide early warning fire detection system and entries in common with the belt conveyor entry in short term panels at the Dutch Run Mine.

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 (Department). Section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)) requires the State to certify that the involved projects will not violate the applicable provisions of 33 U.S.C.A. §§ 1311—1313, 1316 and 1317, as well as relevant State requirements. Initial requests for 401 certification will be published concurrently with the permit application. Persons objecting to approval of a request for certification under section 401 or to the issuance of a Dam Safety or Encroachment Permit or the approval of Environmental Assessments must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted above the application.

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

Southcentral Regional Office: Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110, (717) 705-4707.

E01-215. Encroachment. **Richard Seifert**, 1450 Hunterstown/Hampden Road, New Oxford, PA 17350. To grade the right bank within the 100-year floodway of Plum Creek (WWF) to construct and maintain a parking lot associated with the development of McSherrystown West II housing development located immediately downstream of PA 116 Bridge (McSherrystown, PA Quadrangle N: 9.0 inches; W: 4.0 inches) in McSherrystown Borough, **Adams County**.

E05-287. Encroachment. **PennDot 9-0**, 1620 Juniata Street, Hollidaysburg, PA 16648. To (1) remove an existing bridge and to construct and maintain a bridge having a span of 47.6 feet and an underclearance of 16.7 feet across the channel of Snake Spring Valley Run at a point at Route 30 (Everett West, PA Quadrangle N: 3.2 inches; W: 3.7 inches); (2) relocate approximately 575 feet of channel to stabilize the bank; (3) replace a stream enclosure in and along the channel of a tributary to the Raystown Branch Juniata River at a point at Route 30 (Everett West, PA Quadrangle N: 4.6 inches; W: 9.1 inches); and (4) impact 0.133 acre of wetlands in Snake Spring Valley Township, **Bedford County**.

E44-102. Encroachment. **Mifflin County School District**, East Derry Elementary School, 201 Eighth Street, Highland Park, Lewistown, PA 17044. To construct 375 feet of stream channel relocation of an unnamed tributary to Jacks Creek (TSF) as part of the proposed construction of a 16,700 square foot addition to the existing East Derry Elementary School and to construct flood control earthen berms along nonrelocated portion of the unnamed tributary to Jacks Creek to protect downstream residential structures and the proposed addition to the school building located on the south side of Back Maitland Road (SR 2004) about 0.3 mile east of its intersection with SR 2001 (Alfarata, PA Quadrangle N: 1.0 inch; W: 17.1 inches) in Derry Township, **Mifflin County**.

E67-688. Encroachment. **Kinard Trucking, Inc.**, 310 N. Zarfoss, York, PA 17404. To realign 1,400 linear feet of an unnamed tributary to the Codorus Creek within a rock lined trapezoidal channel and to construct two rail-line crossing using a series of four 2-foot diameter pipes at each crossing of the channel located along the York railroad line between North Zarfoss Road and east side of SR 30. The project is for the proposed 138,600 SF additional expansion of the Kinard Trucking Warehouse building (West York, PA Quadrangle N: 11.8 inches; W: 6.7 inches) in West Manchester Township, **York County**.

Northcentral Region: Water Management, Soils and Waterways Section, F. Alan Sever, Chief, 208 West Third St., Suite 101, Williamsport, PA 17701.

E14-377. Encroachment. **Aaronsburg Water Pipes Inc.**, P. O. Box 234, Aaronsburg, PA 16820. To construct and maintain a 289.6 linear foot diversion channel comprised of: (1) two 149.2-foot long 36-inch diameter HDPE pipes for a stream enclosure with its associated

(a) concrete end walls; (b) 15-inch and 36-inch diameter stormwater outlets inside the enclosure, and (c) a total of 140.8 linear feet of gabion basket and gabion mattress lining as inlet and outlet protection for the enclosure; (2) to divert the stream flow into the new channel; (3) to fill in 210 linear feet of an existing channel with clean earthen fill and then (4) to construct and maintain a 28-foot by 28-foot 1-inch filtration building with its associated 36-foot diameter water storage tank in the floodway of an intermittent unnamed tributary of Elk Creek located 0.9 mile north from the intersection of East Street and S. R. 45 (Millheim, PA Quadrangle N: 6.7 inches; W: 10.3 inches) in Haines Township, **Centre County**. This project proposes to permanently impact 210 linear feet of an unnamed tributary, which is classified as an Exceptional Value watershed.

E17-348. Encroachment. **Pennsylvania Department of Transportation, Engineering District 2-0**, 1924-30 Daisy Street, Clearfield, PA 16830. To remove an existing structure and to construct, operate and maintain a single cell box culvert to carry SR 0729, Segment-Offset 0060/0474 across an unnamed tributary to Muddy Run: a cold water fishery. The public road crossing shall be constructed with a pre-cast reinforced concrete box culvert that will have a span of 10-feet, rise of 4.25-feet, depression of 0.50-feet, and skew of 75 degrees. The project will not impact wetlands while impacting 50-foot waterway. The project is located along SR 0792 approximately 2,229-feet north of T-536 SR 0729 intersection (Ramey, PA Quadrangle, N: 3.6 inches; W: 10.1 inches) in Beccaria Township, **Clearfield County**.

Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E02-1312. Encroachment. **Township of O'Hara**, 325 Fox Chapel Road, Pittsburgh, PA 15238. To relocate and maintain approximately 240 feet of the channel of Seitz Run (Unnamed tributary to the Allegheny River) (WWF) for the purpose of preventing bank erosion and to restore the stream to its original alignment located along and on the east side of Lower Street, approximately 1,000 feet north from the intersection of Lower Street and Kittanning Pike (Glenshaw, PA Quadrangle N: 0.5 inch; W: 7.1 inches) in O'Hara Township, **Allegheny County**.

E63-495. Encroachment. **Kevin W. Smith**, 103 Fairway Drive, McMurray, PA 15317. To reline, extend, operate and maintain the existing culvert in an unnamed tributary to Brush Run for the purpose of correcting an erosion problem on applicant's property located on the north side of East McMurray Road, approximately 3,200 feet east from the intersection of East McMurray Road and Center Church Road (Bridgeville, PA Quadrangle N: 4.5 inches; W: 13.5 inches) in Peters Township, **Washington County**.

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

E33-199. Encroachment. **Jefferson County Commissioners**, Jefferson Place, 155 Main Street, Brookville, PA 15825. To remove the existing County Bridge No. 15 and to construct and maintain a prestressed concrete adjacent box beam bridge having a clear, normal span of 15.25 meters and a minimum underclearance of 2.77 meters across Stump Creek within the U. S. Army Corps of Engineer Sykesville Flood Protection Project on Station Street approximately 220 meters south of SR 119 (West Main Street) (DuBois, PA Quadrangle N: 9.1 inches; W: 9.4 inches) in Sykesville Borough, **Jefferson County**.

ENVIRONMENTAL ASSESSMENT

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

Central Office: Bureau of Waterways Engineering, 400 Market Street, 3rd Floor, P. O. Box 8554, Harrisburg, PA 17105-8554, (717) 787-8568.

D45-008EA. Environmental Assessment. **PA Game Commission** (2001 Elmerton Ave., Harrisburg, PA 17110-9797). To breach and remove Bradys Lake Dam across Trout Creek (HQ-CWF) for the purpose of restoring the stream to a free flowing condition. The dam is located on State Game Lands No. 127 (Thornhurst, PA Quadrangle N: 6.8 inches; W: 4.2 inches).

ACTIONS

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 (Department) has taken the following actions on previously received permit applications and requests for plan approval and has issued the following significant orders.

Persons 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. 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.

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

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

NPDES PA0057924. Sewage. **Joyfor Joint Venture**, 1604 Walnut Street, Philadelphia, PA 19103. This notice provides additional information to the notice published in the February 5, 2000, *Pennsylvania Bulletin*: The first downstream potable water supply intake considered during the evaluation is the Philadelphia Suburban Water

Company's Crum Creek Water Filtration Plant. The water filtration plant is located approximately 7.8 miles downstream of the proposed discharge point. The discharge is not expected to impact any potable water supply.

Northeast Regional Office: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Permit No. 4599202. Industrial waste. **Connaught Laboratories, Inc., d/b/a Pasteur Merieux Connaught**, Discovery Drive, Swiftwater, PA 18370-0187. Permit for the installation of a spray irrigation system, located in Pocono Township, **Monroe County**.

Permit No. 1300403. Sewerage. **Carbon Dack Associates, L.L.C.**, 650 Naamans Road, Suite 315, P. O. Box 470, Brandywine Corporate Center, Claymont, DE 19703. Permit to modify wastewater treatment plant, located in Mahoning Township, **Carbon County**.

NPDES Permit PA-0047325. Industrial waste. **PP&L Susquehanna, LLC**, Two North Ninth Street, Allentown, PA 18101-1179 is authorized to discharge from a facility located in Salem Township, **Luzerne County**, to the Susquehanna River.

NPDES Permit PA-0033669. Sewerage. **Martin Oley, t/a Valley View Mobile Home Park**, R. R. 4, Box 297C, Dallas, PA 18612 is authorized to discharge from a facility located in Dallas Township, **Luzerne County**, to an Unnamed tributary to Abraham's Creek.

NPDES Permit PA-0044466. Sewerage. **Lake Bryn Mawr Camp, Inc.**, R. R. 5, Box 410, Honesdale, PA 18431 is authorized to discharge from a facility located in Oregon Township, **Wayne County**, to an Unnamed Tributary to Big Brook.

Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.

Permit No. PAG043517. Sewerage. **Cheryl and Eric Farber**, 8 Hessian Blvd., Shillington, PA 19607 is authorized to discharge from a facility located in Cumru Township, **Berks County** to the receiving waters named UNT to Schuylkill River.

Permit No. PA0020214. Sewerage. **Borough of Mount Union**, 9 West Market Street, Mount Union, PA 17066 is authorized to discharge from a facility located in Mount Union Borough, **Huntingdon County** to the receiving waters named Juniata River.

Permit No. PAG053534. Sewerage. **William E. Strauss**, Bill's Texaco Service Station, 5510 Allentown Blvd., Harrisburg, PA 17112 is authorized to discharge from a facility located in Lower Paxton Township, **Dauphin County** to the receiving waters of an unnamed tributary to Paxton Creek.

Permit No. 3199402. Sewage. **Mount Union Municipal Authority**, P. O. Box 90, 9 West Market Street, Mount Union, PA 17066. This permit approves the construction of modifications to the construction/operation of sewage treatment facilities in Mount Union Borough, **Huntingdon County**.

Permit No. 2172204. Amendment No. 2 Sewage. **PPG Industries, Inc.**, 400 Park Drive, Carlisle, PA 17013. This permit approves the modifications to the operation of Industrial Waste Treatment Facilities in South Middleton Township, **Cumberland County**.

Northcentral Regional Office: 208 West Third Street, Suite 101, Grit Building, Williamsport, PA 17701.

NPDES Permit PA0209058. Sewerage. **Montour Township**, 195 Rupert Drive, Bloomsburg, PA 17815-9627. Approval granted to renew existing NPDES permit for Montour Township, **Columbia County**.

NPDES Permit PA0209341. Sewerage transfer. **Sandhoo Corporation**, R. R. 1, Box 4, Liberty, PA 16930. Transfer of permit approved for Sandhoo Corporation, located at Liberty Township, **Tioga County**.

WQM Permit No. 1799405. Sewerage. **Cooper Township Municipal Authority**, P. O. Box 446, Winburne, PA 16879. Applicant granted permission to construct a collection system and treatment plant to serve the Kylertown, Lanse, Forest, Hockenberry and Winburne areas of Cooper Township, **Clearfield County**.

WQM Permit No. 0800401. Sewerage. **Troy Township Sewer & Water Authority**, R. R. 2, Box 427A, Troy, PA 16947. Applicant granted permission to construct gravity sewer conveyance systems to serve Troy Township, **Bradford County**.

WQM Permit No. 1796401-T1. Transfer Sewerage. **Jennifer A. Cutler**, R. R. 1, Box 245B, Woodlane, PA 16881. Applicant granted permission for change in name only. Facility located at Bradford Township, **Clearfield County**.

WQM Permit No. 5996402-T1. Transfer Sewerage. **Jaspreet Sandhoo, Sandhoo Corporation**, R. R. 1, Box 4, Liberty, PA 16930. Transfer completed on property owned by Jaspreet Sandhoo at Liberty Township, **Tioga County**.

WQM Permit No. 0800402. Sewerage. **Borough of Troy**, 110 Elmira Street, Troy, PA 16947. A rerating of existing treatment plant based on manufacturers criteria and past ability of the plant to process organic loads at the new level has been approved. Location is at Troy Borough, **Bradford County**.

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

NPDES Permit No. PA0027146. Sewage. **Borough of Ambridge Municipal Authority**, 600 Eleventh Street, Ambridge, PA 15003 is authorized to discharge from a facility located at Ambridge Borough Sewage Treatment Plant, Ambridge Borough, **Beaver County** to receiving waters named Ohio River.

NPDES Permit No. PA0216852. Sewage. **Wen-Dell Mobile Home Park**, R. D. 3, Box 58, Ruffsdale, PA 15679 is authorized to discharge from a facility located at Wen-Dell Mobile Home Park Sewage Treatment Plant, East Huntingdon Township, **Westmoreland County** to receiving waters named Buffalo Run.

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

WQM Permit No. 2700401. Sewage. **Abraxas Group, Inc.**, Blue Jay Village, Forest Road, Box 59, Marienville, PA 16239. This project is for the expansion of an already existing sewage treatment facility in Howe Township, **Forest County**.

WQM Permit No. 6200406. Sewage. **Torpedo Specialty Wire**, R. D. 2, Route 27, Pittsfield, PA 16340. This project is for the construction and operation of a small flow treatment system in Pittsfield Township, **Warren County**.

WQM Permit No. 3700402. Sewage. **Ellwood City Borough**, 525 Lawrence Avenue, Ellwood City, PA 16114.

This project is for installation of a new chlorination system at an existing wastewater treatment facility in the Borough of Ellwood City, **Lawrence County**.

WQM Permit No. 1600201. Industrial Waste. **Piney Creek Limited Partnership, Piney Creek Power Plant**, 428 Power Lane, Clarion, PA 16214. This project is for modifications to include three sedimentation traps for the treatment of surface runoff of the newly proposed fuel storage area, to combine existing outfalls into a properly sized sedimentation pond and to enlarge outfall 701 in Piney Township, **Clarion County**.

WQM Permit No. 1600402. Sewage. **St. Petersburg-Richland Regional Authority**, P. O. Box 134, St. Petersburg, PA 16054. This project is for the construction of one main pump station, two grinder pump station, force main, gravity sewers and appurtenances in St. Petersburg and Richland Township, **Clarion County** to discharge to the existing Foxburg area collection and treatment system.

WQM Permit No. 4200201. Industrial Waste. **Pittsburgh Corning Corporation**, P. O. Box 39, Port Allegany, PA 16743. This project is for the installation of two oil/water separators at the Port Allegany facility in Port Allegany, **McKean County**.

NPDES Permit No. PA0035556. Sewage. **Pennsylvania Department of Transportation**, Safety Rest Area Site No. 16, Bureau of Design, P. O. Box 3060, Harrisburg, PA 17105-3060 is authorized to discharge from a facility located in Plain Grove Township, **Lawrence County** to an unnamed tributary to Jamison Run.

NPDES Permit No. PA0035548. Sewage. **Pennsylvania Department of Transportation**, Safety Rest Area Site No. 15, Bureau of Design, P. O. Box 3060, Harrisburg, PA 17105-3060 is authorized to discharge from a facility located in Plain Grove Township, **Lawrence County** to an unnamed tributary to Jamison Run.

NPDES Permit No. PA0034312. Sewage. **Cris-Andy Mobile Home Park**, R. D. 1, Box 1024L, Weldbank, PA 16313 is authorized to discharge from a facility located in Mead Township, **Warren County** to the West Branch Tionesta Creek.

NPDES Permit No. PA0033839 Sewage. **Blair's Green Acres Mobile Home Court**, R. D. 2, Box 301, Franklin, PA 16323 is authorized to discharge from a facility located in Cranberry Township, **Venango County** to an unnamed tributary to Burford Run.

WQM Permit No. 4300405. Sewerage, **Jeremy McCarty, SRSTP**, 302 Baker Hill Road, Fredonia, PA 16124. Construction of Jeremy McCartney SRSTP located in Delaware Township, **Mercer County**.

**INDIVIDUAL PERMITS
(PAS)**

The following NPDES Individual Permit for Discharges of Stormwater from Construction Activities has been issued.

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

<i>NPDES Permit No.</i>	<i>Applicant Name and Address</i>	<i>County and Municipality</i>	<i>Receiving Stream</i>
PAS10-G418	Vertex, Inc. 1041 Old Cassatt Road Berwyn, PA 19312	Tredyffrin Township Chester County	Valley Creek

**INDIVIDUAL PERMITS
(PAR)**

Coverage Under NPDES and/or Other General Permits

The following parties have submitted (1) Notices of Intent (NOIs) for Coverage under (1) General NPDES Permits to discharge wastewater into the surface waters of the Commonwealth; (2) NOIs for coverage under General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; or (3) Notifications for First Land Application of Sewage Sludge.

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, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted.

List of NPDES and/or Other 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
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application

*List of NPDES and/or
Other General Permit Type*

PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-10	General Permit for Discharge Resulting From Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To be announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)

General Permit Type—PAG-2

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Luzerne County Jackson Township	PAR10R198	John Pieczynski Heritage Hills Est., Inc. 67 Joseph Drive Dallas, PA 18612	Drakes Creek	Luzerne CD (570) 674-7991
Lehigh County Lynn Township	PAR10Q144	Lawrence Heintzelman 7188 Gun Club Rd. New Tripoli, PA 18066	Ontelaunee Creek CWF	Lehigh CD (610) 391-9583
Centre County Ferguson Township	PAR10F120	The Landings Johnson Farm Assoc. 501 Rolling Ridge Dr. State College, PA 16801	Big Hollow Drainageway	Centre County CD 414 Holmes Ave., Suite 4 Bellefonte, PA 16823 (814) 355-6817
Clearfield County Cooper Township	PAR10I763	Cooper Twp. Muni. Auth. P. O. Box 446 Winburne, PA 16879	Moshannon Creek	DEP—Soils and Waterways 208 W. 3rd St., Suite 101 Williamsport, PA 17701 (570) 327-3574
Butler County Cranberry Township	PAR10E124	COSTCO Wholesale 46000 Manekin Plaza Sterling, VA 21066	Unnamed Tributary to Brush Creek	Butler Conservation District 122 McCune Drive Butler, PA 16001-65001 (724) 284-5270
Erie County North East Township	PAR10K167	Dept. of General Services 18th and Herr Streets Harrisburg, PA 17120	Twenty Mile Creek (CWF, MF)	Erie Conservation District 12723 Route 19 P. O. Box 801 Waterford, PA 16441 (814) 796-4203
Mercer County Hempfield Township	PAR104351	James Adzima 7013 Lake Road Hartstown, PA 16131	Mathay Run	Mercer Conservation District 747 Greenville Road Mercer, PA 16137 (724) 662-2242
Lawrence County Wayne Township	PAR103739	George Sewall and Rick Eyles 6 Pittsburgh Circle Ellwood City, PA 16117	Crows Run (WWF)	Lawrence Conservation 430 Court Street New Castle, PA 16101 (724) 652-4512
Mt. Joy Township Gernamy Township Adams County	PAR-10-0107	Beyland, Inc. 135 Tyler Run Road York, PA 17405	Alloway Creek	670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636
Cumberland Township Adams County	PAR-10-0108	Gettysburg Seventh Day Adventist Church 246 Hanover Street Gettysburg, PA 17325	Rock Creek	670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Tyrone Township Adams County	PAR-10-0038-1	Imperial N.C. Associates 585 Martin Road Gettysburg, PA 17325	Conewago Creek	670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 (717) 334-0636
Sinking Spring Twp. Bedford Township West Providence Twp. Bedford County	PAR-10-0449	PA Dept. of Transportation 1620 North Juniata Street Hollidaysburg, PA 16648	Raystown Branch of the Juniata River	Bedford County CD 702 West Pitt Street Suite 4 Bedford, PA 15009 (814) 623-6706
Upper Allen Twp. Cumberland County	PAR-10-H231	PA Turnpike Commission SR 0076-Gettysburg Pike Interchange Exit 17 P. O. Box 67676 Harrisburg, PA 17105-7676	Cedar Run Creek	Cumberland County CD 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Hampden Township Cumberland County	PAR-10-H232	John Murphy The Townes at Cross Creek 429 South 18th Street Camp Hill, PA 17011	Conodoguinet Creek	Cumberland County CD 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Hampden Township Cumberland County	PAR-10-H236	Hampden Commerce Center Momentum Fitness Center 803 Michigan Avenue Lemoyne, PA 17043	Sears Run	Cumberland County CD 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Howe Township Perry County	PAR-10-3131	Randolph Kessler R. R. 1, Box 141 Millerstown, PA 17053	UNT to Juniata River	Perry County CD P. O. Box 36 (31 W. Main St.) New Bloomfield, PA 17068 (717) 582-8988
Bethel Township Lebanon County	PAR-10-P183	Linford Snyder R. D. 6, Box 1065 Lebanon, PA 17046	UNT Swatara Creek CWF	Lebanon County CD 2120 Cornwall Rd. Suite 5 Lebanon, PA 17042 (717) 272-3908, Ext. 3
S. Londonderry Township South Annville Township W. Cornwall Township Cornwall Borough Lebanon County	PAR-10-P136	Lebanon Valley Rails to Trails c/o John Wengert 2401 Walnut Street Lebanon, PA 17042	Conewago and Snitz Creeks TSF,WWF	Lebanon County CD 2120 Cornwall Rd. Suite 5 Lebanon, PA 17042 (717) 272-3908, Ext. 3
North Cornwall Township Lebanon County	PAR-10-P134	David Lavpour 444 Park Ave. South Suite 302 New York, NY 10016	Snitz Creek TSF	Lebanon County CD 2120 Cornwall Rd. Suite 5 Lebanon, PA 17042 (717) 272-3908, Ext. 3
S. Londonderry Township Lebanon County	PAR-10-P124	Louie Hurst 530 W. Trout Run Road Ephrata, PA 17522	Zillinger Creek WWF	Lebanon County CD 2120 Cornwall Rd. Suite 5 Lebanon, PA 17042 (717) 272-3908, Ext. 3

General Permit Type—PAG-3

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Lackawanna County Scott Township	PAR222209	Brojack Lumber Co. R. D. 1, Box 482 Olyphant, PA 18447	Tunkhannock Creek	Northeast Office 2 Public Sq. Wilkes-Barre, PA 18711-0790 (570) 826-2511
Lancaster County Upper Leacock Township	PAR223518	Skyline Corporation/Skyline Homes (Leola Facility) P. O. Box 743 Elkhart, IN 46515-0743	Mill Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lebanon County Lebanon City	PAR603528	Brandywine Recyclers, Inc. 328 North 14th Street Lebanon, PA 17046	Quittapahilla Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Dauphin County Susquehanna Township	PAR803582	United States Postal Service Harrisburg Vehicle Maintenance Facility 1425 Crooked Hill Road Harrisburg, PA 17107-9371	UNT to Paxton Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Muhlenberg Township	PAR803583	United States Postal Service Reading Vehicle Maintenance Facility 2100 North 13th Street Reading, PA 19612-9331	UNT to Schuylkill River	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Manheim Township	PAR803584	United States Postal Service Lancaster Vehicle Maintenance Facility 1400 Harrisburg Pike Lancaster, PA 17604-9331	Little Conestoga Creek	Southcentral Region 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Clinton Township Lycoming County	PAR604816	Robert Twigg B & C Auto Wreckers R. R. 2, Box 107 Montgomery, PA 17752	Unnamed Tributary to Black Hole Creek	Northcentral 208 W. Third Street Williamsport, PA 17701 (717) 327-3664
Boggs Township Centre County	PAR604820	Melvin Wetzel Wingate Auto Recycling Company 907 S. Eagle Valley Road Bellefonte, PA 16823	Unnamed Tributary to Wallace Run	Northcentral 208 W. Third Street Williamsport, PA 17701 (717) 327-3664

General Permit Type—PAG-4

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Bradford Township Clearfield County	PAG044832	Jennifer A. Cutler R. R. 1, Box 245B Woodland, PA 16881	Unnamed Tributary to Morovian Run	Northcentral 208 W. Third Street Williamsport, PA 17701 (717) 327-3664
Madison Township Columbia County	PAG044842	Robert D. Gardner 614 Strawberry Ridge Rd. Danville, PA 17821	UNT to East Branch Chillisquaque Creek	Northcentral 208 W. Third Street Williamsport, PA 17701 (717) 327-3664
White Deer Township Union County	PAG044860	Michael S. Rote R. R. 1, Box 1087 New Columbia, PA 17856	UNT to Little Buffalo Creek	Northcentral 208 W. Third Street Williamsport, PA 17701 (717) 327-3664

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Greene Township Erie County	PAG048314	Edward A. Nies 2005 Gunnison Road Erie, PA 16509-5825	Unnamed Tributary to Mill Creek	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
West Mead Township Crawford County	PAG048355	Harold F. Mumau 9833 Tamarack Drive Meadville, PA 16335	Unnamed Tributary of Tamarack Lake	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Delaware Township Mercer County	PAG048675	Jeremy McCartney 302 Baker Hill Road Fredonia, PA 16124	Tributary Shenango River	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-8

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
City of Meadville Crawford County	PAG088306	Meadville Area Sewer Authority 984 Water Street Meadville, PA 16335	Meadville Area Sewer Treatment Plant 1320 Park Avenue Meadville, PA 16335	Northwest Region Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-9

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Greene County Washington Township	PAG096103	Shipman Sanitary Service, Inc. R. R. 2, Box 92 Prosperity, PA 15329	Shipman Farm	Southeast Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-10

<i>Facility Location County and Municipality</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Stream, Body of Water or Site Name and Address</i>	<i>Contact Office and Telephone No.</i>
Chester and Montgomery Counties Tredyffrin and Upper Merion Townships	PAG100004	Sun Pipe Line Company Penndot S. R. 202 Ten Penn Center 1801 Market Street Philadelphia, PA 19103	Crow Creek (Wissahickon Basin)	Southeast Region Water Management 555 North Lane Conshohocken, PA 19428 (610) 832-6130
Franklin and Whitely Townships Greene County	PAG109605	Columbia Gas Transmission 950 Manifold Road Washington, PA 15301	Tributary to Laurel Run in Franklin Township and Mt. Phoebe Run in Whitely Township Greene County	Central Office 400 Market Street Harrisburg, PA 17105 (717) 787-8184

General CAFO NPDES Permit

Southcentral Regional Office: Regional Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4707.

PAG123501. Brubaker Farms, 493 Musser Road, Mount Joy, PA 17552. Brubaker Farms has submitted an application for a general NPDES permit for an existing concentrated animal feeding operation (CAFO) known as Brubaker Farms, located on Musser Road in East Donegal Township, **Lancaster County**. The CAFO is situated near an unnamed tributary to Donegal Creek, which is classified as a Cold Water Fishery (CWF). The CAFO is designed to maintain an animal population of 1,312 animal equivalent units (AEUs) consisting of 650 dairy cows, 367 heifers, 53 dairy calves, 4 bulls and 48,000 broilers. These animals are located on two contiguous farms.

No new facilities are proposed as part of this application. Manure generated at the primary dairy and broiler operation is scraped to a collection pit where manure gravity flows to a 1 million gallon reinforced concrete manure storage tank. Manure generated at the secondary dairy operation is pushed into a 244,000-gallon reinforced concrete manure storage tank by means of a push-in ramp. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

The permit application and proposed draft permit are on file at the Southcentral Regional Office of the Department. Persons may make an appointment to review the files by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The Environmental Protection Agency (EPA) permit review waiver provision under 40 CFR 123.24(e) applies to this general NPDES permit.

Persons wishing to comment on the proposed permit are invited to submit written comments to the above address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. All comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based. A public meeting/hearing may be held if the Department considers the public response or interest significant.

Following the 30-day comment period, the Water Management 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 the determination may be appealed to the Environmental Hearing Board.

PAG123502. Star Rock Farms LLC, 37 Chestnut Grove Road, Conestoga, PA 17516. Star Rock Farms LLC has submitted an application for a general NPDES permit for an existing concentrated animal feeding operation

(CAFO), known as Star Rock Farms, located on Chestnut Grove Road in Manor Township, **Lancaster County**. The CAFO is situated near Fisherman Run, which is classified as a Warm Water Fishery (WWF). The CAFO is designed to maintain an animal population of 2,613.5 animal equivalent units (AEUs) consisting of 435 dairy cows, 100 heifers, 1,850 steers and 600 swine.

Manure generated by the steers will be collected into a new 2.0 million gallon lined storage lagoon. Manure generated from the heifers and dairy cows is collected and stored in an existing 0.5 million gallon concrete tank. Manure generated from the swine is dry packed and hauled to fields as needed. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

The permit application and proposed draft permit are on file at the Southcentral Regional Office of the Department. Persons may make an appointment to review the files by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The Environmental Protection Agency (EPA) permit review waiver provision under 40 CFR 123.24(e) applies to this general NPDES permit.

Persons wishing to comment on the proposed permit are invited to submit written comments to the above address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. All comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based. A public meeting/hearing may be held if the Department considers the public response or interest significant.

Following the 30-day comment period, the Water Management 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 the determination may be appealed to the Environmental Hearing Board.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan approvals granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).

Northcentral Regional Office: Water Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-0530.

Location: Davidson Township, **Sullivan County**. This project is to construct a sewage collection, conveyance and treatment system for the Village of Sonestown. A septic tank effluent collection system is proposed. This system will consist mainly of gravity collection lines with two grinder pump stations northeast of Big Run and south-east of Muncy Creek with force mains across these

creeks. The gravity system will convey sewage to a pump station to be located near the intersection of Main Street and U. S. Route 220 where it will be pumped to the sewerage treatment plant to be located behind the township building. The sewage treatment plant will be a sand filter designed to treat 25,000 gallons per day with discharge to Muncy Creek just upstream of the Township Route 325 bridge. The Department's review of the sewage facilities update revision has not identified any significant negative environmental impacts resulting from this proposal.

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

Location: West Alexander Borough and Donegal Township, Washington County, 0.5 mile east of the western boundary line of Pennsylvania and West Virginia. Approval of an Official Sewage Facilities Plan Update of West Alexander Borough and portions of Donegal Township. This Plan proposes construction of a .064 mgd sewage treatment facility to be located in Ohio County, West Virginia discharging to Little Wheeling Creek in West Virginia. The facility will be located 1,000 feet West of the Pennsylvania/West Virginia border, 3,000 feet North of Interstate 70. A conveyance system will be constructed to serve all of West Alexander Borough and areas of Donegal Township immediately surrounding West Alexander Borough. The conveyance system will include construction of two pump stations. The Department's review of the sewage facilities update revision has not identified any significant impacts resulting from this proposal.

SAFE DRINKING WATER

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

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

Permit No. 4500501. Public water supply. **Penn Estates Utilities, Inc.**, Chuck Madison, P. O. Box 1164, Upper Marlboro, MD 20773. This proposal involves the construction of a new 20,000 gallon storage tank, booster pump station, and replacement of some distribution piping. It is located in Stroud Township, **Monroe County**. Permit issued on June 29, 2000.

Special Permit by Rule. Permit No. 3486466, for **Glacier Water Services, Inc.**, 2261 Cosmos Court, Carlsbad, CA 92009, Ebbie Hoitt. For vending machine addition at Lenaco No. 2, Northeast Region. Permit issued on July 14, 2000.

Minor Permit Amendment for South Whitehall Township Authority, Brickyard/LimeKiln Extension, Daniel G. D'Imperio, Chairman, 4444 Walbert Avenue, Allentown, PA 18104-1699. Permit issued on July 13, 2000.

Operations permit no. 2450034, issued on July 11, 2000 to **Stroudsburg Municipal Authority** for Lourdes Avenue Booster Pump Station located in Stroud Township **Monroe County**.

Operations permit no. 2450063, issued on July 1, 2000, to **PAWC**, located in Coolbaugh Township, **Monroe County**.

Southcentral Regional Office: Sanitarian Regional Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4708.

Permit No. 2897502. Public water supply. **Waynesboro Area School District**, Quincy Township, **Franklin County**. *Responsible Official:* Waynesboro Area School District, 210 Clayton Ave., P. O. Box 72, Waynesboro, PA 17268. Operation Permit which authorizes use of an anion exchange nitrate removal system for the Mowery Elementary School. *Consulting Engineer:* Dennis E. Black, P.E., Dennis E. Black Engineering, Inc., 2400 Philadelphia Ave., Chambersburg, PA 17201. *Permit to Operate Issued:* June 2, 2000.

Permit No. 6799505. Wrightsville Borough Municipal Authority, P. O. Box 187, Wrightsville, PA 17368. **Wrightsville Boro, York County**. *Responsible Official:* Everett Smeltzer, Jr. *Type of Facility:* A Construction Permit has been issued for installation of two upflow clarifiers and an increase in the permitted capacity of the filter plant to 0.648 mgd. *Consulting Engineer:* John A. Klinedinst, P.E., C.S. Davidson, Inc., 38 North Duke Street, York, PA 17401. *Permit to Construct Issued:* June 9, 2000.

Permit No. 2897503. Dry Run Water Association, Fannett Township, **Franklin County**. *Responsible Official:* Brad Gamble, P. O. Box 10, Dry Run, PA 17220. *Type of Facility:* Operation Permit which authorizes use of Phase II water supply improvements. Changes included installation of new well and raw water reservoir controls, a new treatment building providing hypochlorite disinfection facilities and extensive renovations to the distribution system. *Consulting Engineer:* Angelo Tesoriero, P.E., GeoSource Engineers, 7 South Seasons Dr., Dillsburg, PA 17019. *Permit to Operate Issued:* July 13, 2000.

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

Permit No. 364W010-T1-A1. Public water supply. **Pennsylvania American Water Company**, P. O. Box 1290, 300 Galley Road, McMurray, PA 15317. *Type of Facility:* Rehabilitation of Aldrich Purification Unit #3 at the Two Lick Creek Water Treatment Plant. *Permit issued for Construction:* July 11, 2000.

Northwest Regional Office: Regional Manager, 230 Chestnut Street, Meadville, PA, (814) 332-6899.

Permit No. 4399502. Public water supply. **Summit Road Mobile Home Park** (Skyline Development Inc., S. Summit Road, Maysville, PA 16125) has been issued a construction permit for two new wells, Well 2 West and Well 2 East in West Salem Township, **Mercer County**. *Type of Facility:* Community Water Supply. *Consulting Engineer:* William R. Glasser, P.E., Gibson-Thomas Engineering Co., Inc., 1004 Ligonier St., Latrobe, PA 15650. *Permit to Construct Issued:* July 18, 2000.

HAZARDOUS SITES CLEANUP

Under the Act of October 18, 1988

Proposed Interim Response

Middletown Township, Bucks County

Cameron-Saba Site

The Department of Environmental Protection (Department) is issuing this notice as a revision of the notice which was published in Vol. 30, No. 27 of the *Pennsylvania Bulletin*, dated July 1, 2000. This revision shall supersede the July 1, 2000 notice. The Department is issuing this notice under section 506(b) of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304) (HSCA).

The Department, under the authority of HSCA, began a prompt interim response action on August 19, 1999 at the Cameron-Saba Site (site), located in Middletown Township, Bucks County: that action entails supplying bottled water to certain persons, in the vicinity of the site, whose water supply wells are contaminated. The Cameron-Saba Site is bounded on the north by the West Trenton rail line (formerly of the Reading Railroad) of the Southeastern Pennsylvania Transportation Authority (SEPTA), on the Neshaminy Creek, and on the west by the Lincoln Highway. The Department has identified a plume of contaminated groundwater affecting a number of private wells that supply water for domestic use at several residences, or water for general use at several nonresidential properties. The contaminants of concern at this site include volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), pesticides and inorganic compounds, that were detected in concentrations above the Commonwealth of Pennsylvania's applicable or relevant and appropriate standards in home wells, surface water or sediment. Standards exceeded included Maximum Contaminant Levels (MCLs) for drinking water, adopted by the United States Environmental Protection Agency (EPA) under the Safe Drinking Water Act, as amended, 42 U.S.C.A. § 300f et seq., and by the Pennsylvania Environmental Quality Board under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17). Approximately 100 wells are currently known to be affected or threatened by the contamination. The Department, as a prompt interim response under the authority of HSCA, is providing bottled water to users of affected wells as a short-term measure, to minimize the exposure to and threat from the contaminants.

To address the release and threat of release of hazardous substances at the site, and corresponding threats to human health and the environment, the Department proposes a further interim response action at the site under sections 501(a) and 505(b) of HSCA (35 P. S. §§ 6020.501(a) and 6020.505(b)). The Department is considering three alternative response actions to provide a long-term source of potable water to residents. Additionally, the Department is presently conducting an investigation to determine the source of contamination in the area of the site.

Alternative 1) No Action: The "No Action" alternative provides a baseline against which all other alternatives can be compared. If the Department selects the "No Action" alternative, the actual and potential health and environmental risk posed by the site would remain the same.

Alternative 2) Carbon Filtration: Carbon Filtration is not a permanent solution and would require many years of ongoing operations and maintenance costs.

Alternative 3) Connection to a Public Water Supply: This alternative would be a permanent solution, which would address all threats posed by the contaminants of concern to water supply wells in the vicinity of the site.

In evaluating these alternatives to date, the Department has considered the criteria of permanence, protection of human health and environment, and the alternative's ability to meet applicable, or relevant and appropriate State and Federal requirements (ARARs). The Department has also considered cost-effectiveness in analyzing the alternatives. The Department finds that the "No Action" alternative would not be protective of the public health. The Department proposes alternative 3, connection to a public water supply, based on its prefer-

ence for a permanent solution. In respect of the permanence of the alternative, a public water connection is preferable to carbon filtration of individual wells.

The Department's proposed alternative, connection to a public water supply, is protective of public health and the environment, complies with ARARs, and is feasible and cost-effective.

An Administrative Record, which contains more detailed information concerning this proposed interim response action, is available for public inspection. The Administrative Record may be examined from 8 a.m. to 4 p.m. at the Department's office at Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-6000. Those interested in examining the Administrative Record should contact David Ewald at (610) 832-6200 to arrange for an appointment. An additional copy of the Administrative Record is available for review at the Middletown Township Municipal Building at 2140 Trenton Road in Middletown Township, Bucks County.

A public hearing is scheduled under Section 506(d) of HSCA for September 20, 2000 at 7 p.m. at the Middletown Township Municipal Building at 2140 Trenton Road. Persons who want to present formal oral comments regarding this interim response may do so by registering with the Department before the meeting. Individuals may register by calling the Department's Community Relations Coordinator, John Gerdemann, at (610) 832-6228.

Persons with a disability who wish to attend the September 20 meeting and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact John Gerdemann at the telephone number listed previously or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs. The public may also submit written comments regarding the Department's proposed interim response action during the period of public comment. In accordance with section 506(c) of HSCA, the Department has established a period for public comment that is now open and will close on Friday, November 3, 2000. Written comments should be addressed to David Ewald, Project Officer, at the Department's address listed previously. Individuals with questions concerning this notice should contact David Ewald at (610) 832-6200.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 2

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 (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of 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 summa-

ries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected.

For further information concerning the final report, contact the Environmental Cleanup Program Manager in the Department 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 reports:

Southeast Regional Office: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-5950.

K Mart Corp., Morrisville Distribution Center, Falls Township, **Bucks County**. Steven F. Coe, Brown Environmental, 42 Sequoia Drive, Newtown, PA 18940, has submitted a Final Report concerning remediation of site soil contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

Edelmans Sporting Goods, Montgomery Township, **Montgomery County**. Eric S. Poulson, P.E., Oxford Engineering Co., 1515 West Chester Pike, Suite B-1, West Chester, PA 19382, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

Charles Stephens Property, West Whiteland Township, **Chester County**. James H. Mulry, Mulry and Cresswell Environmental, Inc., 1691 Horseshoe Pike, Suite 1, Glenmoore, PA 19343, has submitted a Final Report concerning remediation of site soil and groundwater contaminated with BTEX and petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

Dick Residence, North Coventry Township, **Chester County**. Brian R. Evans, Hydrocon Services, Inc., 2945 S. Pike Avenue, Allentown, PA 18103, has submitted a Final Report concerning remediation of site soil contaminated with BTEX and polycyclic aromatic hydrocarbons. The report is intended to document remediation of the site to meet the Statewide health standard.

Former American Cable Co., City of Philadelphia, **Philadelphia County**. Greg V. Lesniak, Walter B. Satterthwaite Assoc., 720 Old Fern Hill Road, West Chester, PA 19380, has submitted a Final Report concerning remediation of site soil contaminated with lead and petroleum hydrocarbons. The report is intended to document remediation of the site to meet Statewide health and site-specific standards.

Transit America, Inc., City of Philadelphia, **Philadelphia County**. Robert S. Hyams, Transit America, Inc., One Red Lion Road, Philadelphia, PA 19115, has submitted a supplemental Final Report concerning remediation of site groundwater contaminated with solvents and BTEX and a Final Report concerning remediation of site soils contaminated with PCBs, heavy metals, solvents, BTEX petroleum hydrocarbons and polycyclic aromatic hydrocarbons. The reports are intended to document

remediation of the site to meet site-specific standards for groundwater and Statewide health and site-specific standards for soils.

Childers Products, Inc., Bristol Township, **Bucks County**. A Final Report concerning the remediation of site soil and groundwater contaminated with solvents and BTEX was submitted to the Department on November 12, 1998. The report was intended to document remediation of the site to meet the site-specific standards. Notice of approval of this final report was published in the January 9, 1999 *Pennsylvania Bulletin*.

Northeast Regional Field Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Namer Residence, Ross Township, **Monroe County**. Drew Gould, Gould Environmental, Inc., 701 N. Pennsylvania Avenue, Morrisville, PA 19067 has submitted a Final Report (on behalf of his client, Margaret Sansone, N. Delaware Drive, Bangor, PA 18013) concerning the remediation of site soils and/or groundwater found or suspected to have been contaminated with kerosene. The report was submitted to document remediation of the site to meet the Statewide health standard. A Notice of Intent to Remediate was simultaneously submitted. Please refer to additional *Pennsylvania Bulletin* notice.

Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6525.

Maisano Residence, Burnside Township, **Centre County**. Hydrocon Services, Inc., on behalf of their client, Irel Maisano, HC Box 116, 7 SW Meadow Drive, Karthaus, PA 16845, has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

PPL Pole Site #153, Eldred Township, **Lycoming County**. PPL, Inc., 2 North Ninth Street, Allentown, PA 18101, has submitted a Final Report concerning the remediation of site soil contaminated with PCBs. The report is intended to document remediation of the site to meet the Statewide health standard. See NIR submission in earlier part of this *Pennsylvania Bulletin*.

State Line Gas-Metering Facility, Lawrenceville Borough, **Tioga County**. PPL, Two North Ninth Street, Allentown, PA 18101 has submitted a Final Report concerning the remediation of site soil contaminated with heavy metals. The report is intended to document remediation of the site to meet the Statewide health standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

Under Act 2, 1995

Preamble 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediations Act (35 P. S. §§ 6026.101—6026.908) and Chapter 250 Administration of Land Recycling Program.

Provisions of 25 Pa. Code § 250.8 Administration of Land Recycling Program requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document

cleanup of a release of a regulated substance at a site to one of the remediation standards of the Land Recycling and Environmental Remediations Standards Act (act). Plans and reports required by provisions of the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse of the property, and in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. A cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. 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. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has acted upon the following plans and reports:

Southeast Regional Office: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428, (610) 832-5950.

Ashbourne Cleaners Site, Cheltenham Township, **Montgomery County**. Greg Van Hook, MEI Environmental Group, Inc., 6205 Easton Road, Pipersville, PA 18947, has re-submitted a Remedial Investigation/Final Report concerning remediation of site groundwater contaminated with solvents. The report did not demonstrate attainment of the Statewide health standard and was disapproved by the Department on June 2, 2000.

Conrail Parcel, Marcus Hook Borough, **Delaware County**. Bruce R. Cushing, ATC Associates, Inc., Suite 200, 920 Germantown Pike, Plymouth Meeting, PA 19462 has submitted a Remedial Investigation Report/Cleanup Plan concerning remediation of site soil contaminated with lead and heavy metals. The report was approved by the Department on June 6, 2000.

The Unisys and Former Lockheed Martin Site, East Whiteland and Tredyffrin Townships, **Chester County**. Randy L. Shuler, Environmental Resources Management, Inc., 250 Phillips Boulevard, Suite 280, Ewing, NJ 08618, has submitted a revised Remedial Investigation/Risk Assessment Report/Cleanup Plan concerning remediation of site soil and groundwater contaminated with heavy metals and solvents. The report was approved by the Department on June 8, 2000.

Former Canada Dry Facility, City of Philadelphia, **Philadelphia County**. Peter D. Beyer, P.G., Environ-

mental Resources Management, 855 Springdale Drive, Exton, PA 19341, has submitted a Final Report concerning remediation of site groundwater contaminated with lead, solvents, BTEX, MTBE and petroleum hydrocarbons. The report demonstrated attainment of Statewide health standard and/or site-specific standard and was approved by the Department on June 26, 2000.

Former Sunoco Station No. 0004-8751, Springfield Township, **Delaware County**. Michael Sarcinello, Groundwater and Environmental Services, Inc., 410 Eagleview Blvd., Suite 110, Exton, PA 19341, has submitted a Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with BTEX and petroleum hydrocarbons. The report demonstrated attainment of a Statewide health standard and/or site-specific standard and was approved by the Department on June 30, 2000.

Peluso Residence, Doylestown Borough, **Bucks County**. A Final Report concerning remediation of site soil contaminated with petroleum hydrocarbons was submitted to the Department. The report demonstrated attainment of the Statewide health standard and was approved by the Department on July 30, 1998.

Estate of George Hutt, Jr., Worcester Township, **Montgomery County**. A Final Report concerning remediation of site soil contaminated with heavy metals was submitted to the Department. The report demonstrated attainment of the Statewide health standard and was approved by the Department on July 16, 1998.

Pennsylvania Power & Light Company (PPL)—Distribution Pole #67492S36552, Souderton Borough, **Montgomery County**. A Final Report concerning remediation of site soil contaminated with PCBs (polychlorinated biphenyls) was submitted to the Department. The report demonstrated attainment of the Statewide health standard and was approved by the Department on July 30, 1998.

Pennsylvania Power & Light Company (PPL)—Distribution pole #67877S36735, Souderton Borough, **Montgomery County**. A Final Report concerning remediation of site soil contaminated with PCBs (polychlorinated biphenyls) was submitted to the Department. The report demonstrated attainment of the Statewide health standard and was approved by the Department on July 30, 1998.

Baer Property, Eddystone Borough, **Delaware County**. A Final Report concerning remediation of site soil and groundwater contaminated with lead, heavy metals, petroleum hydrocarbons and polycyclic aromatic hydrocarbons was submitted to the Department. The report demonstrated attainment of site-specific and background standards and was approved by the Department on July 29, 1998.

Northeast Regional Field Office: Joseph Brogna, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Pennsylvania Power & Light Company (PPL)—Distribution pole #62540S47627 (Spring Ridge Apartments), Whitehall Township, **Lehigh County**. PPL, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard, and was approved on July 7, 1998.

Pennsylvania Power & Light Company (PPL)—Distribution pole #59930S45020 (behind Trexler

Mall), Lower Macungie Township, **Lehigh County**. PPL, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard, and was approved on July 6, 1998.

Pennsylvania Power & Light Company (PPL)—Distribution pole #63219S50608 (Weaversville Road), Allen Township, **Northampton County**. PPL, Environmental Management Division, 2 North Ninth Street, Allentown, PA 18101 submitted a Final Report concerning the remediation of site soils found to be contaminated with PCBs (polychlorinated biphenyls). The final report demonstrated attainment of the Statewide health standard, and was approved on July 7, 1998.

Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6525.

Howes Leather Corporation Sludge Lagoon, Curwensville Borough, **Clearfield County**. A Risk Investigation Report, Risk Assessment Report and Cleanup Plan have been submitted addressing groundwater and surface water contaminated with chloride, sodium, calcium, alkalinity and ammonia. The reports were approved by the Department on June 23, 1998.

Northcentral Regional Office: Michael C. Welch, Environmental Cleanup Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 321-6525.

Adelphia Communications, Inc.—Future Operations Center, Coudersport Borough, **Potter County**. Adelphia Communications, Inc., Main at Water Street, Coudersport, PA 16915 has submitted a Final Report concerning the remediation of site soil contaminated with BTEX and PHCs. The Final Report demonstrated attainment of the Statewide health standard and was approved by the Department on July 8, 2000.

Southcentral Regional Office: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4705.

Cole Office Environments, Springettsburg Township, **York County**. Litton Industries, Inc., One Gate Hall Drive, Parsippany, NJ 07054-4514 and ARCADIS Geraghty & Miller, Inc., 3000 Cabot Boulevard West, Suite 3004, Langhorne, PA 19047 have submitted a final report concerning the remediation of groundwater contaminated with heavy metals. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on July 14, 2000.

Cole Office Environments, Springettsburg Township, **York County**. Litton Industries, Inc., One Gate Hall Drive, Parsippany, NJ 07054-4514 and ARCADIS Geraghty & Miller, Inc., 3000 Cabot Boulevard West, Suite 3004, Langhorne, PA 19047 have submitted a final report concerning the remediation of groundwater contaminated with solvents. The final report demonstrated attainment of the background standard, and was approved by the Department on July 14, 2000.

Former Adamson Tank Company, Providence Township, **Lancaster County**. Walter B. Satterthwaite Associates, 720 Old Fern Hill Road, West Chester, PA 19380 and Beaver Valley Enterprises LLC, c/o Weavers Mulch, 3190 Strasburg Road, Coatesville, PA 19320 have submitted a final report concerning the remediation of site soils

contaminated with PAHs, BTEX, PCBs and solvents. The final report demonstrated attainment of the Statewide health standard, and was approved by the Department on July 21, 2000.

Northwest Regional Office: Craig Lobins, Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6648.

Chicago Pneumatic Tool, Howard Street, Franklin, PA, **Venango County**, Franklin Township, has submitted a Baseline Report concerning the remediation of site soils contaminated with lead, heavy metals and solvents. The Baseline Report was approved by the Department on July 7, 2000.

SOLID AND HAZARDOUS WASTE

LICENSE TO TRANSPORT HAZARDOUS WASTE

License issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

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

Exide Corporation, P. O. Box 14205, Reading, PA 19612-4205; License No. **PA-AH 0665**; license issued July 18, 2000.

Hazardous waste transporter license voluntarily terminated under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and the Infectious and Chemotherapeutic Waste Law (35 P. S. §§ 6019.1—6019.6) and regulations for license to transport hazardous waste.

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

General Battery Corporation, P. O. Box 14205, Reading, PA 19612-4205; license terminated July 24, 2000.

Renewal licenses issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations for license to transport hazardous waste.

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

Chemclene Corporation, 258 N. Phoenixville Pike, Malvern, PA 19355-1126; License No. **PA-AH 0150**; renewal license issued July 21, 2000.

National Waste Clean, Inc., 304 Pulaski Street, South Plainfield, NJ 07080; License No. **PA-AH 0528**; renewal license issued July 21, 2000.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits issued 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.

Southcentral Regional Office: Regional Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, (717) 705-4706.

Permit No. 100944. Lanchester Landfill, Chester County Solid Waste Authority (7224 Division Highway, Narvon, PA 17555). Permit issued for a permit modification approving the use of PRC Manufactured Soil as Intermediate Cover for a facility in Caernarvon and Honeybrook Townships, **Lancaster County**. Permit issued in the Southcentral Region on July 13, 2000.

Permit No. 100346. Pioneer Crossing Landfill, FR&S, Inc. (727 Red Lane Road, Birdsboro, PA 19508). Permit issued for a permit modification for tarps as alternative daily cover for a facility in Exeter Township, **Berks County**. Permit issued in the Southcentral Region on July 18, 2000.

AIR QUALITY OPERATING PERMITS

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.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

67-02010A: SKF, USA, Inc. (525 Fame Avenue, Hanover, PA 17331-9582) issued a RACT Operating Permit on July 19, 2000, for operation of a spherical roller bearing production plant in Penn Township, **York County**.

Northwest Regional Office: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, (814) 332-6940.

PA-10-237A: Fox Funeral Home, Inc. (410 West Main Street, Saxonburg, PA 16056) on July 31, 2000, for operation of a pathological furnace in Saxonburg Borough, **Butler County**.

PA-37-270A: International Specialty Alloys (Route 551, P. O. Box 428, Edinburg, PA 16116) on July 31, 2000, for operation of a thermite production process in North Beaver Township, **Lawrence County**.

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.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

06-01007V: Carpenter Technologies Corp. (P. O. Box 14662, Reading, PA 19612-4662) on July 19, 2000, for modification of a melt shop at the Reading Plant in Reading City, **Berks County**. This source is subject to 40 CFR Part 60, Subpart AAA—Standards of Performance for Steel Plants.

38-05025: Lancaster Aluminum Co., Inc. (24 Keystone Drive, Lebanon, PA 17042) on July 19, 2000, for construction of a secondary aluminum production facility in South Lebanon Township, **Lebanon County**. This source is subject to 40 CFR Part 63, Subpart RRR—Standards of Performance for Hazardous Air Pollutants for Secondary Aluminum Production.

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

PA-63-906A: Lane Construction Corp. (P. O. Box 346, Donegal, PA 15628) on July 17, 2000, for operation of Drum-Mix Asphalt Plant at Donora Asphalt Plant in Donora Borough, **Washington County**.

PA-56-276A: PBS Coals, Inc. (P. O. Box 260, Friedens, PA 15541) on July 14, 2000, for operation of Batch Asphalt Plant at Pine Hill Asphalt Plant in Brothersvalley Township, **Somerset County**.

PA-56-025C: New Enterprise Stone & Lime (P. O. Box 77, New Enterprise, PA 16664) on July 18, 2000, for operation of New Screen Replacement Crusher at Bakersville Crushing Plant in Jefferson Township, **Somerset County**.

PA-11-289B: OMG Americas (101 Bridge Street, Johnstown, PA 15902) on July 24, 2000, for operation of Cooper Alloy Furnace at Johnstown Plant in Johnstown, **Cambria County**.

Plan Approvals extensions 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.

Southcentral Regional Office: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4702.

05-05006A: Columbia Gas Transmission Corp. Artemas Compressor Station (1700 MacCorcle Avenue, S.E., P. O. Box 1273, Charleston, WV 25325-1273) on June 30, 2000, to authorize temporary operation of a natural gas dehydration system, covered under this Plan Approval until October 27, 2000, in Mann Township, **Bedford County**.

67-02004: P. H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362) on July 17, 2000, to authorize temporary operation of three power boilers controlled by an electrostatic precipitator, a lime calciner controlled by a venturi scrubber and a softwood fiber line and causticizing area, covered under this Plan Approval until November 14, 2000, in Spring Grove Borough, **York County**.

Southwest Regional Office: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4174.

PA-56-270A: Lane Construction Corp. (P. O. Box 346, Donegal, PA 15628), on June 2, 2000, for operation of Drum-mix Asphalt Plant at Donegal Asphalt Plant #49 in Jefferson Township, **Somerset County**.

PA-04-688A: Nova Metals, L. P. (2301 Duss Avenue, Suite 14, Ambridge, PA 15003) on July 18, 2000, for installation of Metals Reprocessing at Ambridge Regional Center in Ambridge Boro, **Beaver County**.

PA-04-009A: Maverick Tube, L. P. (4400 West Fourth Avenue, Beaver Falls, PA 15010) on July 17, 2000, for operation of Boiler & Metal Heat Furnaces at Beaver Falls Site in Beaver Falls, **Beaver County**.

PA-65-137A: Allegheny Ludlum Steel (100 River Road, Brackenridge, PA 15014) on July 17, 2000, for operation of Sendzimer Cold Rolling Mill at Vandergrift Plant in Vandergrift Boro, **Westmoreland County**.

PA-65-910A: McKnight Cylinder Co. (168 Pattern Shop Road, R. D. 1, Box 338, Ruffsedale, PA 15679) on July 18, 2000, for operation of Cylinder Reconditioner in South Huntingdon, **Westmoreland County**.

MINING

APPROVALS TO CONDUCT COAL AND NONCOAL ACTIVITIES

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 these applications will also address the applicable permitting requirements of the following statutes: the Air Quality Control Act (35 P.S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003).

Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Coal Permits Issued

54860204R2. Premium Fine Coal, Inc. (R. R. 2, Box 111, Tamaqua, PA 18252), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Walker Township, **Schuylkill County** affecting 57.0 acres, receiving stream—Little Schuylkill River. Renewal issued July 17, 2000.

49803201R3. Reading Anthracite Company (200 Mahantongo Street, P. O. Box 1200, Pottsville, PA 17901), renewal of an existing coal refuse reprocessing operation in Zerbe Township, **Northumberland County** affecting 176.0 acres, receiving stream—Zerbe Run. Renewal issued July 18, 2000.

McMurray District Office, 3913 Washington Road, McMurray, PA 15317.

32841303. Helvetia Coal Company (P. O. Box 219, Shelocta, PA 15774), to renew the permit for the Lucerne No. 6 Mine in Center Township, **Indiana County** to renew the existing Lucerne No. 6 Mine Permit for reclamation only, no additional discharges. Permit issued July 12, 2000.

30841307. Cyprus Emerald Resources Corp. (P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Emerald Mine in Franklin Township, **Greene County** to revise subsidence control plan to allow greater than 50% extraction under the Kent Farm, no additional discharges. Permit issued July 14, 2000.

03901304. TJS Mining, Inc. (R. D. 1, Box 260D, Shelocta, PA 15774), to revise the permit for the Darmac #3 Mine in Plumcreek Township, **Armstrong County** to revise the existing permit to add 298.6 underground acres to the permit boundary and 220.8 acres to the subsidence control plan boundary, no additional discharges. Permit issued July 14, 2000.

32971303. Penn View Mining, Inc. (R. D. 1, Box 260D, Shelocta, PA 15774), to transfer the permit for the Penn View Mine in West Wheatfield Township, **Indiana County** to transfer existing bituminous underground mine permit from Urey Coal Co. to Penn View Mining, Inc., no additional discharges. Permit issued July 20, 2000.

11841302. Trent Coal, Inc. (1789 Stoystown Road, Friedens, PA 15541), to revise the permit for the Rice #2/Arrow #3 Mines in Portage Township, **Cambria**

County to revise the existing permit to facilitate a land use change at the main portal site from forestland to industrial, commercial and wildlife habitat, no additional discharges. Permit issued July 7, 2000.

30950701. Consolidation Coal Co. (P. O. Box 100, Osage, WV 26543), to renew the permit for the Blacksville No. II, Hughes Hollow Slurry Pond in Wayne Township, **Greene County**, for renewal no additional discharges. Permit issued July 7, 2000.

63831302. Eighty Four Mining Co. (P. O. Box 284, Eighty Four, PA 15330), to revise the permit for the Mine No. 84 in Amwell Township, **Washington County**, revision to deep mine, add 20 acres to surface site and NPDES 019 at Hallam Air Shaft, NPDES 019, trib. to Redd Run. Permit issued July 7, 2000.

Ebensburg District Office, 437 South Center Street, P. O. Box 625, Ebensburg, PA 15931-0625.

32980111. Kraynak Coal Company (R. D. 1, Box 158, Mahaffey, PA 15757), commencement, operation and restoration of a bituminous surface-auger mine in Green Township, **Indiana County**, affecting 97.6 acres, receiving stream unnamed tributaries to Dixon Run, application received October 9, 1998, permit issued July 17, 2000.

Greensburg District Office, R. R. 2, Box 603-C, Greensburg, PA 15601.

26713049. Luzerne Coal Corporation (200 Neville Road, Pittsburgh, PA 15225). Renewal issued for reclamation only and treatment of discharges associated with a bituminous surface/auger mine located in Luzerne Township, **Fayette County**, affecting 359.6 acres. Receiving streams: Minnow Run to the Monongahela River. Application received: May 21, 1999. Renewal issued: July 17, 2000.

03970107. Seven Sisters Mining Co., Inc. (P. O. Box 300, 200 U. S. Route 22, Delmont, PA 15626). Permit revised to change the land use from forestland to pastureland at a bituminous surface mine located in South Bend Township, **Armstrong County**, affecting 20.9 acres. Receiving streams: unnamed tributary to Fagley Run. Application received: May 24, 2000. Renewal issued: July 18, 2000.

30793024. Beazer East, Inc. (436 Seventh Avenue, Pittsburgh, PA 15219). Renewal permit issued for continued operation and reclamation of a bituminous surface mine with a mine drainage treatment facility, located in Morgan Township, **Greene County**. Receiving streams: unnamed tributaries to the South Fork of Ten Mile Creek (tributaries referred to as Upper (north of site), Middle (east of site), and Lower (south of site) tributaries, South Fork Ten Mile Creek to Ten Mile Creek. Application received: June 6, 2000. Renewal issued: July 19, 2000.

Knox District Office, P. O. Box 669, Knox, PA 16232.

33900105. Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838). Renewal of an existing bituminous strip, auger and beneficial use of a co-product operation in Snyder Township, **Jefferson County** affecting 650.2 acres. Receiving streams: Unnamed tributaries to Little Toby Creek and unnamed tributaries to Mill Creek. Application Received: May 8, 2000. Permit Issued: July 14, 2000.

33723006. Maud Mining Company (1800 Washington Road, Pittsburgh, PA 15241). Renewal of an existing bituminous strip and auger operation in Winslow Township, **Jefferson County** affecting 450.2 acres. This re-

newal is for reclamation only. Receiving streams: unnamed tributaries to Soldier Run and Soldier Run. Application received: May 8, 2000. Permit Issued: July 14, 2000.

33990102. McKay Coal Company, Inc. (R. R. 2, Box 35C, Templeton, PA 16259). Revision to an existing bituminous strip and auger operation to add 9.2 acres to the surface mining permit and allow Limestone removal in Perry Township, **Jefferson County**. Total acreage is 76.5 acres. Receiving streams: Two unnamed tributaries to Foundry Run. Application received: May 6, 2000. Permit Issued: July 18, 2000.

Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Small Noncoal (Industrial Mineral) Permits Issued

66000811. Robert Shupp, Sr. (P. O. Box 246, Factoryville, PA 18419), commencement, operation and restoration of a quarry operation in Nicholson Township, **Wyoming County** affecting 2.0 acres, receiving stream—none. Permit issued July 20, 2000.

66000812. Herman Birster (P. O. Box 275, Nicholson, PA 18446), commencement, operation and restoration of a bluestone quarry operation in Nicholson Township, **Wyoming County** affecting 1.0 acres, receiving stream—none. Permit issued July 20, 2000.

28002801. St. Thomas Towing Rollback Service & Auto Repair (4571 Race Track Road, St. Thomas, PA 17252), commencement, operation and restoration of a small quarry operation in St. Thomas Township, **Franklin County**, affecting 5.0 acres, receiving stream—unnamed tributary to Black Creek. Permit issued July 20, 2000.

58000809. Courtland Birchard (R. R. 5, Box 113, Montrose, PA 18801), commencement, operation and restoration of a bluestone quarry operation in Middletown Township, **Susquehanna County** affecting 3.0 acres, receiving stream—none. Permit issued July 20, 2000.

58000823. Jerome A. Romeika (R. R. 1, Box 125A, Susquehanna, PA 18847), commencement, operation and restoration of a bluestone quarry operation in Lenox Township, **Susquehanna County** affecting 3.0 acres, receiving stream—none. Permit issued July 20, 2000.

58000827. Bill O'Dell (233 Delaware Street, Forest City, PA 18421), commencement, operation and restoration of a bluestone quarry operation in Great Bend Township, **Susquehanna County** affecting 5.0 acres, receiving stream—none. Permit issued July 20, 2000.

66000812. Herman Birster (P. O. Box 275, Nicholson, PA 18446), commencement, operation and restoration of a bluestone quarry operation in Nicholson Township, **Wyoming County**, affecting 1.0 acre, receiving stream—none. Permit issued July 20, 2000.

Greensburg District Office, R. R. 2, Box 603-C, Greensburg, PA 15601.

Noncoal (Industrial Minerals) Permits Issued

0381201. Allegheny River Land Company, Inc. (P. O. Box 188, Ivel, KY 41642). NPDES renewal issued for continued treatment of discharges associated with a mine drainage treatment facility located in Cadogan Township, **Armstrong County**. Receiving streams: Bruner Run to the Allegheny River. Application received: June 9, 2000. Renewal issued: July 18, 2000.

366M010. Allegheny River Land Company, Inc. (P. O. Box 188, Ivel, KY 41642). NPDES Renewal issued

for continued treatment of discharges associated with a mine drainage treatment facility located in South Buffalo Township, **Armstrong County**. Receiving streams: unnamed tributary to the Allegheny River. Application received: June 9, 2000. Permit issued: July 18, 2000.

Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2454.

Noncoal Permits Issued

8073SM5C7. Gill Quarries, Inc. (P. O. Box 187, Fairview Village, PA 19049), renewal and correction of NPDES Permit No. PA0013731 in East Norriton Township, **Montgomery County**, receiving stream—tributary to West Branch of Stoney Creek. Renewal issued July 17, 2000.

19940301C. Zeisloft Construction Company (P. O. Box 338, Bloomsburg, PA 17815), correction to an existing quarry operation in Orange Township, **Columbia County** affecting 8.8 acres, receiving stream—none. Correction issued July 17, 2000.

7273SM8C4. Lehigh Asphalt Paving & Construction Company (P. O. Box 549, Tamaqua, PA 18252), correction to an existing quarry operation for a stream crossing in West Penn Township, **Schuylkill County** affecting 237.0 acres, receiving stream—Lizard Creek. Permit issued July 18, 2000.

Knox District Office, P. O. Box 669, Knox, PA 16232.

25950301. Hoover Sand & Gravel Co., Inc. (13053 Route 89, Wattsburg, PA 16442). Revision to an existing sand and gravel operation to allow mining deeper into the water table in Venango Township, **Erie County**. Receiving streams: Unnamed tributary to Bailey Brook and Bailey Brook. Application Received: January 27, 2000. Permit Issued: July 14, 2000.

25950301. Hoover Sand & Gravel Co., Inc. (13053 Route 89, Wattsburg, PA 16442). Revision to an existing sand and gravel operation to add dry crushing and screening processing facilities in Venango Township, **Erie County**. Receiving streams: Unnamed tributary to Bailey Brook and Bailey Brook. Application Received: January 27, 2000. Permit Issued: July 14, 2000.

302739-25950301-E-2. Hoover Sand & Gravel Co., Inc. (13053 Route 89, Wattsburg, PA 16442). Application for a stream encroachment to conduct mining activities within 100 feet and construct and maintain a haul road crossing over unnamed tributary No. 1 to Bailey Brook in Venango Township, **Erie County**. Receiving streams: Unnamed tributaries to Bailey Brook and Bailey Brook. Application Received: January 27, 2000. Permit Issued: July 14, 2000.

302739-25950301-E-3. Hoover Sand & Gravel Co., Inc. (13053 Route 89, Wattsburg, PA 16442). Application for a stream encroachment to conduct mining activities within 100 feet of Bailey Brook. This variance includes plans to construct and maintain a haul road crossing over Bailey Brook in Venango Township, **Erie County**. Receiving streams: Unnamed tributaries to Bailey Brook and Bailey Brook. Application Received: January 27, 2000. Permit Issued: July 14, 2000.

302739-25950301-E-4. Hoover Sand & Gravel Co., Inc. (13053 Route 89, Wattsburg, PA 16442). Application for a stream encroachment to conduct mining activities within 100 feet of Bailey Brook, unnamed Tributary No. 2 to Bailey Brook, and unnamed Tributary No. 3 to Bailey Brook. Mining activities may be conducted no closer than 50 feet to the referenced streams for the purposes of

support facility construction and maintenance; however, no mineral extraction may be conducted closer than 100 feet in Venango Township, **Erie County**. Receiving streams: Unnamed tributaries to Bailey Brook and Bailey Brook. Application Received: January 27, 2000. Permit Issued: July 14, 2000.

302739-25950301-E-1. Hoover Sand & Gravel Co., Inc. (13053 Route 89, Wattsburg, PA 16442). Application for a stream encroachment to conduct mining activities within 100 feet but no closer than 50 feet to Bailey Brook for the purposes of support facility construction and maintenance in Venango Township, **Erie County**. No mineral extraction may be conducted closer than 100 feet. Receiving streams: Unnamed tributaries to Bailey Brook and Bailey Brook. Application Received: January 27, 2000. Permit Issued: July 14, 2000.

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 Dam Safety and Encroachment 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)).

Persons aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, 400 Market Street, Floor 2, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of the written receipt 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 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.

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 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.)

Northeast Regional Office: Soils and Waterways Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

E40-525. Encroachment. **David E. and Denise J. Puterbaugh**, 55 Tanager Way, Mountaintop, PA 18707-1845. To place fill in a de minimis area of wetlands equal to 0.02 acre, within the drainage basin of the Little Wapwallopen Creek for the purpose of regrading a residential lot. The project is located on Lot 23, Woodland Estates (Wilkes-Barre, West, PA Quadrangle N: 4.8 inches; W: 6.5 inches) in Rice Township, **Luzerne County**.

E40-541. Encroachment. **Pennsylvania Department of Transportation**, District 4-0, P. O. Box 111, Scranton, PA 18501. To remove the existing structure and to construct and maintain a 20-foot × 11-foot, 6-inch concrete box culvert, depressed 1.0 foot below streambed elevation; to construct and maintain a 24-inch and 36-inch diameter stormwater outfall structure; to regrade the channel of Laurel Run Creek for a distance of 50-feet upstream and 70-feet downstream. The project is located at S. R. 0315, Section 370, Segment 0050, Offset 0000 and Laurel Run Creek (Pittston, PA Quadrangle N: 0.7 inch; W: 10.5 inches) in Plains Township, **Luzerne County**.

E40-553. Encroachment. **Pennsylvania Department of Transportation**, District 4-0, P. O. Box 111, Scranton, PA 18501-0111. To remove the existing structure and to construct and maintain a single span pre-stressed spread box beam bridge having a normal span of 20-feet with an underclearance of 10-feet, 2-inches over Solomons Creek; to remove the existing retaining wall and to construct and maintain a concrete retaining wall 45-foot long and approximately 10-feet high along the left bank of Solomons Creek; to remove an existing residential structure in the floodway of Solomons Creek and to place approximately 60 feet of R-8 riprap for bank protection located along the right bank of Solomons Creek. The project is known as the S. R. 2010, Section 371 Solomons Creek Bridge Replacement (Wilkes-Barre West, PA Quadrangle N: 15.7 inches; W: 3.6 inches) and is located in the Borough of Ashley, **Luzerne County**.

E64-194. Encroachment. **Stephen J. Simpson**, Box 85, Lakewood, PA 18439. To place fill and/or excavate in 0.18 acre of wetlands, within the drainage basin of Equinunk Creek, for the purpose of constructing a pond. The project is located approximately 4,500 feet southeast of the intersection of S. R. 0247 and T-684 (Lake Como, PA-NY Quadrangle N: 9.3 inches; W: 10.3 inches), in Preston Township, **Wayne County**. Issuance of this permit also constitutes approval of the environmental assessment for a nonjurisdictional dam. The permittee is required to provide 0.80 acre of replacement wetlands.

E64-210. Encroachment. **Wayne County Commissioners**, Wayne County Courthouse Annex, 925 Court Street, Honesdale, PA 18431. To remove the existing structure and to construct and maintain a prestressed concrete adjacent box beam bridge, having a clear normal span of 47.9 feet and an average underclearance of approximately 6.8 feet, across Equinunk Creek. The project includes the construction and maintenance of two 18-inch CPP stormwater outfalls along Equinunk Creek, and the placement of fill in a de minimis area of wetlands, less than 0.01 acre. The bridge, known as the Magee Bridge (Wayne County Bridge No. 3), is located along Township Road T-608 (High Lake Road), approximately 0.7 mile east of the intersection of T-608 and S. R. 0247 (Lake Como, PA-NY Quadrangle N: 10.8 inches; W: 9.5 inches), in Buckingham Township, **Wayne County**.

Southcentral Regional Office: Section Chief, Water Management Program, Soils and Waterways Section, 909 Elmerton Avenue, 2nd Floor, Harrisburg, PA 17110, (717) 705-4707.

E31-160. Encroachment. **PennDot District 9-0**, 1620 Juniata Street, Hollidaysburg, PA 16648. To (1) construct and maintain a 433 square foot, 6-inch thick concrete slab in the inlet, outlet and bottom of existing single span I-beam bridge having a normal span of 8.44 feet and an underclearance of 7.5 feet across the West Branch of Roaring Run (HQ-CWF); (2) construct a temporary access

road in the floodway of the stream to allow equipment access to the construction site; (3) construct a temporary cofferdam with 3.0 foot diameter PVC bypass pipe in the stream channel both upstream and downstream of the bridge to control stream flow during construction; and, (4) construct a temporary R-4 rock filter just below the downstream cofferdam for an outlet of a temporary bypass pipe to convey stream flow around the construction site all for the purpose of protecting the bridge's abutments from channel scouring located on SR 3021, Segment 0090, Offset 0000 (Sattilo, PA Quadrangle N: 11.72 inches; W: 9.69 inches) in Wood Township, **Huntingdon County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E36-688. Encroachment. **Mark Burkhead**, PA Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103. To remove the existing structure, construct and maintain a reinforced precast concrete box culvert having a 20-foot clear span with a 3.5-foot underclearance in an unnamed tributary to the West Branch Little Conestoga Creek (TSF) on SR 3017, Segment 0250, Offset 1167 (Safe Harbor, PA Quadrangle N: 21 inches; W: 4.7 inches) in Manor Township, **Lancaster County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

Northcentral Region, Water Management—Soils and Waterways, F. Alan Sever, Chief, 208 West Third St., Williamsport, PA 17701.

E08-353. Encroachment. **Athens Township Authority**, 379 Pennsylvania Avenue, South Waverly, PA 18840. To excavate and to temporarily disturb 0.195 acre in a 18.5 acre palustrine emergent wetland system for the purpose of placing a water main serving a water supply tank. The water supply tank will supply fire and domestic flows to the surrounding area and to the Valley Business Park. The project is located approximately 1.5 miles west of the SR 220/SR 4022 intersection, on the north side of SR 4020 Mile Lane Road, (Sayre, PA Quadrangle N: 21"; W: 10.5") in Athens Township, **Bradford County**. Restoration of the temporary road (revoked GP#8) crossing the 18.5 acre wetland is to be accomplished within 60 days after signing this permit.

E14-362. Encroachment. **Edward Sherman**, Chairperson, East Nittany Valley Joint Municipal Authority, P. O. Box 314, Lamar, PA 16848. To construct and maintain a total of 19 sewer line crossings and 6 pump stations. The crossings will consist of one 10-inch line, eleven 8-inch lines, one 4-inch line, three 3-inch lines, and three 2-inch lines. There are three methods of installation consisting of boring at a minimum of 3 feet under the stream, hanging the line from an existing bridge, or using an open trench. If the open trench method is utilized, the work will be completed when the stream is dry. The crossings will be through Fishing Creek, Little Fishing Creek, Cedar Run, Long Run, Roaring Run, and Axe Factory Hollow. The project's centralized location is at the intersection of SR 80 and SR 64 (Beech Creek, PA Quadrangle N: 5.65 inches; W: 2.69 inches) in Porter Township, **Clinton County**.

E17-337. Encroachment. **Clearfield Borough Council**, 14 Front Street, Clearfield, PA 16830. To construct and maintain eight intake structures for dry hydrants in the West Branch Susquehanna River located at various locations along the east and west river banks from 422 feet north of the Nichols Street bridge to 3,695 south of the Market Street bridge (Clearfield, PA Quadrangle

N: 4.0 inches; W: 9.2 inches) in the Borough of Clearfield, **Clearfield County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E17-338 Denied. Encroachment. **Seth Cowder**, R. R. 1, Box 98, Woodland, PA 16881. To construct and maintain a culvert crossing consisting of three pipes, 36 inches in diameter, in Jake Run to access a proposed residential development. This crossing is located off Mutton Hollow Road approximately 1,500 feet south of Route 970 (Wallaceton, PA Quadrangle N: 19.0 inches; W: 13.1 inches) in Bradford Township, **Clearfield County**. Estimated stream disturbance is 50 feet; stream classification is CWF.

E18-289. Encroachment. **Edward Sherman, Chairperson**, East Nittany Valley Joint Municipal Authority, P. O. Box 314, Lamar, PA 16848. To construct and maintain a total of 19 sewer line crossings and 6 pump stations. The crossings will consist of one 10-inch line, eleven 8-inch lines, one 4-inch line, three 3-inch lines, and three 2-inch lines. There are three methods of installation consisting of boring at a minimum of 3 feet under the stream, hanging the line from an existing bridge, or using an open trench. If the open trench method is utilized, the work will be completed when the stream is dry. The crossings will be through Fishing Creek, Cedar Run, Long Run and Axe Factory Hollow. The project's centralized location is at the intersection of SR 80 and SR 64 (Beech Creek, PA Quadrangle N: 5.65 inches; W: 2.69 inches) in Porter Township, **Clinton County**. This permit was issued under section 105.13(e) "Small Projects."

E41-457. Encroachment. **Bernard Bredbenner**, 1701 Princeton Avenue, Williamsport, PA 17701. To construct and maintain a culvert, 42 inches in diameter and 98 feet long, in an unnamed tributary to Lycoming Creek and 44 feet of R-5 riprap protection downstream for a private road located off Wheatland Avenue approximately 500 feet west of Princeton Avenue (Cogan Station, PA Quadrangle N: 0.5 inch; W: 8.2 inches) in Old Lycoming Township, **Lycoming County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E60-141. Encroachment. **Paul E. Heise, Dist. Engineer**, PA Dept. of Transportation, P. O. Box 218, Montoursville, PA 17754. To maintain a 320 foot, 48 inch reinforced concrete pipe enclosure in addition to the inlet and outlet wing walls and rock protection. This project is located 1 mile north of White Deer along SR 15 (Allenwood, PA Quadrangle N: 15.9 inches; W: .5 inch) in White Deer Township, **Union County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

Southwest Regional Office: Soils and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permits Issued

E04-271. Encroachment. **First Energy Nuclear Operating Company**, 76 South Main Street, Akron, OH 44308. To repair, operate and maintain an existing 17'11" by 11' 8" metal pipe arch approximately 156' long and an existing 15' diameter cm pipe approximately 1,788' long in Peggs Run (WWF). The work includes removing rocks and debris from the culverts and installing a 6" to 8" thick reinforced concrete lining in the bottom of the culverts. This permit also authorizes the construction and maintenance of a 100' long by 35' wide and 4' deep settling pond located at the upstream end of the culverts

in Peggs Run. The culverts start at a point approximately 575 feet from the confluence of Peggs Run and the Ohio River and extends upstream approximately 1,944' (Hookstown, PA Quadrangle N: 22.2 inches; W: 7.2 inches) in the Borough of Shippingport, **Beaver County**. Note the 17'11" by 11'8" metal pipe arch and the 15" diameter cm pipe were originally permitted under Permits 18772 and 0477723, respectively. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E11-282. Encroachment. **Pennsylvania Department of Transportation**, 1620 North Juniata Street, Hollidaysburg, PA 16648. To remove a 20.0 meter deteriorated section of an existing 4.3 meter \times 1.6 meter box culvert and to construct and maintain a 33.0 meter long, 4.3 meter \times 1.6 meter concrete box culvert extension at the downstream end of the existing culvert in Cherry Run (WWF) for the purpose of improving transportation safety. The project is located on S. R. 3011, Section 02B, Segment 50, Offset 0900 (Johnstown, PA Quadrangle N: 9.6 inches; W: 6.6 inches) in the City of Johnstown, **Cambria County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E63-488. Encroachment. **Canonsburg-Houston Joint Authority**, 68 East Pike Street, Canonsburg, PA 15317. To construct and maintain a stream bank stabilization project along the banks of the Chartiers Creek for the purpose of constructing the Chartiers Creek Interceptor Sewer project beginning approximately 200 feet upstream from the Canonsburg-Houston Joint Authority Sewage Pump Station and ending approximately 8,600 feet upstream at Strabane Avenue (Canonsburg, PA Quadrangle N: 2.8 inches; W: 6.6 inches) in North Strabane Township, and Canonsburg Borough, **Washington County**. This permit was issued under section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E65-723. Encroachment. **BAR Development Company**, 772 Pine Valley Drive, Pittsburgh, PA 15239. To construct and maintain a 179-foot long, 6-foot diameter CMP stream enclosure (invert depressed 1 foot) in an unnamed tributary to Turtle Creek (TSF) on the proposed Watersedge Court located in the proposed Lake Ridge Estates at a point approximately 450 feet north of Cline Hollow Road (T-913); and to place and maintain fill in 0.03 acre of de minimis area of wetlands (PEM). The project includes a total of 328 L. F. stream realignment at the structure's approaches (Murrysville, PA Quadrangle N: 10.6 inches; W: 3.6 inches) in the Borough of Murrysville, **Westmoreland County**.

Southwest Regional Office: Soil and Waterways Section, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

E65-757. Encroachment. **Municipality of Murrysville**, 4100 Sardis Road, Murrysville, PA 15668. To construct and maintain a pedestrian/bicycle bridge having a clear span of 69.0 feet and an underclearance of 9.0 feet across Turtle Creek (TSF) located in Duff Park at a point approximately 2,400 feet upstream of Pleasant Valley Road Bridge (Murrysville, PA Quadrangle N: 8.8 inches; W: 9.6 inches) in the Municipality of Murrysville, **Westmoreland 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.

E25-607. Encroachment. **Edinboro Properties, L. P.**, 609 Alexander Street, Pittsburgh, PA 15220. To fill a total of 0.37 acre of two wetland areas for construction of the Washington Towne Center commercial retail development south of S. R. 0006N immediately east of I-79 (Edinboro North, PA Quadrangle N: 0.6 inch; W: 6.5 inches) in Washington Township, **Erie County**. This project provides for replacement of 0.37 acre of wetlands through a contribution to the Pennsylvania Wetland Replacement Fund.

E43-284. Encroachment. **Mercer County Commissioners**, 503 Mercer County Courthouse, Mercer, PA 16137. To remove the existing County Bridge No. 813 and to construct and maintain a reinforced concrete adjacent box beam bridge having a clear span of 39.25 feet and an underclearance of 9.5 feet on a 75 degree skew across a tributary to Shenango River on T-470 (Hamburg Road) approximately 0.25 mile north of S. R. 4003 (Sharpsville, PA Quadrangle N: 22.3 inches; W: 2.6 inches) in Hempfield Township, **Mercer County**.

E61-236. Encroachment. **Pennsylvania Electric Company d/b/a GPU Energy**, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19640-0001. To install and maintain a fiber optic cable within a conduit attached to the upstream side of the existing 8th Street Bridge (S. R. 0322) across the Allegheny River (Franklin, PA Quadrangle N: 2.6 inches; W: 9.5 inches) located in Franklin City, Cranberry and Sandy Creek Townships, **Venango County**.

E62-353. Encroachment. **Judith Morley**, 210 River Road, Warren, PA 16365. To operate and maintain a private boat landing consisting of a 30-foot-long, 10-foot-wide by 4-foot high solid fill pier with railroad tie retaining wall within the 100-year floodway and along the Allegheny River at 210 River Road approximately 700 feet east of Preston Road (Warren, PA Quadrangle N: 15.8 inches; W: 10.0 inches) located in Conewango Township, **Warren County**.

E62-364. Encroachment. **City of Warren**, 318 West 3rd Street, Warren, PA 16365. To operate and maintain a 48-inch-diameter stormwater outfall with gabion basket headwall and scour protection constructed under Emergency Permit No. EP6200601 along the right (north) bank of the Allegheny River approximately 1 mile upstream of the confluence of Conewango Creek at Parker Street (Warren, PA Quadrangle N: 15.0 inches; W: 1.1 inches) in the City of Warren, **Warren County**.

ENVIRONMENTAL ASSESSMENT

Environmental Assessment Approvals and Actions on 401 Certifications

EA33-006NW. Environmental Assessment. **ACV Power Corporation**, 403 Main Street, P. O. Box 402, Emlenton, PA 16373-0402. To remove deep mine waste rock and coal cleanings from along the watercourse and within the floodway of a 650 linear foot reach of a Tributary to Soldier Run (CWF). The removal of this spoil material will improve the water quality of this Tributary to Soldier Run and restore the water course and floodway to more natural conditions. This project is located along a reach of a Tributary to Soldier Run approximately 1,500 feet northwest of the Village of Soldier (DuBois, PA Quadrangle N: 12.3 inches; W: 133.7 inches) located in Winslow Township, **Jefferson County**.

EA10-012NW. Environmental Assessment. **Streams Restorations, Inc.**, 3016 Unionville Road, Cranberry Township, PA 16066. To collect five separate acid mine discharges, impact approximately 0.33 acre of wetland

area, construct a 440-ton anoxic limestone drain, and to construct a total of approximately 3.95 acres in six separate passive treatment wetlands to restore water quality to a Tributary to Seaton Run. This project is known as the Goff Station Restoration Project located approximately 8,000 feet southwest of Kohlmeyer Corners (Eau Claire, PA Quadrangle N: 1.3 inches; W: 16.9 inches) located in Venango Township, **Butler County**.

[Pa.B. Doc. No. 00-1328. Filed for public inspection August 4, 2000, 9:00 a.m.]

Alternative Fuels Incentive Grant (AFIG) Program Opportunity Notice

The Department of Environmental Protection (DEP) Bureau of Air Quality announces Cycle 8 of a program to promote and expand the use of alternative transportation fuels and fuel systems such as compressed natural gas (CNG), liquefied natural gas (LNG), liquid propane gas (LPG), ethanol (E85), methanol (M85), hydrogen, hythane, electricity, coal-derived liquid fuels and fuels derived from biological materials. Grant funds can be used to convert an existing gasoline vehicle to operate on an alternative fuel, to pay for the difference between an alternative fuel vehicle and a conventional gasoline or diesel vehicle, to purchase and install a refueling or recharging facility, or to evaluate new alternative fuel technologies. Eligible applicants for incentive grants are schools and vocational school districts, municipal authorities, counties, cities, boroughs, incorporated towns, townships, county institution districts, corporations, partnerships, nonprofit entities and Commonwealth residents. Grants awarded in this funding cycle will cover up to 30% of the applicant's eligible costs. An application package, which provides more details on the program, can be obtained from the Department of Environmental Protection, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, by contacting the office at (717) 772-3429 or by e-mail at defrain.karen@dep.state.pa.us. Persons may fax their requests to (717) 772-2303, Attn: AFIG. The application package is electronically available on DEP's website at www.dep.state.pa.us (directLINK "Alternative Fuels"). The deadline for submitting a Cycle 8 application to the DEP is October 2, 2000.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 00-1329. Filed for public inspection August 4, 2000, 9:00 a.m.]

Availability of Technical Guidance

Technical Guidance Documents are on DEP's World Wide Web site (www.dep.state.pa.us) at the Public Participation Center. The "July 2000 Inventory" heading is the Governor's List of Non-regulatory Documents. 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. The "Draft Technical Guidance" heading is the link to DEP's draft technical guidance documents.

DEP will continue to revise its documents, as necessary, throughout 2000.

Downloading/Ordering Paper Copies of DEP Technical Guidance

Persons can download all guidance documents from our website at www.dep.state.pa.us. We strongly encourage utilizing Internet access for viewing documents whenever possible. If you do not have access to the Internet, copies of the latest Inventory or an unbound paper copy of any of the final documents listed on the Inventory can be ordered by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Please 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 any questions or comments about a particular document should call the contact person whose name and phone number are listed with each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

Draft Guidance

DEP ID: 383-0400-114 Title: Capacity Enhancement Program Description: The purpose of the guidance is to establish a rational methodology to implement, track and allocate appropriate resources needed to meet the Federal requirements to develop a state capacity enhancement strategy for all public water systems. Comment Period Ends: September 5, 2000 Anticipated Effective Date: October 1, 2000 Contact: Trudy Troutman (717) 783-3795, fax (717) 772-4474 or e-mail at Trudy@dep.state.pa.us.

JAMES M. SEIF,
Secretary

[Pa.B. Doc. No. 00-1330. Filed for public inspection August 4, 2000, 9:00 a.m.]

DEPARTMENT OF HEALTH

Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health under sections 301 and 317 of the Public Health Service Act, as amended, 42 U.S.C.A. §§ 241(a) and 247(b), will hold a public meeting on Wednesday, August 16 and Thursday, August 17, 2000.

The meeting will be held at the Sheraton Inn Harrisburg East, 800 East Park Avenue, Harrisburg, PA, 17111, from 9 a.m. to 3 p.m.

For additional information please contact Thomas M. DeMelfi, Department of Health, Bureau of HIV/AIDS, P. O. Box 90, Room 912, Health and Welfare Building, Harrisburg, PA 17108, (717) 783-0574.

Persons with a disability who desire to attend the meeting, and require an auxiliary aid service or other accommodation to do so, should also contact Thomas DeMelfi at (717) 783-0574 or at V/TT (717) 783-6514 for

speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 00-1331. Filed for public inspection August 4, 2000, 9:00 a.m.]

Notice of Request for Exceptions

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 201.18(e) (relating to management):

Transitional Care Unit
2500 Seventh Avenue
Altoona, PA 16602

Grand View Hospital Skilled Nursing Facility
700 Lawn Avenue
Sellersville, PA 18960

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Harmar Village Care Center
715 Freeport Road
Cheswick, PA 15024

Liberty Court, Genesis Eldercare Network
1526 Lombard Street
Philadelphia, PA 19146

ManorCare Health Services-Bethlehem II
2029 Westgate Drive
Bethlehem, PA 18017

ManorCare Health Services-Yardley
1480 Oxford Valley Road
Yardley, PA 19067-5602

The Bethlen Home
125 Kalassay Drive
Ligonier, PA 15658-8726

ManorCare Health Services-Carlisle
940 Walnut Bottom Road
Carlisle, PA 17013

ManorCare Health Services-Elizabethtown
320 South Market Street
Elizabethtown, PA 17022

Somerset Patriot Manor
495 W. Patriot Street
Somerset, PA 15501

Stonebridge Health and Rehabilitation Center
102 Chandra Drive
Duncannon, PA 17020

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.71 (relating to bed and furnishings):

Denver Nursing Home
400 Lancaster Avenue
Stevens, PA 17578

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.12(e) (relating to nursing services):

Bear Creek Health Care Center
Route 115, P. O. Box 58
Bear Creek, PA 18602

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from:

Division of Nursing Care Facilities
Room 526, Health and Welfare Building
Harrisburg, PA 17120
(717) 787-1816
Fax: (717) 772-2163

E-Mail Address: PAEXCEPT@HEALTH.STATE.PA.US

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address listed.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aide service or other accommodation to do so, should contact V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 [TT].

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 00-1332. Filed for public inspection August 4, 2000, 9:00 a.m.]

Preventive Health and Health Services Block Grant Advisory Committee Meeting

The Preventive Health and Health Services (PHHS) Block Grant Advisory Committee will hold a public meeting on Thursday, August 17, 2000, from 10 a.m. to 2:30 p.m. The meeting will be held in Room 812 of the Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA.

For additional information, contact Emilie M. Tierney, Director, Bureau of Chronic Diseases and Injury Prevention, Room 933, Health and Welfare Building, Harrisburg, PA (717) 787-6214.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact Terry L. Walker, Administrative Officer, at (717) 787-6214. V/TT (717) 783-6514 for speech and/or hearing-impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

ROBERT S. ZIMMERMAN, Jr.,
Secretary

[Pa.B. Doc. No. 00-1333. Filed for public inspection August 4, 2000, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The following contractors referenced have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these firms or persons, or any firms, corporations or partnerships in which the firms or persons have an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Robert Mueller, individually and d/b/a Mueller Custom Contracting (Fed. ER ID Tax No. 25-1572125)	1337 Valley View Road Bellevonte, PA 16823	June 19, 2000
Peter Celender (Fed ER Tax ID No. 25-1725623)	c/o Blue Eagle Construction 44 McKnight Street Pittsburgh, PA 15220	June 19, 2000
Irwin Pearlman, a/k/a Irv Pearlman, individually, and d/b/a Pearlman Demolition (Fed. ER Tax ID No. 25-1593522)	5841 Morrowfield Avenue Pittsburgh, PA 15217	June 29, 2000
Ferguson Electric Co., Inc. (Fed. ER Tax ID No. 6-0839579)	112 Northwest Drive Plainville, CT 06062	July 13, 2000

JOHNNY J. BUTLER,
Secretary

[Pa.B. Doc. No. 00-1334. Filed for public inspection August 4, 2000, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Lucky Dog Doubler Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Lucky Dog Doubler.

2. *Price:* The price of a Pennsylvania Lucky Dog Doubler instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Lucky Dog Doubler instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$8⁰⁰ (EGT DOL), \$10⁰⁰ (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$80\$ (EIGHTY), \$500 (FIV HUN), \$5,000 (FIV THO) and a Fire Hydrant Symbol (HYDRNT).

4. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$4, \$5, \$8, \$10, \$20, \$40, \$80, \$500 and \$5,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 10,773,000 tickets will be printed for the Pennsylvania Lucky Dog Doubler instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$5,000 (FIV THO) in the play area on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets with three matching play symbols of \$500 (FIV HUN) in the play area on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets with three matching play symbols of \$80\$ (EIGHTY) in the play area on a single ticket, shall be entitled to a prize of \$80.

(d) Holders of tickets with two matching play symbols of \$40\$ (FORTY) and a Fire Hydrant (HYDRNT) play symbol in the play area on a single ticket, shall be entitled to a prize of \$80.

(f) Holders of tickets with three matching play symbols of \$40\$ (FORTY) in the play area on a single ticket, shall be entitled to a prize of \$40.

(g) Holders of tickets with two matching play symbols of \$20\$ (TWENTY) and a Fire Hydrant (HYDRNT) play symbol in the play area on a single ticket, shall be entitled to a prize of \$40.

(h) Holders of tickets with three matching play symbols of \$20\$ (TWENTY) in the play area on a single ticket, shall be entitled to a prize of \$20.

(i) Holders of tickets with two matching play symbols of \$10⁰⁰ (TEN DOL) and a Fire Hydrant (HYDRNT) play symbol in the play area on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets with three matching play symbols of \$10⁰⁰ (TEN DOL) in the play area on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets with two matching play symbols of \$5⁰⁰ (FIV DOL) and a Fire Hydrant (HYDRNT) play symbol in the play area on a single ticket, shall be entitled to a prize of \$10.

(l) Holders of tickets with three matching play symbols of \$8⁰⁰ (EGT DOL) in the play area on a single ticket, shall be entitled to a prize of \$8.

(m) Holders of tickets with two matching play symbols of \$4⁰⁰ (FOR DOL) and a Fire Hydrant (HYDRNT) play symbol in the play area on a single ticket, shall be entitled to a prize of \$8.

(n) Holders of tickets with three matching play symbols of \$5⁰⁰ (FIV DOL) in the play area on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets with three matching play symbols of \$4⁰⁰ (FOR DOL) in the play area on a single ticket, shall be entitled to a prize of \$4.

(p) Holders of tickets with two matching play symbols of \$2.⁰⁰ (TWO DOL) and a Fire Hydrant (HYDRNT) play symbol in the play area on a single ticket, shall be entitled to a prize of \$4.

(q) Holders of tickets with three matching play symbols of \$2.⁰⁰ (TWO DOL) in the play area on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets with two matching play symbols of \$1.⁰⁰ (ONE DOL) and a Fire Hydrant (HYDRNT) play

symbol in the play area on a single ticket, shall be entitled to a prize of \$2.

(s) Holders of tickets with three matching play symbols of \$1.⁰⁰ (ONE DOL) in the play area on a single ticket, shall be entitled to a prize of \$1.

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</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 10,773,000 Tickets</i>
3-\$1	\$1	1:10	1,077,300
2-\$1 + FH	\$2	1:18.75	574,560
3-\$2	\$2	1:50	215,460
2-\$2 + FH	\$4	1:50	215,460
3-\$4	\$4	1:100	107,730
3-\$5	\$5	1:150	71,820
2-\$4 + FH	\$8	1:200	53,865
3-\$8	\$8	1:600	17,955
2-\$5 + FH	\$10	1:150	71,820
3-\$10	\$10	1:600	17,955
2-\$10 + FH	\$20	1:1,002	10,755
3-\$20	\$20	1:1,496	7,200
2-\$20 + FH	\$40	1:2,850	3,780
3-\$40	\$40	1:11,970	900
2-\$40 + FH	\$80	1:8,255	1,305
3-\$80	\$80	1:23,940	450
3-\$500	\$500	1:119,700	90
3-\$5,000	\$5,000	1:1,077,300	10

FH (Fire Hydrant) = Double

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Lucky Dog Doubler 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 Lucky Dog Doubler, prize money from winning Pennsylvania Lucky Dog Doubler 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 Lucky Dog Doubler 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. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (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. The announcement will be disseminated through media used to advertise or promote

Pennsylvania Lucky Dog Doubler or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 00-1335. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Lucky Numbers Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Lucky Numbers.

2. *Price:* The price of a Pennsylvania Lucky Numbers instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Lucky Numbers instant lottery game ticket will feature a “Your Numbers” area, a “Lucky Numbers” area and a “Bonus Number Match” area. The play symbols and their captions located

in the "Your Numbers" area, the "Lucky Numbers" area and the "Bonus Number Match" area are: 3 (THREE), 4 (FOUR), 6 (SIX), 7 (SEVEN), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENTY), 21 (TWYONE), 22 (TWYTWO) and 23 (TWYTHR).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the "Your Numbers" area are: \$1.⁰⁰ (ONE DOL), \$2.⁰⁰ (TWO DOL), \$3.⁰⁰ (THR DOL), \$5.⁰⁰ (FIV DOL), \$7.⁰⁰ (SVN DOL), \$10.⁰⁰ (TEN DOL), \$17\$ (SVNTN), \$25\$ (TWY FIV), \$34\$ (TRY FOR), \$51\$ (FTY ONE), \$100 (ONE HUN), \$1,000 (ONE THO), \$2,500 (TWYFIVHUN) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$5, \$7, \$10, \$17, \$25, \$34, \$51, \$100, \$1,000, \$2,500 and \$25,000. The player can win up to eight times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 6,240,000 tickets will be printed for the Pennsylvania Lucky Numbers instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$25,000 (TWYFIVTHO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$2,500 (TWYFIVHUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(c) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$1,000 (ONE THO) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$100 (ONE HUN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$51\$ (FTY ONE) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$51.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$34\$ (TRY FOR) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$34.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$25\$ (TWY FIV) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$17\$ (SVNTN) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$17.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$10.⁰⁰ (TEN DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$7.⁰⁰ (SVN DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$7.

(k) Holders of tickets with two matching play symbols in the "Bonus Number Match" area on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$5.⁰⁰ (FIV DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$3.⁰⁰ (THR DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$3.

(n) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$2.⁰⁰ (TWO DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(o) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Lucky Numbers" play symbols and a prize play symbol of \$1.⁰⁰ (ONE DOL) appears under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

Match Any Of Your
Numbers To Either
Lucky Number
Or Match In
The Bonus With
Prize(s) Of:

	Win	Approximate Odds	Approximate No. of Winners Per 6,240,000 Tickets
\$1 x 2	\$2	1:8.33	748,800
\$2	\$2	1:25.86	241,280
\$1 x 3	\$3	1:75	83,200
\$3	\$3	1:25	249,600
\$3 + \$2	\$5	1:214.29	29,120
\$2 x 2 + \$1	\$5	1:300	20,800
\$2 + \$1 x 3	\$5	1:300	20,800
\$5	\$5	1:500	12,480
\$5 (BONUS)	\$5	1:75	83,200
\$5 + \$2	\$7	1:166.67	37,440
\$3 x 2 + \$1	\$7	1:750	8,320
\$2 x 2 + \$2 + \$1	\$7	1:500	12,480
\$7	\$7	1:500	12,480
\$5 (BONUS) + \$2	\$7	1:75	83,200
\$7 + \$3	\$10	1:375	16,640
\$5 + \$3 + \$2	\$10	1:750	8,320
\$3 x 2 + \$2 + \$1 x 2	\$10	1:1,500	4,160
\$10	\$10	1:1,500	4,160
\$5 (BONUS) + \$3 + \$2	\$10	1:750	8,320
\$10 + \$7	\$17	1:1,500	4,160
\$7 x 2 + \$3	\$17	1:1,500	4,160
\$5 x 2 + \$3 x 2 + \$1	\$17	1:1,500	4,160
\$17	\$17	1:1,500	4,160
\$5 (BONUS) + \$5 x 2 + \$2	\$17	1:1,500	4,160
\$17 + \$7 + \$1	\$25	1:1,500	4,160
\$10 + \$7 + \$5 + \$3	\$25	1:1,500	4,160
\$5 x 2 + \$3 x 3 + \$2 x 3	\$25	1:1,500	4,160
\$25	\$25	1:1,500	4,160
\$5 (BONUS) + \$10 x 2	\$25	1:250	24,960
\$25 + \$7 + \$2	\$34	1:4,000	1,560
\$17 + \$10 + \$7	\$34	1:4,000	1,560
\$10 + \$7 x 2 + \$5 x 2	\$34	1:4,000	1,560
\$7 x 3 + \$5 x 2 + \$3	\$34	1:4,000	1,560
\$5 x 6 + \$2 x 2	\$34	1:3,000	2,080
\$34	\$34	1:12,000	520
\$5 (BONUS) + \$25 + \$3 + \$1	\$34	1:1,200	5,200
\$34 + \$17	\$51	1:12,000	520
\$25 x 2 + \$1	\$51	1:12,000	520
\$17 x 2 + \$10 + \$7	\$51	1:3,000	2,080
\$10 x 4 + \$5 x 2 + \$1	\$51	1:6,000	1,040
\$51	\$51	1:30,000	208
\$100	\$100	1:6,000	1,040
\$1,000	\$1,000	1:60,000	104
\$1,000 x 2 + \$100 x 5	\$2,500	1:1,040,000	6
\$2,500	\$2,500	1:3,120,000	2
\$25,000	\$25,000	1:1,040,000	6

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Lucky Numbers instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Lucky Numbers, prize money from winning Pennsylvania Lucky Numbers 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 Lucky Numbers 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.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Lucky Numbers or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 00-1336. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Play to Win Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Play To Win.

2. *Price:* The price of a Pennsylvania Play To Win instant lottery game ticket is \$1.00.

3. *Play Symbols:* Each Pennsylvania Play To Win instant lottery game ticket will contain one play area. The play symbols and their captions located in the play area are: a FREE Symbol (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$35\$ (TRY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$4,000 (FOR THO).

4. *Prizes:* The prizes that can be won in this game are one free ticket, \$1, \$2, \$3, \$4, \$5, \$10, \$15, \$20, \$25, \$35, \$50, \$100, \$400 and \$4,000.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 10,773,000 tickets will be printed for the Pennsylvania Play To Win instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching play symbols of \$4,000 (FOR THO) in the play area on a single ticket, shall be entitled to a prize of \$4,000.

(b) Holders of tickets with three matching play symbols of \$400 (FOR HUN) in the play area on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets with three matching play symbols of \$100 (ONE HUN) in the play area on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with three matching play symbols of \$50\$ (FIFTY) in the play area on a single ticket, shall be entitled to a prize of \$50.

(e) Holders of tickets with three matching play symbols of \$35\$ (TRY FIV) in the play area on a single ticket, shall be entitled to a prize of \$35.

(f) Holders of tickets with three matching play symbols of \$25\$ (TWY FIV) in the play area on a single ticket, shall be entitled to a prize of \$25.

(g) Holders of tickets with three matching play symbols of \$20\$ (TWENTY) in the play area on a single ticket, shall be entitled to a prize of \$20.

(h) Holders of tickets with three matching play symbols of \$15\$ (FIFTN) in the play area on a single ticket, shall be entitled to a prize of \$15.

(i) Holders of tickets with three matching play symbols of \$10⁰⁰ (TEN DOL) in the play area on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets with three matching play symbols of \$5⁰⁰ (FIV DOL) in the play area on a single ticket, shall be entitled to a prize of \$5.

(k) Holders of tickets with three matching play symbols of \$4⁰⁰ (FOR DOL) in the play area on a single ticket, shall be entitled to a prize of \$4.

(l) Holders of tickets with three matching play symbols of \$3⁰⁰ (THR DOL) in the play area on a single ticket, shall be entitled to a prize of \$3.

(m) Holders of tickets with three matching play symbols of \$2⁰⁰ (TWO DOL) in the play area on a single ticket, shall be entitled to a prize of \$2.

(n) Holders of tickets with three matching play symbols of \$1⁰⁰ (ONE DOL) in the play area on a single ticket, shall be entitled to a prize of \$1.

(o) Holders of tickets with three matching play symbols of FREE (TICKET) in the play area on a single ticket, shall be entitled to a prize of one Pennsylvania instant lottery game ticket of equivalent sale price which is currently on sale.

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>Match 3 Like Amounts With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 10,773,000 Tickets</i>
FREE	Ticket	1:10	1,077,300
\$1	\$1	1:12.24	879,795

*Match 3 Like
Amounts With
Prize(s) Of:*

<i>Match 3 Like Amounts With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 10,773,000 Tickets</i>
\$2	\$2	1:27.27	395,010
\$3	\$3	1:30	359,100
\$4	\$4	1:60	179,550
\$5	\$5	1:100	107,730
\$10	\$10	1:300	35,910
\$15	\$15	1:600	17,955
\$20	\$20	1:600	17,955
\$25	\$25	1:920.77	11,700
\$35	\$35	1:1,885	5,715
\$50	\$50	1:2,993	3,600
\$100	\$100	1:15,960	675
\$400	\$400	1:79,800	135
\$4,000	\$4,000	1:1,077,300	10

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Play To Win 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 Play To Win, prize money from winning Pennsylvania Play To Win 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 Play To Win 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. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (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. The announcement will be disseminated through media used to advertise or promote Pennsylvania Play To Win or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 00-1337. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Silver & Gold Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314), and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Silver & Gold.

2. *Price:* The price of a Pennsylvania Silver & Gold instant lottery game ticket is \$2.00.

3. *Play Symbols:* Each Pennsylvania Silver & Gold instant lottery game ticket will contain one play area

featuring a “Winning Numbers” area and a “Your Numbers” area. The play symbols and their captions located in the “Winning Numbers” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN) and 19 (NINTN). The play symbols and their captions located in the “Your Numbers” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and a Coin Symbol (COIN).

4. *Prize Play Symbols:* The prize play symbols and their captions located in the ten “Prize” areas are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in this game are \$1, \$2, \$3, \$4, \$5, \$10, \$25, \$50, \$100, \$1,000 and \$50,000. The player can win up to ten times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,440,000 tickets will be printed for the Pennsylvania Silver & Gold instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Winning Numbers” play symbols and a prize play symbol of \$50,000 (FTY THO) appears in the “Prize” area under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(b) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Winning Numbers” play symbols and a prize play symbol of \$1,000 (ONE THO) appears in the “Prize” area under the matching “Your Numbers” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the “Your Numbers” play symbols is a Coin Symbol (COIN) and a prize play symbol of \$100 (ONE HUN) appears in the “Prize” area under the Coin Symbol (COIN) play symbol, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets upon which any one of the “Your Numbers” play symbols matches either of the “Winning Numbers” play symbols and a prize play symbol of \$100 (ONE HUN) appears in the “Prize” area under the

matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Coin Symbol (COIN) and a prize play symbol of \$50\$ (FIFTY) appears in the "Prize" area under the Coin Symbol (COIN) play symbol, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$50\$ (FIFTY) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Coin Symbol (COIN) and a prize play symbol of \$25\$ (TWY FIV) appears in the "Prize" area under the Coin Symbol (COIN) play symbol, on a single ticket, shall be entitled to a prize of \$25.

(h) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$25\$ (TWY FIV) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(i) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Coin Symbol (COIN) and a prize play symbol of \$10^{.00} (TEN DOL) appears in the "Prize" area under the Coin Symbol (COIN) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$10^{.00} (TEN DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(k) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Coin Symbol (COIN) and a prize play symbol of \$5^{.00} (FIV DOL) appears in the "Prize" area under the Coin Symbol (COIN) play symbol, on a single ticket, shall be entitled to a prize of \$5.

(l) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning

Numbers" play symbols and a prize play symbol of \$5^{.00} (FIV DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(m) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$4^{.00} (FOR DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(n) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Coin Symbol (COIN) and a prize play symbol of \$3^{.00} (THR DOL) appears in the "Prize" area under the Coin Symbol (COIN) play symbol, on a single ticket, shall be entitled to a prize of \$3.

(o) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$3^{.00} (THR DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$3.

(p) Holders of tickets upon which any one of the "Your Numbers" play symbols is a Coin Symbol (COIN) and a prize play symbol of \$2^{.00} (TWO DOL) appears in the "Prize" area under the Coin Symbol (COIN) play symbol, on a single ticket, shall be entitled to a prize of \$2.

(q) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$2^{.00} (TWO DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets upon which any one of the "Your Numbers" play symbols matches either of the "Winning Numbers" play symbols and a prize play symbol of \$1^{.00} (ONE DOL) appears in the "Prize" area under the matching "Your Numbers" play symbol, on a single ticket, shall be entitled to a prize of \$1.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes, and approximate odds of winning:

<i>Match Any Of Your Numbers To Either Winning Number With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds</i>	<i>Approximate No. of Winners Per 7,440,000 Tickets</i>
\$1 x 2	\$2	1:11.54	644,800
\$2	\$2	1:37.50	198,400
\$2 (COIN)	\$2	1:20	372,000
\$1 x 3	\$3	1:38.46	193,440
\$2 + \$1	\$3	1:44.12	168,640
\$3	\$3	1:250	29,760
\$3 (COIN)	\$3	1:136.36	54,560
\$1 x 5	\$5	1:50	148,800
\$2 + \$3	\$5	1:300	24,800
\$1 x 2 + \$3	\$5	1:375	19,840
\$5	\$5	1:1,500	4,960
\$5 (COIN)	\$5	1:150	49,600
\$2 x 5	\$10	1:500	14,880
\$5 x 2	\$10	1:1,500	4,960
\$4 x 2 + \$2	\$10	1:750	9,920
\$10	\$10	1:1,500	4,960

Match Any Of
Your Numbers To
Either Winning
Number With
Prize(s) Of:

Prize(s) Of:	Win	Approximate Odds	Approximate No. of Winners Per 7,440,000 Tickets
\$10 (COIN)	\$10	1:115.38	64,480
\$5 x 5	\$25	1:750	9,920
\$10 x 2 + \$5	\$25	1:750	9,920
\$5 x 3 + \$10	\$25	1:1,500	4,960
\$4 x 5 + \$5	\$25	1:1,500	4,960
\$25	\$25	1:1,500	4,960
\$25 (COIN)	\$25	1:500	14,880
\$4 x 5 + \$10 x 3	\$50	1:1,200	6,200
\$10 x 5	\$50	1:3,000	2,480
\$5 x 10	\$50	1:3,000	2,480
\$5 x 4 + \$10 x 3	\$50	1:3,000	2,480
\$25 x 2	\$50	1:3,000	2,480
\$50	\$50	1:6,000	1,240
\$50 (COIN)	\$50	1:1,000	7,440
\$10 x 10	\$100	1:12,000	620
\$50 x 2	\$100	1:12,000	620
\$100	\$100	1:12,000	620
\$100 (COIN)	\$100	1:6,000	1,240
\$1,000	\$1,000	1:60,000	124
\$50,000	\$50,000	1:930,000	8

COIN = Auto Win

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Silver & Gold instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Silver & Gold, prize money from winning Pennsylvania Silver & Gold 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 Silver & Gold 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.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), the regulations contained in 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Silver & Gold or through normal communications methods.

ROBERT A. JUDGE, Sr.,
Secretary

[Pa.B. Doc. No. 00-1338. Filed for public inspection August 4, 2000, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Retention of Engineering Firms

Allegheny County Project Reference No. 08430AG2581

The Department will retain an engineering firm for a multi-phase specific project agreement to provide environmental studies, preliminary design, final design, construction consultation, and shop drawing review on S. R. 1042, Section A01, Alle-Kiski Bridge and Roadway Connector, Allegheny County

This project involves a new bridge structure and connector road. The bridge will span the Allegheny River somewhere between the Hulton Bridge and the New Kensington Bridge in Allegheny County. The connector road will connect the bridge to the Allegheny Valley Expressway (S. R. 0028). The design portion of this multi-phase project is expected to have an overall duration of approximately sixty (60) months with shorter, varying schedules for individual phases. The estimated construction cost of the new structure and roadway is \$150 million.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a) Specialized experience and technical competence of firm.
- b) Experience in preparation of environmental documents.
- c) Experience in design of multi-span bridges.
- d) Past record of performance with respect to cost control, work quality, and ability to meet schedules.

- e) Subconsultant experience.
- f) Available staffing for this assignment and the ability to meet the Department's needs.
- g) Location of Consultant with respect to the District Office.

The firm selected may be required to provide a variety of engineering services including the following: environmental studies for environmental document preparation and public involvement; preliminary engineering studies involving field surveys, utility contacts, H&H studies, joint permit preparation, line, grade and typical section development, type, size and location submissions, geologic studies, erosion and sedimentation control plans and narratives, hydraulic computations, safety reviews, and Step 9 submission; final design activities including drainage and highway lighting design, right-of-way and traffic control plans, foundation submissions, structure designs and plan preparation, various field and office meetings, and plans, specifications, and estimates preparation; and engineering services during construction including shop drawing reviews and consultation services.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project.

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Raymond S. Hack, P.E., District Engineer
Engineering District 11-0
45 Thoms Run Road
Bridgeville, PA 15017
Attention: Jeffrey S. Thompson, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Mr. Jeffrey S. Thompson, P.E. phone number (412) 429-4929, fax number (412) 429-4933.

**Allegheny, Beaver and Lawrence Counties
Project Reference No. 08430AG2582**

The Department will retain an engineering firm for an Open-End Contract for various engineering and/or environmental services on various projects located in Engineering District 11-0, that is Allegheny, Beaver and Lawrence Counties. The Contract will be for a sixty (60) month period with projects assigned on an as-needed basis. The maximum amount of the Open-End Contract will be \$2.0 million, however, the Department retains the option of reducing this amount to \$1.0 million depending on the status of the District's current Open-end Contracts at the time of the execution of this Contract.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an Open-End Contract based on the Department's evaluation of the letters of interest received in response to this solicitation. The final ranking will be established directly

from the letters of interest and the Annual Qualifications Packages on file with the Department. Technical proposals will not be requested prior to the establishment of the final 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) Past record of performance with respect to cost control, work quality, ability to meet schedules, and previous experience on Open-end Contracts. The specific experience of individuals employed by the firm shall be considered.
- b) Available staffing for this assignment and the ability to meet the Department's needs.
- c) Specialized experience and technical competence of firm.
- d) Location of Consultant in respect to the District.

The work and services required under this Contract may encompass a wide range of environmental studies and engineering efforts with the possibility of several different types of projects with short completion schedules being assigned concurrently. The anticipated types of projects include, but not limited to, bridge replacements or bridge rehabilitation with minor approach work, environmental studies, roadway betterments (3R type,) minor capital improvement projects (bridges or roadway), railroad grade crossing projects, and minor location studies, etc.

The engineering work and services which may be required under this Contract include, but are not limited to, perform field surveys; plot topography and cross sections; prepare submission for utility verification and relocation engineering; prepare all pertinent submissions and materials necessary for the Department to prepare the application to PUC and for the PUC field conference; attend and supply any required information for all PUC meetings and hearings during the design of the project; develop erosion control details and narrative; prepare right of way plans; complete structure designs including type, size and location reports, core boring layouts and foundation designs and reports; develop traffic control plans with narratives; conduct soils investigations and prepare soils reports; investigate utility involvement on projects; provide material for and participate in value engineering reviews; coordinate contacts with railroad officials and procure railroad related costs, permits, and insurance; collect signal timing, accident data and other traffic flow data; document engineering study findings and activities; alternative analysis to assess impacts and mitigation; and prepare construction plans, specifications, and estimates.

The areas of environmental study required under the Contract may include, but are not limited to: air quality; noise; energy; vibration; hazardous waste; surface water and ground water quality; surface water and ground water hydrology; terrestrial ecology including threatened and endangered species; wetlands; soils; geology; farmlands; visual quality; socio-economic resources; cultural resources; Section 4(f) Evaluations; early coordination and scoping correspondence; meeting minutes; public meeting and hearing presentations; visualization materials, handouts and displays; technical basis reports (TBRs) and/or technical files; NEPA environmental documents; Section 106 documents; mitigation plans and reports; wetland and floodplain findings; and preliminary engineering plans, and remote sensing/mapping innovations; The for-

mat and content of all documents will be consistent with applicable State and Federal regulations, policies and guidelines.

The engineering services and environmental studies identified above are the general work activities that can be expected under this Open-End Contract. A more specific and project-related Scope of Work will be outlined for each individual Work Order developed under this Open-End Contract.

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Raymond S. Hack, P.E., District Engineer
Engineering District 11-0
45 Thoms Run Road
Bridgeville, PA 15017
Attention: Mr. Jeffrey Thompson, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Jeffrey Thompson, P.E., phone number (412) 429-4929, fax number (412) 429-4929, fax number (412) 429-4933.

**Lancaster County
Project Reference No. 08430AG2583**

The Department will retain an engineering firm to provide environmental studies, preliminary engineering, final design, including preparation of bridge and roadway plans, specifications and estimates; shop drawing review and consultation during construction. This project is for the bridge replacement or bridge rehabilitation of a covered bridge. The location is as follows:

- S. R. 2006-001 Segment 0100/2342 Pine Grove Covered Bridge over Octoraro Creek in Little Britain Township, Lancaster County.

The required services will include preparation of intent to enter notices; field surveys; Categorical Exclusion Evaluation Level 2 (under the new CEE classification, Level 4 under the old classification) with emphasis on cultural resources and the potential for state and federal threatened and endangered species; Section 4(f) Evaluation; public meetings; plotting of topography and cross sections; pavement and drainage design; submission of utility verification and relocation engineering; field view; safety review meeting; Step 9 and value engineering; hydraulic report including Wetland Identification and Delineation report; type, size and location submissions; structure plans; line and grade submissions; right-of-way plans; viewers plans; erosion and sedimentation control plans and narratives; Environmental Assessment Form and Application for Water Obstruction and Encroachment Permit; development of the soil and foundation engineering report; investigation of utility and property involvement; development of maintenance and protection of traffic plans and narratives; preparation of construction plans; specifications and estimates, consultation services during construction, electronic data transfer and shop drawing review.

- The design of this project will be developed using English units.

- The Department will use Welcom's Open Plan software for project management and tracking.
- A project specific Quality Development Plan will be prepared for this project.

The Department is seeking a multi-disciplined team with environmental, geotechnical, highway design, and structure design experience, especially in the area of covered bridge rehabilitation.

The Department will consider the following factors, listed in order of importance, during the evaluation of the firms submitting letters of interest:

- a. Specialized experience and technical competence with replacement and rehabilitation of covered bridge projects and their ability to provide innovative solutions to complex technical problems.
- b. Experience in environmental, highway design, structure design, geotechnical design, and hydrological/ hydraulic analysis and design.
- c. Past record with respect to cost control, work quality, and ability to meet schedules.
- d. The project team including subconsultants.
- e. The project team is expected to visit the site and provide an overview of their understanding of possible issues for the project based on their site observations.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information section after the advertised project(s).

This project reference assignment is considered complex. The letter of interest shall be limited to a maximum of five (5) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Barry G. Hoffman, P.E., District Engineer
Engineering District 8-0
2140 Herr Street
Harrisburg, PA 17103
Attn: Mr. Richard Marshall, P.E.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Richard Marshall, P.E., District 8-0 at 717-787-3324.

**Fayette, Greene, Washington and
Westmoreland Counties
Project Reference No. 08430AG2584**

The Department will retain an engineering firm to provide a minimum of two (2) survey corps for preliminary, final and construction surveys on various projects in Engineering District 12-0, that is Fayette, Greene, Washington, and Westmoreland Counties.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating an agreement based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The final ranking will be established

directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the final ranking.

The Department will consider the following factors, listed in order of importance, during the evaluation of the firms submitting letters of interest:

- a) Review of employee's resumes with emphasis on surveying capabilities and specialized experience in Highway/Route Surveying.
- b) Geographical location of firm in relation to the Engineering District.
- c) Understanding of the Department's requirements, policies, and specifications.
- d) Ability to provide survey crew on short (3-day minimum) notice.
- e) Past performance.
- f) GPS capability

The qualifications and experience required of the firm's personnel must meet or exceed the requirements of the Department's surveyor class specifications. The descriptions for these classifications can be obtained from the District contact person identified at the end of this solicitation.

The survey personnel and supporting resume information must be submitted with the letter of interest. There shall be no substitution or addition of personnel without first submitting resumes and receiving written approval by the Department.

1. All field survey work shall be under the supervision of a Professional Land Surveyor licensed in the Commonwealth of Pennsylvania.
2. Each survey crew shall consist of a minimum of one (1) party chief, one (1) instrument person and one (1) rod/prism/chain personnel to complete the crew.
3. Electronic equipment and procedures must be utilized in completion of surveys, unless otherwise directed by the Department.
4. The party chief must have a minimum of three (3) years experience as a party chief in highway related work. In the absence of the party chief, the corps will cease operations. Operations will commence when the corps is properly staffed and capable of executing the assignment.
5. Provisions will be included for railroad insurance, rental of arrow boards, ladders, and/or boats when and if needed.

If a survey firm is submitting a letter of interest, it must indicate in the body of its transmittal letter the names and Professional Land Surveyor License Numbers of individuals who are directing activities, and whose names and seals shall be stamped on plans, specifications, plans and reports issued by the firm.

The firm selected may be required to adequately staff a minimum of two (2) survey crews. The firm will be required to furnish each survey crew with all required material, equipment, liability insurance, safety equipment and procedures necessary for the efficient, timely and professional completion of highway route surveying including preliminary, construction, final, property, site development surveys as directed by the Department. In addition, the firm will be required to provide property records research, property plat compilation, and plat plan development. Preliminary surveys shall be performed

using (3D) electronic survey procedures, unless otherwise directed by the Department. To ensure that all survey data is collected in a format that is compatible with the Department's Microstation Software, the Department will provide Department developed Electronic Survey Collection Software, and User's Manual to the selected firm. The software will be restricted to use on Department projects. The selected firm will be responsible for providing the hardware configuration necessary to complete surveys using the Department's software.

The hardware requirements for the Intergraph System are Husky (Husky Inc.) handheld data collectors (1 Meg Memory), laptop computers, 3 1/2" Discs and electronic total stations surveying instruments with serial cables to communicate with handheld computers. The total stations shall be better than a five (5) second instrument.

Software requirements are TDS Survey pro loaded on data collectors, and survey link loaded on laptop computers for editing purposes.

The proposed contract necessitates a requirement of the selected firm to have the capability to update and perform its electronic data collection to a global positioning system (RTK).

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of (3) three pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Michael H. Dufalla, P.E., District Engineer
Engineering District 12-0
P. O. Box 459
Uniontown, Pennsylvania 15401
Attention: Donald P. Boord, P. L.S.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Donald P. Boord, phone number 724-439-7338 fax number 724-439-7356.

**York County
Project Reference No. 08430A2585**

The Department will retain an engineering firm to provide environmental studies, preliminary engineering, final design, including preparation of bridge and roadway plans, specifications and estimates, construction consultation and viewers plans for:

S. R. 0462 Section 012, Segment 0140 Offset 2480 to Segment 0160 Offset 0977 in Springettsbury Township, York County. Work will involve roadway widening, sidewalk and drainage upgrades. There are potential historic properties within the job limits.

The required services will include preparation of intent to enter notices, field surveys, plotting of topography, cultural resources, Categorical Exclusion Evaluation, wetlands, preliminary area reconnaissance, utility investigation, safety review meeting, hydrologic and hydraulic report, type, size and location submission, agency coordination, Step 9 submission, preparation of a joint permit application, development of a soils and foundation engineering report, erosion and sediment control plan and narrative, field view, right-of-way plans, utility engineering, structure plans, value engineering, maintenance and

protection of traffic plan and narrative, preparation of construction plans, specifications and estimates, construction consultation, shop drawing review project management and viewers plans.

- The design of the project will be developed using English units.
- The Department, for project management and tracking, will use Welcom's Open Plan software.
- A project specific Quality Development Plan will be developed.

The Department is seeking a multi-disciplined team with environmental, geotechnical, highway design and structure design experience.

The Department will consider the following factors, listed in order of importance, during the evaluation of the firms submitting letters of interest:

- a) Specialized experience and technical competence with the replacement and rehabilitation bridge projects and their ability to provide innovative solutions to complex technical problems.
- b) Experience in environmental, highway design, structure design, geotechnical design, and hydrologic/hydraulic analysis and design.
- c) Past record with respect to cost control (design and construction), work quality, and ability to meet schedules.

The goal for the Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen (15%) percent of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the "General Requirements and Information" section after the advertised project(s).

This project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Mr. Barry G. Hoffman, P.E., District Engineer
Engineering District 8-0
2140 Herr Street
Harrisburg, PA 17103
Attention: Mr. Gregory J. Vaughn

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to: Mr. Gregory J. Vaughn, District 8-0, at (717) 783-5149.

**Allegheny County
Project Reference No. 08430AG2586**

The Department will retain an engineering firm to perform Preliminary Design, Final Design, and Construction Consultation on the following projects:

1. S. R. 48, Section A11, Allegheny County
Local Name: Wall Road Bridge

This project is either the replacement or the removal of the 89-foot structure near the intersection of Wall Road. The scope of work will be dependent upon coordination with the Norfolk and Southern Railroad and the Department of Transportation.

2. S. R. 48, Section A16, Allegheny County
Local Name: Mosside Boulevard Bridge

This project involves the replacement of the existing 812-foot five span bridge over Turtle Creek and the Norfolk and Southern Railroad and a local service road on State Route 48. The proposed structure will be widened to the number of required lanes determined by a traffic study conducted by the District Traffic Unit.

The following factors, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest:

- a) Specialized experience and technical competence of firm.
- b) Experience and abilities of key personnel (project manager, bridge engineer, geotechnical engineer) that will be assigned to the project.
- c) Past record of performance for similar type projects with respect to cost control, work quality and ability to meet schedules.
- d) Subconsultants assigned to this project and the experience, ability and past performance of these firms.
- e) Special requirements of project—coordination and negotiating with railroad companies.

The firm selected will be required to perform services for Preliminary and Final Design which includes, but is not limited to, Field Survey; Preliminary and Final Geotechnical Engineering; Right-of-Way Investigation and plan completion; Hydrology and Hydraulic Report; Safety Review Meetings; Design Field View Submission; Preliminary and Final Type, Size and Location Submission; Final Bridge and Roadway Design and Plans; Welcom Open Plan Schedule, Constructibility Review; Consultation during Construction; and Shop Drawing Review.

The design of this project will be developed in English units.

The District will announce the firms that have been shortlisted at an open public meeting to be held at Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017 on September 11, 2000 at 10:00 a.m. Specify a contact person in the letter of interest to notify of changes to the date or time.

The goal for Disadvantaged Business Enterprise (DBE) participation in this Agreement shall be fifteen percent (15%) of the total contract price. Additional information concerning DBE participation in this Agreement is contained in the General Requirements and Information Section after the advertised project(s).

This project reference assignment is considered moderately complex. The letter of interest shall be limited to a maximum of five pages, 8 1/2" x 11", one sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

Raymond S. Hack, P.E., District Engineer
Engineering District 11-0
45 Thoms Run Road
Bridgeville, PA 15017

Attention: Cheryl Moon-Sirianni, P.E. or Bill Erstfeld.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this Notice.

Any technical questions concerning the requirements for this project should be directed to Cheryl Moon-Sirianni, P.E. or Bill Erstfeld, District 11-0, at (412) 429-4871 or 5034.

**Adams, Cumberland, Franklin, York, Dauphin,
Lancaster, Lebanon and Perry Counties
Project Reference No. 08430AG2587**

The Department will retain one engineering firm for an Open End Contract to provide design services for several disciplines with a major emphasis on wetlands identification/delineation, 105 permits, hydraulic and hydrology reports, and geotechnical engineering. Other tasks include value engineering, identification of transportation project issues for scopes, noise mitigation, surveys, pavement design, roadside development plans, highway lighting, utility coordination, grade crossing activities, right-of-way plans, and contract management activities. Provide professional services as a member of project design teams on various Betterment, Bridge Bill, and Safety projects in Engineering District 8-0, that is: Adams, Cumberland, Franklin, York, Dauphin, Lancaster, Lebanon and Perry Counties. The Contract will be for a period of sixty (60) months, with a maximum cost of \$ 1.0 Million dollars.

The Department will establish an order of ranking of a minimum of three (3) firms for the purpose of negotiating these Engineering Agreements based on the Department's evaluation of the acceptable letters of interest received in response to this solicitation. The final ranking will be established directly from the letters of interest. Technical proposals will not be requested prior to the establishment of the final rankings.

The following, listed in order of importance, will be considered by the Department during the evaluation of the firms submitting letters of interest.

A. Specialized experience and technical competence with similar projects and their ability to provide innovative solutions to complex technical problems.

B. Understanding of the Departments' requirements, Design Manuals, policies and specifications.

C. Resource availability to meet multiple assignments in a timely manner.

D. Past record with respect to cost control, work quality, and ability to meet schedules.

E. Project team coordination including subconsultants and how the project manager will manage several disciplines and interact successfully with the District design teams.

F. Use of Microstation CADD.

The work and services required under this Contract may encompass a wide range of design services activities with concurrent assignments and short schedules. These tasks will generally comprise elements of projects that are under design in District 8-0 and will most likely be Betterments, Bridge Bills, and Safety projects on roadways and bridges.

The engineering work and services which may be required under this Contract include, but are not limited to: perform value engineering coordination; delineate wetland resources and prepare wetland reports; collect data to define transportation need for a study area; analyze feasibility for noise abatement; perform survey tasks including conventional and GPS control; perform pavement design including design borings; perform geotechnical work including engineering reports, borings,

and soil profiles; complete roadside development plans including wetland mitigation and landscape design; evaluate highway lighting and develop plans; prepare and/or review Chapter 105 Permit applications and assist District in obtaining approvals; prepare Hydrologic and Hydraulic reports for structures; coordinate utilities including verifying utility locations, preparing utility location plan, assessing utility impacts, and coordinating utility engineering and agreements; coordinate railroad and grade crossing requirements with project team, PUC, and the public including filing for PUC applications; develop right-of-way plans including deed research, plan development and review of plans; and support contract management tasks including bid proposals, estimates, and construction schedules.

The engineering services identified above are the general work activities that can be expected under this Open End Contract. A specific project Scope of Work will be outlined for each individual Work Order developed under this Open End Contract.

The project reference assignment is considered non-complex. The letter of interest shall be limited to a maximum of three (3) pages, 8 1/2" x 11", one-sided, plus an organizational chart (up to 11" x 17" size), and additional resumes, if applicable. (See the General Requirements and Information Section).

The Letter of Interest submission shall be sent to:

District Consultant Selection Committee
Engineering District 8-0
2140 Herr Street, Harrisburg, PA 17103-1699
Attention: Mr. Richard Marshall.

The Letter of Interest submission for this project reference number must be received at the address listed above by 4:30 P.M. prevailing time on the twentieth (20th) day following the date of this notice.

Any technical questions concerning the requirements for this project should be directed to: Richard Marshall, District 8-0, Design Unit at (717) 787-3324, fax (717) 705-2262.

General Requirements and Information

Firms interested in providing the above work and services are invited to submit a Letter of Interest with the required information for each Project Reference Number for which the applicant wishes to be considered.

The Letter of Interest and required information must be submitted to the person designated in the individual advertisement.

The Letter of Interest and required information must be received by the Deadline indicated in the individual advertisement.

For District projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with the appropriate District Office, by the deadline stipulated in the individual advertisements.

For Statewide projects, all consultants, both prime consultants and subconsultants, who desire to be included in a Letter of Interest must have an Annual Qualification Package on file with Central Office, Bureau of Design by the deadline stipulated in the individual advertisements.

Information concerning the Annual Qualification Package can be found in Strike-off Letter No. 433-99-04 or under the Notice to all Consultants published in the February 27, 1999 issue of the *Pennsylvania Bulletin*.

By submitting a letter of interest for the projects that request engineering services, the consulting firm is certifying that the firm is qualified to perform engineering services in accordance with the laws of the Commonwealth of Pennsylvania. A firm not conforming to this requirement may submit a letter of interest as a part of a joint venture with an individual, firm or corporation which is permitted under State law to engage in the practice of engineering.

The letter of interest must include full disclosure of any potential conflict of interest by the prime or any subconsultant based on Engineering Involvement Restrictions Guidelines as established in Strike-off Letter No. 433-00-02 published March 27, 2000. If there are no potential conflicts you shall include the following statement: "I have reviewed Strike-off Letter No. 433-00-02 and determine that there are no potential conflicts of interest for anyone on this project team."

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 a Letter of Interest 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 Transportation Equity Act for the 21st century (TEA-21) and currently certified by the Department of Transportation shall have the opportunity to participate in any subcontracting or furnishing supplies or services approved under Form 442, Section 1.10(a). The TEA-21 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 are defined prior to the act, WBEs or combinations thereof).

Proposed DBE firms must be certified at the time of submission of the Letter of Interest. If the selected firm fails to meet the 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.

Letters of Interest for will be considered non-responsive and eliminated from further consideration for any of the following reasons:

1. Letters of Interest not received on time.
2. Project of interest is not identified.

3. An Annual Qualification Package for the prime consultant and all subconsultants is not on file with the organization receiving the Letter of Interest.

4. Conflict of Interest evaluation statement is not included.

5. A Disadvantaged Business Enterprise (DBE) participation goal is established for the Project Reference Number but no DBE/WBE is identified and no good faith effort is included.

6. Firm submitted a Letter of Interest on more than one (1) Joint Venture or a firm submitted a Letter of Interest as a prime and was also included as a subconsultant, to another firm. Multiple responses under any of the foregoing situations will cause the rejection of all responses of the firm, or firms, involved.

In addition to the above reasons, a Letter of Interest for Construction Inspection Services will be considered non-responsive for any of the following reasons:

1. Prime consultant or any subconsultant does not have a Federal Acquisition Regulation (FAR) Audit Field Overhead Rate on file with the Department.

2. Using an individual's resume without including a letter granting the individual's approval for TCIS and higher positions.

3. Exceeding the maximum number of resumes in a payroll classification.

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. 00-1339. Filed for public inspection August 4, 2000, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Notice of Proposed Settlement; LTV Steel Company, Inc. v. DEP Doc. No. 98-065-R

The Department of Environmental Protection (Department) and LTV Steel Company, Inc. (LTV) have agreed to a settlement of the noted matter. The Department issued Post-Mining Activity Permit No. 63971701 to LTV to authorize the construction and operation of a mine drainage treatment facility at the abandoned Clyde Mine in East Bethlehem Township, Washington County. LTV appealed the permit for the purpose of seeking a modification of the osmotic pressure effluent limitation in the permit. LTV provided the Department with additional information which demonstrated that it was appropriate to modify the effluent and the Department agreed in a Consent Adjudication to modify the effluent limitation. The permit will be modified within 2 weeks of the effective date of the Consent Adjudication.

Copies of the full agreement are in the possession of:

Diana J. Stares
Regional Counsel
Department of Environmental Protection
Office of Chief Counsel
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-4262

and

Gregory D. Timmons, Esquire
Babst, Calland, Clements & Zomnir
Two Gateway Center, Eighth Floor
Pittsburgh, PA 15222

This notice is being provided under 25 Pa. Code § 1021.120(d). The Consent Adjudication is subject to final approval by the Environmental Hearing Board (Board). The Board may schedule a hearing prior to taking action on the Consent Adjudication. An appeal of the Consent Adjudication must be filed with Commonwealth Court within 30 days of the date of the Board's

action. The proposed Consent Adjudication can be examined during normal business hours at the Department's Southwest Regional Office of Chief Counsel at 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Persons desiring to review the Consent Adjudication should call (412) 442-4262 (which also may be reached through the AT&T Relay Service at (800) 654-5984). The proposed Consent Adjudication is also available during normal business hours at the office of the Environmental Hearing Board, 2nd Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8457. Comments should be directed to the Environmental Hearing Board within 30 days of this publication.

GEORGE J. MILLER,
Chairperson

[Pa.B. Doc. No. 00-1340. Filed for public inspection August 4, 2000, 9:00 a.m.]

GOVERNOR'S OFFICE

Catalog of Nonregulatory Documents

Under Governor Ridge's Executive Order 1996-1, agencies under the jurisdiction of the Governor must catalog and publish nonregulatory documents such as policy statements, guidance manuals, decisions, rules and other written materials that provide compliance related information. The following compilation is the fifth list of the Administration's nonregulatory documents. This list will be updated and published annually on the first Saturday in August.

This catalog is being provided to ensure that the public has complete access to the information necessary to understand and comply with State regulations. We have made every effort to ensure that the catalog includes all documents in effect as of August 1, 2000; however, due to the breadth and changing nature of these documents, we cannot guarantee absolute accuracy. 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

ADMINISTRATION

Editor's Note: The Index of Issuances, Manual M210.3, issued by the Governor's Office of Administration, Directives Management System, includes Executive Orders, Management Directives and Manuals. New or revised documents to the Index are published monthly in the PA Bulletin and the entire index is revised yearly in the PA Code.

AGING

INTERNAL GUIDELINES

- **Pharmaceutical Program (PACE)**

Contact: Gretchen Beard, Chief of Compliance Division (717)-787-7313

- **PACE Provider Bulletins: 2000**

- February 4, 2000—Medical Exception Authorization. Notified Providers that requests for Medical Exceptions for medications routinely prepared during non-processing hours will not be considered. Requests for Emergency Medical Exceptions for medications dispensed under exceptional circumstances during non-processing hours may be reviewed.
- February 4, 2000—Other Prescription Coverage. Notified Providers that effective February 14, 2000, PACE will edit claims for PACE cardholders identified by the following insurance carriers: Healthguard; Highmark; Qualmed; Health America; and KHP Central/Senior Blue. Claims submitted to PACE for cardholders identified by these companies will deny if the provider submits the claim with an incorrect Other Coverage value of "0"—"Not Specified" or "1"—"No Other Coverage Identified."
- February 11, 2000—Alupent® Billing. Notified Providers that to assist providers in maintaining billing consistency, PACE is changing its reimbursement calculation for Alupent® 14 gm-10ml, NDC 00597007017 from price per ml to

price per gram, effective with dates of service of February 19, 2000 and thereafter. Providers submitting a claim for 1 inhaler of Alupent® 14 gm-10 ml, NDC 00597007017 should submit a quantity of 14 in the metric decimal quantity field.

- February 11, 2000—Medicare Billable Pharmaceuticals Additions. Notified Providers effective February 14, 2000, PACE will reject the following medications at the point-of-service: Synvisc®; Hyalgan®; Polygam®; Imovax®; Leukine®; and Aredia® because PACE has been advised that, with the proper diagnosis, physicians may submit these claims to Medicare.
- March 3, 2000—Duplicate Therapy Edit. Notified Providers that effective March 13, 2000 and thereafter, PACE is implementing a Duplicate Therapy Edit for benzodiazepines and miscellaneous sedative hypnotics.
- March 24, 2000—Non-Participating Manufacturers. Notified Providers of manufacturers not participating in the PACE Program.
- March 24, 2000—Propulsid® Boxed Warning Revision. Notified Providers that Janssen Pharmaceutica has notified physicians of important changes to its Boxed Warnings, Drug Interactions and Dosage and Administration sections. Highlights of the changes included: 1) A 12-lead ECG should be obtained before Propulsid® is administered; 2) Propulsid® should not be initiated if the QTs value exceeds 450 milliseconds; and 3) Propulsid® is contraindicated in patients with electrolyte disorders (hypokalemia, hypocalcemia and hypomagnesemia). Serum electrolytes should be assessed in diuretic-treated patients before initiating Propulsid® and periodically thereafter.
- March 24, 2000—Dentist Prescribers. Notified Providers that effective April 3, 2000, and thereafter, claims containing a dentist's license number in the prescriber license number field and submitted for pharmaceuticals other than antibiotics, analgesics, non-steroidals or fluoride preparations will reject with NCPDP Error 88, accompanied by the DUR response "CH".
- March 24, 2000—Duplicate Therapy Edit. Notified Providers effective April 17, 2000 and thereafter, PACE is augmenting its Duplicate Therapy Edit for Benzodiazepines and Miscellaneous Sedative Hypnotics with the inclusion of Ambien® and Sonata®.
- March 31, 2000—Oral Antidiabetic Agents. Notified Providers effective June 5, 2000 and thereafter PACE will review claims submitted for oral antidiabetic agents for maximum daily dose.
- March 31, 2000—Antirheumatic Drug Therapy. Notified Providers that effective June 5, 2000 and thereafter, PACE will review claims submitted for the antirheumatic drug etanercept (Enbrel®).
- March 31, 2000—COX-2 Inhibitors. Notified Providers that effective June 5, 2000 and thereafter, PACE will review claims submitted for the COX-2 inhibitors (Celebrex®) and rofecoxib (Vioxx®) for maximum daily dose.
- March 31, 2000—Antiplatelet Agent PLETAL®. Notified Providers effective June 5, 2000 and thereafter, PACE will review claims submitted for the antiplatelet agent cilostazol (Pletal®) for maximum daily dose of 200 mg.
- March 31, 2000—Skeletal Muscle Relaxants. Notified Providers effective June 5, 2000 and thereafter, PACE will review claims submitted for skeletal muscle relaxants for both maximum daily dose and duration of therapy.
- March 31, 2000—Rezulin®. Notified Providers that effective March 22, 2000 PACE no longer reimburses for Rezulin®. This action is in response to the Warner Lambert Company's voluntary withdrawal of Rezulin® from the marketplace on Tuesday, March 21, 2000.
- April 7, 2000—Propulsid® Reimbursement. Notified Providers effective April 10, 2000 PACE will deny all claims received for cisapride (Propulsid®). Physicians desiring their patients to continue taking cisapride (Propulsid®) have been advised they may request a Medical Exception. These exception requests will be considered only until the product is withdrawn from the market by Janssen Pharmaceutica effective July 14, 2000.
- April 7, 2000—Dispensing Date. Reminded Providers that claims are to be submitted to PACE on the date they are dispensed. Advised PACE Providers enrolled as Nursing Home Providers as well as those providers servicing nursing homes that effective with dates of service of June 1, 2000 and thereafter, claims submitted with incorrect dates of service will have those claims disallowed.
- May 12, 2000—Mandatory Substitution Dilantin®. Notified Providers effective May 22, 2000, PACE is mandating substitution for Dilantin®.
- May 12, 2000—Generic Refills. Reminder to Providers that Section 22.55(e) of Title 28 (Health and Safety) of the Pennsylvania Code states: "Prescription refills, where permitted by the practitioner, shall be completed using the identical product (same distributor and manufacturer) as dispensed on the original, unless the person presenting the prescription and the practitioner authorize, in advance, a different manufacturer's generic equivalent product. Advance authorization is not required in an emergency, but the physician shall be notified by the pharmacist as soon as possible thereafter."
- May 19, 2000—LOTROXEX®. Notified Providers that in the package insert that accompanies Lotronex®, Glaxo Wellcome Inc. states that "Lotronex® has NOT been shown to work in men with IBS."(Irritable Bowel Syndrome). Effective June 12, 2000, all claims for Lotronex® will be denied with NCPDP Code 70, PACE Code 055 "Drug not covered". At a future date this edit will be converted to a DUR drug—gender denial. In the interim, providers should contact Provider Services to receive a Medical Exception for female cardholders.
- May 19, 2000—Zyvox®. Notified Providers effective June 5, 2000, PACE will deny all claims for Zyvox®. Medical Exceptions for the antibiotic linezolid (Zyvox®) will only be considered upon receipt of the appropriate documentation from the cardholder's physician. Providers should note that no evidence supports Zyvox® for use in the management of antibiotic associated colitis (AAC). No medical exceptions will be approved prior to the receipt of supporting diagnostic and treatment information.

- May 26, 2000—Dispensing Date Update. Notified Providers enrolled as Nursing Home Providers and those who service nursing homes affected by the PACE Provider Bulletin of April 7, 2000, that the implementation date cited in this notification has been delayed 30 days until July 1, 2000.
- **PACE Provider Bulletins: 1999**
- 2/19/99: Kytril® and Zofran®: Reminder to providers that PACE will reimburse only on the 20 not reimbursed by DMER
- 2/19/99: Optometrist's Prescribing Privileges: Provides PACE Providers with a list of medications permitted by Department of Health regulation to be prescribed by optometrists. Warns providers to not dispense and bill the Program for pharmaceuticals that are prohibited by regulation from being prescribed by optometrists.
- 2/19/99: Optometrist's License Numbers: Notifies providers that Optometrists certified to prescribe and administer pharmaceutical agents for therapeutic purposes under section 4.1 of the Optometric Practice and Licensure Act are being issued a license with a suffix of "T".
- 3/5/99: PACENET Deductible: Reminder to PACE Providers that the \$500 PACENET deductible is accumulated based on each individual cardholder's enrollment year; not the calendar year.
- 4/9/99: Notified PACE Providers that effective May 14, 1999, PACE will mandate substitution on the following medications: Lasix®, Depakene®, Mysoline®, Quinaglute Dura-tabs®, Mexitil®, Tegretol® and all sustained-release Theophylline preparations.
- 4/9/99: Betoptic® Solution: Notified PACE Providers that Alcon Laboratories had informed PACE that it had discontinued production of Betoptic® solution in the 2.5 and 5 ml sizes.
- 4/30/99: Propulsid® Drug to Drug Interactions: Notifies providers that effective May 10, 1999, PACE will review history across all providers and reject all prescriptions in the drug classes which are contraindicated for patients using Propulsid.
- 5/7/99: Drug Utilization Review Program: Notified Providers that effective May 15, 1999, several new and revised maximum daily dose criteria, duration criteria and duplicate criteria will be added to the PACE ProDUR Program.
- 7/2/99: Trovan® (Trovafloracin/Alatrofloracin Mesylate): Notified Providers that effective July 6, 1999, PACE will deny all claims for Trovan®. In accordance with FDA recommendations, PACE will reimburse for Trovan® only through the Medical Exception Process.
- 7/2/99: Medicare Reimbursable Chemotherapeutics: Notified Providers that effective July 12, 1999, the following pharmaceuticals will be included with those products being reimbursed by the PACE/PACENET Program at 20%: Oaklide® and Neumega®
- July 16, 1999—HISMANAL®. Notified Providers that effective July 26, 1999, PACE will no longer reimburse for HISMANAL®. This action is in response to Janssen Pharmaceutica informing the U.S. Food and Drug Administration that it has voluntarily decided to discontinue the manufacturing and distribution of HISMANAL® 10 mg tablets.
- July 16, 1999—Cellcept® and Prograf®. Notified Providers that effective July 26, 1999, PACE claims for Cellcept® and Prograf® may be submitted to the Program using the PACE On-Line Claims Adjudication System (POCAS) Medical Exception process.
- July 16, 1999—Drug Utilization Review Program Anti-obesity Agents. Notified Providers that effective July 26, 1999, maximum dose and initial duration of therapy criteria will be added to the PACE ProDUR Program specifically for the anti-obesity class of medication.
- September 3, 1999—NEORAL® and SANDIMMUNE®. Notified Providers that effective September 13, 1999, PACE claims for Neoral® and Sandimmune® will be adjudicated by the Program using the PACE On-Line Cclaims Adjudication System (POCAS) Medical Exception process.
- October 20, 1999—Other Prescription Coverage. Notified Providers effective November 1, 1999, PACE cardholders identified by Highmark as possessing Security Blue prescription coverage, will have their claims denied by PACE IF the provider submits the claim with an incorrect Other Coverage value of: "0"—"Not Specified" or "1"—"No Other Coverage Identified."
- October 29, 1999—Multiple Point of Service Billing. Notified Providers whose software does not permit dual or multiple point-of-sale submissions may not bill cardholders for medications submitted to PACE after dispensing and experiencing a subsequent denial.
- November 5, 1999—RAXAR®. Notified Providers that Glaxo Wellcome has announced the voluntary withdrawal of RAXAR® tablets from the market. Any claims submitted for RAXAR® on or after November 3, 1999 will be denied.
- November 19, 1999—PACENET Cardholders and Other Prescription Coverage. Reminded Providers that claims submitted to PACE during the PACENET cardholder's deductible period are to contain the dollar amount paid by the PACENET cardholder for the prescription. The out of pocket expense, borne by the cardholder, is the amount the Program accumulates toward the cardholder's \$500 deductible.
- December 3, 1999—Medicare Reimbursable Agents. Notified Providers that effective December 13, 1999, PACE will deny claims submitted for all Medicare Reimbursable Agents. Providers attempting to bill for these products may contact Provider Services for a Medical Exception.

PACE Provider Bulletins: 1998

- 2/13/98: PACENET Deductible: Reminder to Providers that the PACENET \$500 deductible is accumulated based on each individual's enrollment year, not the calendar year.

- 2/13/98: PACE Required Documentation for “Brand Medically Necessary” (DAW Code 1) Prescriptions: Reminder to Providers who are being reimbursed for a Brand Name product having an A-rated generic because the Program has granted a cardholder medical exception or because the Program has elected not to require substitution must, by PACE regulation, have at the time of dispensing, a prescription on which the Prescriber has handwritten “Brand Medically Necessary” or “Brand Necessary.”
- 2/13/98: Clozapine (Clozaril): Notified Providers that Clozaril is subject to the PACE Program’s mandatory substitution requirement. Generic clozapine is available from Zenith Goldline Pharmaceuticals.
- 2/13/98: Use of NDC Codes and Calculation of Reimbursement: Reminder to PACE Providers that all claims submitted to the Program for reimbursement must accurately report the labeler code and product code of the drug dispensed. Reimbursement paid by the PACE Program will be based upon the package size as reported by the Provider.
- 2/20/98: Other Prescription Coverage: Notified Providers that EOB Message “041—Billable to Other Payor” will soon be rejected with an Error Code 041.
- 2/27/98: Bromfenac Sodium Capsules (DURACT): Reminder to Providers that DURACT is only intended for the short term (10 days or less) management of acute pain and is not indicated for long term use. Notified Providers effective March 2, 1998 PACE will reject all claims for DURACT at the point of sale. A one-time medical exception will be considered, upon request from the Provider, for a maximum 10-day supply at a maximum dose that does not exceed 150 mg per day. Written correspondence from the cardholder’s physician will be necessary for reimbursement beyond ten days.
- 2/27/98: Mibefradil Dihydrochloride (POSICOR): Notified Providers of advisory issued by Roche Laboratories Inc. of reported cases of interaction of POSICOR with certain HMG-CoA Reductase Inhibitors. PACE claims for POSICOR identified as being coadministered with either lovastatin or simvastatin will reject with the NCPDP Error “88, DUR Reject”; PACE Error Code “706,” accompanied with the Conflict Code “DD,” the free text message of “DRUG-DRUG,” and the NDC of the drug in conflict.
- 4/10/98: PACE Cardholders Enrolled in Medicare HMO’s: Reminder to Providers that PACE Cardholders enrolled in Medicare certified HMO’s are entitled to the same prescription medications under the Medicare certified HMO as those covered under Medicare Part “B.” This entitlement is not affected by a cardholder’s decision not to subscribe to supplemental HMO offered prescription coverage.
- 4/17/98: Drug Utilization Review Program: Notified Providers effective April 22, 1998, several new maximum daily dose criteria, duration criteria and duplicate therapy criteria will be added to the PACE ProDUR Program. The criteria are as follows: Mibefradil HCl (POSICOR) 100 mg maximum dose/duplicate therapy edit; Carvedilol (Coreg) 100 mg maximum dose/duplicate therapy edit; Losartan (Cozaar) 100 mg maximum dose/duplicate therapy edit with the ACE Inhibitors; Quetiapine (Seroquel) 400 mg maximum dose; Hydrocodone and Ibuprofen (Vicoprofen) 37.5 mg maximum dose/duration edit: 10 days out of every 30.
- 4/25/98: Mandatory Substitution Diltiazem Extended Release Capsules: Notified Providers effective April 29, 1998, the PACE Program will begin mandating substitution of Dilacor XR and Cardizem SR. This is a result of information received from the FDA granting therapeutic equivalence to capsules manufactured by Mylan Pharmaceuticals, Watson Labs, Andrx and Teva Pharmaceuticals.
- 5/8/98: Early Refill Edit: Notified Providers effective May 19, 1998, the additional classes will be added to the early refill edit: Intranasal Steroids; Topical Corticosteroids—Single Entity; Anti-diabetic Agents—Insulins; Bronchodilators; Conjugated Estrogens; Estrogens—Transdermal Patches; and Opiates. Reimbursement will not be made until 75% of the medication has been used.
- 5/22/98: Drug Utilization Review Program: Notified Providers effective May 26, 1998 several new criteria will be added to the PACE ProDUR Program and applied to all claims submitted on or after this date for the medication Viagra. The criteria added are: maximum daily dose of 50 mg. Claims submitted for greater than 50 mg daily will require a diagnosis and approval through the PACE medical exception process. Duration of therapy will be thirty tablets per month. PACE will only reimburse claims submitted for male cardholders. Claims submitted for female cardholders will be reversed.
- 6/1/98: Drug Utilization Review Program: Notified Providers that Pfizer, Inc. has recently reiterated that patients taking nitrates in any form, including nitroglycerin and long-acting nitrates commonly used for chest pain, should not take Viagra. PACE will reject prescriptions for Viagra and Nitroglycerin at the point-of-sale in order to comply with this guideline for appropriate use.
- 6/12/98: RECALL: Notified Providers that a Voluntary Class I recall has been initiated by Meridian Medical Technologies, manufacturer of both Epipen and Epipen Jr. Auto-Injectors. All PACE cardholders for whom reimbursement was made during this period have been instructed to return their product to their pharmacy for a lot number review.
- 6/12/98: RECALL: POSICOR—Notified Providers that Roche Laboratories Inc. is withdrawing POSICOR from the market effective June 8, 1998. The PACE Program will deny reimbursement for claims submitted with dates of service of June 9, 1998 or thereafter.
- 6/19/98: Cholinesterase Inhibitors: Notified Providers that effective June 22, 1998, several new maximum initial dose and maximum daily dose criteria will be added to the PACE ProDUR Program. The criteria added are for Tacrine (Cognex®), initial maximum dose 40 mg/6 weeks; 80 mg/6 weeks; 120 mg/6 weeks and a maximum dose of 160 mg; and Donepezil (Aricept®), initial maximum dose 5 mg and a maximum dose of 10 mg.
- 6/26/98: DURACT®: Notified Providers that effective June 22, 1998, Wyeth-Ayerst Laboratories is withdrawing Duract® capsules from the market. Accordingly, any Duract® claim submitted to PACE after June 22, 1998 is being denied.

- 6/26/98: Early Refill Edit Applied to Ophthalmics: Notified Providers that effective July 6, 1998, PACE is applying the early refill edit criteria to ophthalmic preparations requiring that at least 75% of the medication, based on the day's supply submitted on the previous claim, has been used before PACE will consider reimbursement for a prescription refill.
- 12/11/98: Meridia® Drug to Drug Interactions: Notified Providers that in order to comply with the manufacturers' warnings that Meridia® should not be used concomitantly with MAOI's (at least a 2 week interval after stopping an MAOI before commencing with Meridia®), PACE will review history across providers and reject all prescriptions for Nardil, Eldepryl and Parnate at the point of sale.
- 12/31/98: Drug Utilization Review Program: Notified Providers that effective January 4, 1999, revised criteria will be added to the PACE ProDUR Program and applied to all claims submitted on or after this date for the medication Viagra®. The criteria are as follows: Maximum Daily Dose—50 mg; Duration of Therapy decreased from thirty to eight tablets per month.

PACE Provider Bulletins: 1997

- 02/07/97: Brand Medically Necessary Update: Notified Providers that effective immediately PACE is no longer mandating generic reimbursement on the following brand medications: Lasix, Depakene, Tegretol, Mysoline, Quinaglute Duratabs (Quinidine Gluconate), Pronestyl SR, Mexitil, and All Sustained -Release Theophylline Preparations.
- 02/14/97: Mandatory Substitution Nitroglycerin Transdermal Patch: Notified Providers that effective February 21, 1997, the PACE Program will be mandating substitution on both Nitro-Dur and Transderm-Nitro.
- 03/01/97: PACENET: Reminder to Providers to encourage their older customers to make application for the new PACENET Program. Bulletin include income requirements, information regarding the crediting of out-of-pocket expenses; use of 1997 PACE applications to apply for both PACE and PACENET and a reminder to discard the old 1996 enrollment applications.
- 03/28/97: Drug Utilization Review Program: Notified Providers that effective April 14, 1997, PACE will be adding new criteria to our Prospective Drug Utilization Review Program for HMG Co-A Reductase Inhibitors.
- 05/09/97: PACENET Claim Submission: Provides explanation to Providers regarding the \$500 deductible and submission of out-of-pocket prescription expenses for PACENET cardholders.
- 06/20/97: Claim Timeliness: Reminder to Providers that PACE claims are to be submitted on the date of dispensing.
- 07/11/97: Fragmin: Notified Providers that on July 18, 1997, PACE would reimburse claims submitted for Fragmin only when being prescribed for the prevention of deep venous thrombosis, which may lead to a pulmonary embolism following abdominal surgery or hip replacement. Further, since Fragmin is indicated for short-term treatment (5 to 10 days), PACE would apply a duration of therapy edit of not greater than 14 days to all incoming claims.
- 8/7/97: Generic Update: Ranitidine: Notified Providers that Ranitidine currently being manufactured by Novopharm and Geneva is now available as a therapeutically equivalent generic for Zantac and effective Friday, August 15, 1997, PACE would be mandating substitution on Ranitidine.
- 8/7/97: 1997 Pharmacy Licensure: Reminder to Pharmacies that current pharmacy licenses expire August 31, 1997 and that PACE Regulations mandate that, "Only pharmacies and dispensing physicians that are currently licensed by the Commonwealth are eligible to participate as providers in the PACE Program."
- 8/15/97: PACENET Claims: Reminder to Providers that they must submit all PACENET Cardholder prescription claims on POCAS to permit the accurate recording of the amount accumulating toward the \$500 deductible.
- 8/15/97: Other Prescription Coverage: Reminder to Providers that, by statute, the PACE Program is the payor of last resort and will accept responsibility only for those costs not covered by the cardholder's other prescription drug benefit program.
- 8/15/97: Notified Providers effective August 18, 1997, several new maximum dose criteria will be added to the PACE ProDUR Program. These new additions are: 1) Maximum daily dose and duplicate therapy (with ACE inhibitors) edit for angiotensin II antagonist inhibitor: Valsartan (Diovan) 320 mg; 2) Maximum initial dose and maximum daily dose for antipsychotic agent Olanzapine (Zyprexa) 2.5 mg (initial) 10 mg (maximum); 3) Maximum daily dose and duplicate therapy for the HMG Co-A Reductase Inhibitor: Atorvastatin (Lipitor) 80 mg (maximum); 4) Maximum daily dose and duplicate therapy for the beta blocker: Cavedilol (Coreg) 100 mg (maximum); 5) Maximum initial dose and maximum daily dose for the antidepressant: Mirtazapine (Remeron) 15 mg (initial) 45 (maximum); 6) Maximum dose and duplicate therapy for the calcium channel blocker Nisoldipine (Sular) 60 mg (maximum); and 7) Maximum initial dose and maximum daily dose for the antipsychotic: Clozapine (Clozaril) 25 mg (initial) 100 mg (maximum).
- 8/29/97: Updated listing of Non-Participating Manufacturers.
- 9/12/97: Reinstatement of Common Package Size: Notified Providers effective September 15, 1997, PACE will reinstate the Common Package Size pricing which was discontinued in November, 1996.
- 9/19/97: Audit Issues: Reminder to Providers their responsibilities regarding voiding claims' payments for prescriptions that are not picked up by cardholders as well as maintaining an accurate, current signature log to identify the individuals who are receiving the PACE prescriptions dispensed by the Provider.
- 9/19/97: DAW/Product Selection Code: Reminder to Providers of the five codes used by POCAS.
- 10/3/97: Injectable Chemotherapy Antineoplastics: Reminder to Providers that Injectable chemotherapeutic antineoplastic claims are only reimbursed based on the 20% not covered by Medicare.

- 10/3/97: Claim Submission Timeliness: Reminder to Providers that they are required by contract to submit claims prior to dispensing.
- 10/17/97: Other Prescription Coverage: Notification to Providers effective November 3, 1997, PACE is implementing edit criteria to ensure compliance with the Program's requirement of billing other prescription plans prior to billing PACE. Providers entering a TPL indicator identifying "no other coverage" for a cardholder identified as having other prescription coverage will have the claim denied with the NCPDP Error Code 41 "Submit Bill to Other Payor."
- 11/14/97: Drug Utilization Review Program: Notified Providers effective November 24, 1997, the following new maximum daily dose criteria will be added to the PACE ProDUR Program: Maximum daily dose edit for the centrally acting analgesic Tramadol (Ultram) 300 mg maximum for individuals 75 years of age or older and 400 mg for individuals younger than 75 years.
- 11/14/97: Drug Utilization Review Program: Notified Providers effective November 24, 1997, the following new maximum daily dose criteria will be added to the PACE ProDUR Program: Edits for the miscellaneous sedative/hypnotics are as follows: Amobarbital (Amytal) 200 mg; Butobarbital (Butisol) 100 mg; Chloral Hydrate 1 gm; Pentobarbital (Nembutal) 100 mg; Ethchlorvynol (Placidyl) 500 mg; Secobarbital (Seconal) 100 mg; Amobarbital/Secobarbital (Tuinal) 50/50 mg.
- 11/21/97: Reminder to PACE Providers to review their Remittance Advice and to pay particular attention to those claims with Message Codes 041 and 918, which address those claims for cardholders with other prescription coverage.
- 11/21/97: Oral Anti-Nausea Medication: Notified Providers effective December 1, 1997, PACE will be reimbursing only 20% of the Average Wholesale Price of oral formulations of Kytril and Zofran. Remaining cost of the drug will have to be submitted to the regional Medicare carrier, United Health Care in Wilkes-Barre for reimbursement.
- 12/26/97: Reminder to PACE Providers that claims submitted for brand name pharmaceuticals having an A-rated generic therapeutic equivalent will be denied unless a medical exception is granted or PACE does not mandate substitution for the product. PACE does not require substitution on these products with A-rated generics Warfarin Sodium (Coumadin); Carbamazepine (Tegretol); Phenytoin (Dilantin); or Furosemide (Lasix).

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.
- 8/2/96: Other Insurance Coverage: Reminder to Providers to exercise reasonable diligence in ascertaining the existence of other prescription benefits before billing the PACE Program.
- 10/18/96: Injectable Chemotherapeutics: Reimbursement restrictions (20% of Average Wholesale Price) applied to injectable chemotherapy medications when administered through a home infusion pump or in a physician's office.
- 10/18/96: Vaccine Reimbursement: Notified Providers of a change in the reimbursement of vaccines to be implemented on November 11, 1996 for claims with a date-of-service on or after that date. The change is as follows: Vaccines used to provide immunization against pneumococcal pneumonia and influenza will no longer be reimbursed by the PACE Program. Vaccines used to provide immunization against hepatitis B will be reimbursed at 20% of the Average Wholesale Price.
- 10/18/96: Bronchodilator Drugs: Notified Providers that effective November 11, 1996, PACE will begin reimbursing only 20% of Average Wholesale Price for the following products: Acetylcysteine 10%; Acetylcysteine 20%; Albuterol Sulfate 0.083%; Albuterol Sulfate 0.5%; Cromolyn Sodium; Isoetharine HCl 0.1%; Isoetharine HCl 0.125%; Isoetharine HCl 0.167%; Isoetharine HCl 0.2%; Isoetharine HCl 0.25%; Isoetharine HCl 1.0%; Isoproterenol HCl 0.5%; Isoproterenol HCl 1.0%; Metaproterenol Sulfate 0.4%; Metaproterenol Sulfate 0.6%; and Metaproterenol Sulfate 5.0%.
- 11/21/96: PACE Legislative Changes: Notified Providers of increased income limits (\$14,000 maximum for singles and \$17,200 maximum for married); and Mandatory Substitution of A-Rated Multiple-source products.
- 11/21/96: PACENET Requirements: Notified Providers of income limits for PACENET cardholders (Between \$14,000 and \$16,000 if single; Between \$17,200 and \$19,200 if married); Annual Deductible (\$500 per person) which PACE Providers are expected to enter PACENET Enrollee's out-of-pocket prescription expenses in POCAS; Mandatory Copayments (\$8 per prescription for non-innovator, multiple-source (generic) products; and \$15 per prescription for single-source and innovator multiple-source products); Mandatory Substitution of A-Rated Multiple-source products after deductible is met; and the claims reimbursement formula for PACENET claims would be AWP—10% + \$3.50 dispensing fee.
- 11/22/96: Third Party Liability: Notified Providers that a PACE cardholder's I.D. card could currently contain two indicators that may affect coverage. The first indicator is a "Y" appearing in the lower right quadrant of the I.D. card meaning the cardholder has informed PACE that they have other third party insurance that is to be billed before

PACE. The second indicator is an "L" appearing in the lower right quadrant of the I.D. card. This "L" means the cardholder has been restricted into receiving their PACE benefits at one specific provider.

- 11/22/96: Lovenox: Notified Providers that effective December 9, 1996, PACE will reimburse claims submitted for Lovenox only when being prescribed for the prevention of deep venous thrombosis, which may lead to a pulmonary embolism following hip or knee replacement surgery or general surgery which includes abdominal, gynecologic, urologic or thoracic. Further, since Lovenox is indicated for short-term treatment (seven to ten days), the Program will apply a duration edit of not greater than 14 days to all incoming claims.
- 11/22/96: Oral Vancomycin: Notified Providers that PACE would be applying a duration of therapy edit of not greater than 14 days for all incoming claims for oral Vancomycin.
- 11/22/96: Bronchodilator Drug Update: Reminder for Providers that reimbursement for the bronchodilator solutions used in either IPPB machines or nebulizers is limited to 20% of the Average Wholesale Price by PACE and suggested that Providers who do not currently have a Medicare provider number contact the National Supplier Clearinghouse in North Carolina to request an application.
- 11/22/96: Non-Participating Manufacturers effective November 27, 1996.
- 12/01/96: Processing PACENET Claims: Provides information to assist pharmacies in the processing of claims for cardholders enrolled in PACENET.
- 12/13/96: Imitrex Tablets: Notified Providers that effective December 30, 1996, all claims for Imitrex will not be reimbursed for a quantity greater than nine or a days' supply less than or equal to 25.
- 12/13/96: Nimotop: Notified Providers that effective December 30, 1996, claims for Nimotop will be denied at the point-of-sale. After determining the diagnosis, providers can contact the POCAS operators and obtain a Medical Exception. Although this medication is approved only for use in subarachnoid hemorrhage, there are several other off-label uses for which reimbursement will be made.
- 12/13/96: Revision: Non-Participating Manufacturer List.
- 12/20/96: Mandatory Generic Substitution: Advises providers to direct cardholder questions about the new mandatory substitution policy to the Cardholder Services toll-free number (1-800-225-7223).

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; Cytosan 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

Division of Program & Regulatory Coordination

Contact: Robert Hussar, Division Chief (717)-783-8975

Current Aging Program Directives

Provided below is a comprehensive list of current Aging Program Directives and LAMP/OPTIONS Bulletins. Directives which do not appear on the list are no longer in effect. Current directives are as follows:

Program Area 01—"AAA Administration"

- 88-01-07 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
- 95-01-08 FY 1996-99 Three Year Plan Requirements
- 95-01-09 Assessments of Persons With "An Other Related Condition" Who Are Exceptional Admissions
- 97-01-02 Accounting Manual For AAA Programs
- 97-01-03 Interim Revision of the OPTIONS Assessment Reporting Forms OPT01 and OPT 01X
- 98-01-01 OPTIONS Procedures Manual
- 98-01-02 Area Agency on Aging Program Income Policies
- 99-01-04 Contract Management
- 00-01-01 FY 2000-2004 Four-Year Plan Requirements

- 00-01-03 FY 2000-2001 Aging Services Block Grant
- 00-01-04 PDA Waiver Paid Claims Reconciliation
- 00-01-05 FY 2000-2001 Program and Financial Reporting Requirements

Program Area 02—“Home Delivered Meals”

See Program Area 03.

Program Area 03—“Congregate Meals”

- 90-03-01 Policies and Standards for the Department of Aging Funded Nutrition Service Programs

Program Area 04—“Socialization/Recreation/Education/Health Promotion”

- 96-04-01 Senior Community Center And Satellite Center Policies and Standards
- 98-04-01 PrimeTime Health Program

Program Area 05—“Employment Services”

- 95-05-02 Title V Senior Community Service Employment Program: Final Rule
- 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 22—“Assessments”

- See APD #95-05-09 and Book I of APD #98-01-01

Program Area 23—“Care Management”

- See APD #98-01-01.

Program Area 24—“Protective Services Intake/Investigation”

- 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 #89-24-02)
- 93-24-01 Protective Services Investigations
- 93-24-02 Protective Services Investigations (supplements APD #93-18-01)
- 97-24-01 Protective Services Report of Need and Investigation Summary and Assessment Form
- 00-24-01 Perpetrator Designation and Notification in P.S. Cases

Program Area 13—“Personal Care”

- See APD #98-01-01.

Program Area 12—“Home Health”

- See APD #98-01-01.

Program Area 19—“Home Support”

- See APD #98-01-01.

Program Area 20—“Adult Day Care”

- See 6 Pa. Code Chapter 11, Sections 11.1 to 11.292.

Program Area 25—“Domiciliary Care”

- 85-25-02 Statewide Expansion of Domiciliary Care Program
- 90-25-01 Domiciliary Care Services for Adults—Final Rule making
- 93-25-01 Keys Amendment Implementation as It Relates to the Domiciliary Care Program
- 99-25-01 Domiciliary Care Consumer Payment To Providers

Program Area 09—“Legal Assistance”

- 85-09-01 AAA Program of Legal Services to the Elderly

Program Area 10—“Ombudsman”

- 98-10-01 Long-Term Care Ombudsman Program

Program Area 14—“Personal Assistance Service”

- See APD #98-01-01.

Program Area 18—“Medical Equipment, Supplies and Adaptive Devices”

- See APD #98-01-01.

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
- 85-29-04 PDA Fair Hearings and Appeals Regulations
- 85-29-06 Interdepartmental Cooperative Agreement between the PDA and DPW, Office of Mental Health
- 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
- 94-29-04 Emergency Operations Plan for the Department of Aging (rescinds APD #92-22-04)
- 96-29-01 Statement of PDA Intent Re: Allocation To New Area Agencies
- 97-29-01 Retention of AAA Records
- 97-29-02 Emergency Operations Plan for the Department of Aging.
- 98-29-01 List of Current Aging Program Directives (APDs) and Options Level II bulletins

CURRENT OPTIONS/LONG-TERM CARE ASSESSMENT AND MANAGEMENT PROGRAM (LAMP) Bulletins

- 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
- 95-01 Medical Assistance (MA) Estate Recovery Program (supplements OPTIONS-Level II Bulletin #93-01)

AGRICULTURE**POLICY STATEMENTS:****Bureau of Animal Health and Diagnostic Services**

- Scrapie Containment and Eradication Strategy

Contact: Philip Debok (717-783-8300)

Bureau of Plant Industry

- Fertilizer, Soil Conditioner 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)

GUIDANCE MANUALS:**Bureau of Animal Health and Diagnostic Services**

- Pennsylvania Animal Diagnostic Laboratory System User Guide

Contact: Barbara Corson (717-787-8808)

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: Lenchen Radle (717-787-4315)

Pennsylvania Harness Racing Commission

- Licensing Procedures and Standards for Applicants

Contact: Anton J. Leppler (717-787-5196)

Pennsylvania Horse Racing Commission

- Guidelines for Medications in Racehorses

Contact: Benjamin H. Nolt, Jr. (717-787-1942)

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: Lenchen Radle (717-787-4315)

Pennsylvania Harness Racing Commission

- Procedures with respect to Unlicensed Owners

Contact: Anton J. Leppler (717-787-5196)

Bureau of Plant Industry

- Turfgrass Seed Certification Interagency and Interstate Certification

Contact: Joe Garvey (717-787-5609)

- Plant Pest Act Enforcement Action Penalty Matrix

Contact: Walt Blosser (717-772-5205)

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: Lenchen 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 David H. Bleicken (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.

***2000**

- | | |
|---------|---|
| 1-18-00 | Department's General Position on Internet Banking |
| 5-26-99 | Letter interprets section 1414 of the Banking Code of 1965 as permitting Pennsylvania state-chartered banks, bank and trust companies, and savings banks to charge interest on loans to their directors to the same extent as permitted under Federal Reserve "Regulation O." |
| 3-30-00 | Pennsylvania State-Chartered Banks, Bank and Trust Companies and Savings Banks May Establish and Operate Messenger Services Branches. |

***1999**

- | | |
|---------|--|
| 1-22-99 | Record Keeping Guidelines under the Mortgage Bankers and Brokers Act. |
| 1-22-99 | Record Keeping Guidelines under the Consumer Discount Company Act. |
| 1-22-99 | Record Keeping Guidelines under the Secondary Mortgage Loan Act. |
| 5-12-99 | Letter states that state-chartered banking institutions and offices of national banks located in Pennsylvania may remain open for business on January 1, 2, and 3, 2000, in order to address customers' questions and concerns regarding Year 2000 computer transaction issues. |
| 5-26-99 | Letter interprets section 1414 of the Banking Code of 1965 as permitting Pennsylvania state-chartered banks, bank and trust companies, and savings banks to charge interest on loans to their executive officers to the same extent as permitted under Federal Reserve "Regulation O." |

***1998**

- | | |
|----------|--|
| 1-15-98 | Year 2000 readiness and credit underwriting criteria for state-chartered banks, savings and loan associations, credit unions, and trust companies. |
| 1-23-98 | Year 2000 readiness and credit underwriting criteria for credit unions. |
| 2-2-98 | Year 2000 readiness for licensees under the Consumer Discount Company Act, Money Transmitter Act, Mortgage Bankers and Brokers Act, Secondary Mortgage Loan Act and Motor Vehicle Sales Finance Act. |
| 8-24-98 | Bank Holidays for 1999. |
| 12-23-98 | Letter regarding Act 132 of 1998 which provides for a fair and orderly phasing out of the Pennsylvania Savings Association Insurance Corporation. |

***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.
- 8-2-97 Bank Holidays for 1998.
- *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 nondepository trust companies.
- *1995**
- 3-24-95 Letter containing Department's statement of policy regarding the Simplification and Availability of Bank Credit Act (Act 167 of 1994).
- 7-11-95 Letter regarding Act 39 of 1995, amends the provisions of Pennsylvania's Banking Code of 1965, as amended ("Banking Code") to authorize full interstate banking and branching under Pennsylvania law and to facilitate the operations of interstate banks in Pennsylvania.
- 10-10-95 Letter to presidents of Pennsylvania State-chartered Credit Unions forwarding Investment Powers, Standards and Accounting Guidelines for Pennsylvania state-chartered credit unions as required by Section 501(b)(7) of the Credit Union Code which was amended by House Bill 2563, codified as Act 146 of 1994, effective February 12, 1995.
- *1994**
- 3-24-94 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 presidents and Chief Compliance Officers of Pennsylvania First Mortgage Companies regarding mortgage companies disbursing loan proceeds in a form prescribed by applicable law.
- *1993**
- 9-24-93 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 CEO's 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 CEO's 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 CEO's 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 CEO's 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 CEO's 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 CEO's 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 [00a7] 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 CEO's 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 CEO's 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 CEO's 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 an existing collateral protection insurance program 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 Accounts.
- *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 30% 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.
- 9-28-89 Letter lists legal bank holidays for 1990.
- 11-1-89 Letter to CEO's 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 CEO's 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 of 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 section 311(b), 502(d) and 203(d) of the Banking Code.
- 3-23-87 Letter addressed to CEO's of all PA state-chartered banking institutions discusses section 1407(a) and 1407(c) of the Banking Code, which revises the minimum requirements for Directors' audits performed by CPA's.
- 6-12-87 Letter to CEO's 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 CEO's 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.
- 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 7.110, 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.
- 10-9-84 Letter discusses section 105(b.1) of the Banking Code, establishment of additional office 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 Pennsylvania 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 27-18, 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 CEO's 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^o and 610^o 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 conversion 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.
- 3-3-80 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”*

**10 Pa. Code § 21.61—Insurance and Annuities (Act 40 of 1997 was enacted after issuance of this Statement of Policy)*

**10 Pa. Code § 41.3a—Calculation of Consumer Discount Company Act default charges—Statement of Policy*

**10 Pa. Code Chapter 81—Check Cashers—Statement of Policy*

**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:*

DeNovo 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 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 Associations

Bank

** Intrastate Acquisitions*

Bank Holding Company

Thrift Holding Company

** Interstate Acquisitions*

Thrift Holding Company

** Other*

Change In Bank Control—Individuals

Mutual Holding Company Reorganizations

Trust Department—Bank, Savings Association

Bank Subsidiaries

**INDEX OF GUIDANCE AVAILABLE REGARDING COMPLIANCE
WITH LICENSEE STATUTES AND REGULATIONS**

Instructions for license applications, and Guidelines for compliance are available regarding each of the following statutes and, to the extent that regulations have been promulgated, their respective underlying regulations:

- Mortgage Bankers and Brokers Act,
- Secondary Mortgage Loan Act,
- Consumer Discount Company Act,
- Money Transmitter Act,
- Motor Vehicle Sales Finance Act,
- Pawnbrokers License Act,
- Check Cashers Licensing Act, and
- Credit Services Act.

In addition to the above indices, the Department of Banking maintains interpretive letters addressing the applicability of statutes and regulations administered by the Department of Banking to specific fact patterns. The Department may provide a summary of the Department's position on a particular issue or a redacted interpretive letter when appropriate in response to particular questions previously addressed by the Department, in order to assist the public and members of the lending industry in complying with laws administered by the Department. The Department of Banking will continue to issue interpretive letters on a case basis when appropriate regarding new issues raised by persons requesting such interpretive information.

COMMUNITY & ECONOMIC DEVELOPMENT

I. POLICY STATEMENTS:

Office of Community Development and Housing

Enterprise Development Area Initiative

Ed Geiger (717-787-5327)

Private Capital and Loans Office

Machinery and Equipment Loan Fund

Pennsylvania Industrial Development Authority

Kim Kaufman (717-783-1109)

Strategic Planning Operations Office

Community Revitalization Assistance Office

Oliver Bartlett (717-720-7352)

II. GUIDANCE MANUALS:

Center for Travel, Tourism and Film

Regional Marketing Initiative

Rick Dunlap (717-787-5453)

Tourist Promotion Agency Matching Fund Program Manual

Keith Gingrich (717-787-5453)

Entrepreneurial Assistance Office

Entrepreneurial Guide: Starting and Growing a Business in Pennsylvania

Neil Fowler (717-720-7423)

Office of Community Development and Housing

Building Energy Conservation

John Boyer (717-720-7413)

CDBG Grantee Monitoring Systems

CDBG Grantee Performance Evaluation Report Handbook

Civil Rights Manual

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

Scott Dunwoody (717-783-3910)

III. DECISIONS:

IV. INTERNAL GUIDELINES:

Economic Development Assistance Office

Customized Job Training
Industrial Sites Reuse Program
Infrastructure Development Program
Job Creation Tax Credit Fund
Local Economic Development Assistance Program
Opportunity Fund

Scott Dunkelberger (717-787-7120)

Local Government Services Center

Land Use Planning and Technical Assistance Program
 Neil Kinsey (1-888-223-6837)
Municipalities Financial Recovery Act Program
Shared Municipal Services Program
 Fred Reddig (1-888-223-6837)
Regional Police Assistance Program
 Bill Gamble (1-888-223-6837)

Office of Community Development and Housing

Community Development Block Grant
Community of Opportunities
Downtown Pennsylvania Program
Emergency Shelter Grant Program
Home Investment Partnerships Program
Housing and Community Development Program
Section 108 (of the Housing & Community Dev. Act) Loan Guarantee Program
Small Communities Planning Assistance Program

Ed Geiger (717-787-5327)

Office of Community Empowerment

Community Development and Finance Corporation Grant and Loan Program
Community Services Block Grant Program
Community Services Block Grant Discretionary Grants
Emergency Community Services Homeless Grant Program
Employment and Community Conservation Program
Family Savings Account
Neighborhood Assistance Program
Neighborhood Assistance Enterprise Zone Tax Credit Program
Weatherization Program

Dennis Darling (717-787-1984)

Community Conservation and Employment Program Operations

Jamie Reed or Fred Abrams (717-787-1984)

Community Services Block Grant Directives

Rhonda Denius (717-787-1984)

Enterprise Zone Tax Credit Program

Fred Abrams (717-787-1984)

Office of International Business DevelopmentExport 2000 Block GrantMarket Access Grant

Lois Batcheler (717-787-7190)

Office of Policy and TechnologyBen Franklin Technology Center Program for Technological InnovationPennsylvania Industrial Resource Center Program

Sharon Minnich (717-787-3003)

Private Capital and Loans Office*Pennsylvania Economic Development Financing Authority:*Conventional Bond Financing (Taxable)Exempt Facility & Small Issue BondsIndustrial Development Authority FinancingPennsylvania Capital Access ProgramTax-Exempt Bond Financing

Kim Kaufman (717-783-1109)

Community Development Bank Program:

Accreditation StandardsCapacity Building GrantsPennsylvania Community Development Bank Business PlanState Accreditation Guidelines and ApplicationUnderwriting

Joan Brodhead (717-783-1109)

*Pennsylvania Industrial Development Authority:*Machinery and Equipment Loan Fund Program

Kim Kaufman (717-783-1109)

Small Business Financing OfficeCommunity Economic Development Loan ProgramExport Finance ProgramPennsylvania Minority Business Development AuthorityPollution Prevention Assistance AccountSmall Business First ProgramUnderground Storage Tank Upgrade Loan Program

Brigid Des-Ogugua (717-783-1127)

Strategic Planning and Program OperationsEnterprise Zone Program

David Messner (717-787-7400)

Keystone Opportunity Zone

Richard Hudic (717-787-7400)

V. OTHER**Office of Community Development and Housing**Community Development Block Grant Program DescriptionConsolidated Plan

Ed Geiger (717-787-5327)

CONSERVATION AND NATURAL RESOURCES**POLICY STATEMENTS:****Bureau of Forestry**State Forest Natural Areas

Contact: Dan Devlin (717-787-3444)

Transfer or Exchange of State Forest Land

Contact: Dan Devlin (717-787-3444)

Bureau of State ParksState 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)

Bureau of Recreation and ConservationLand Acquisition Grants

Contact: Darrel Siesholtz (717-783-2661)

GUIDANCE MANUALS:**Bureau of Forestry**Cooperative Gypsy Moth Suppression Program Procedure for Cooperator Participation ManualCooperative 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)

Wildland/Urbanface Guidance Document

Contact: Fred Wilcox (717-787-2925)

Forest Camp Lease ManualRight-of-Way Manual

Contact: C. Edward Bortzfield (717-787-2014)

Snowmobile Instructor's ManualATV Instructor's Manual

Contact: W. Paul Szabara (717-783-7941)

Forest Products Permit

Contact: Gary Rutherford (717-787-4009)

Camping Permit

Contact: William Slippey (717-783-7941)

District Forester Permit

Contact: Gary Rutherford (717-787-4009)

Road Use Agreement

Contact: C. Edward Bortzfield (717-787-2014)

Special Activities Agreement

Contact: William Slippey (717-783-7941)

License for Right of Way

Contact: C. Edward Bortzfield (717-787-2014)

Prospecting Permit

Contact: Roger Dorsey (717-787-4835)

Seismic Survey AgreementOil and Gas LeasesSurface Use AgreementsGas Storage LeasesAgreements of Consent to AssignmentsCoal Agreements

Contact: John Walker (717-787-4835)

Hard Mineral Agreement

Contact: Roger Dorsey (717-787-4835)

Bureau of Recreation and ConservationPennsylvania Scenic Rivers Program GuidelinesPennsylvania Scenic Rivers Program Management Guidelines

Procedures Manual for Pennsylvania Recreation Trails Program

Contact: Marian Hrubovcak (717-787-2316)

Community Conservation Partnership Grants 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 ParksBoat DocksRights-of-Way and Antenna SitesMarina Manuals

Contact: Gary Smith (717-783-3307)

DEPARTMENT OF CORRECTIONS**POLICY STATEMENTS:****Standards and Practices Unit**

- Inmate Handbook—Policy Nos. DC-ADM-003—822

Contact: J.D. Shutt (717) 975-4860

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: John Weiss (717-783-6791)

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: Anne Shuster (717-783-6730)

- Policy on Evaluation Procedure for Certificate of Preliminary Education Evaluation of Credentials

- Memorandum to inform school entities of Letters of Master's and Bachelor's Equivalency

- Memorandum to inform school entities of Emergency Permits

- Memorandum to inform school entities with information on requirements of Act 48 of 1999

- Commonly Asked Questions on Act 48

- Newsletter articles for public information on Act 48

Contact: Susan Stewart (717-787-3356)

- 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.

- Memorandum to Pennsylvania teacher preparation institutions announcing changes to the Pennsylvania Certification Testing program effective September 1, 1999.

- Memorandum to Pennsylvania teacher preparing institutions announcing changes to major reviews and changes to the Pennsylvania Teacher Testing Program for the 1998-99 program year.

- Memorandum: Important Notice on Tests Required (March 2000)

Contact: Frank Reardon (717-787-3470)

- Guidelines for Reporting Pennsylvania Institutions of Higher Education Responses to Title II, Section 207 of the Higher Education Act of 1998 (Draft)

Contact: Marjorie Blaze (717-787-3470)

Bureau of Adult Basic and Literacy Education

- Application Guidelines—Program Year 2000-2001—Pennsylvania Act 143 of 1986, The Workforce Investment Act of 1998, Title II (Adult Education and Family Literacy Act), and Federal Even Start Family Literacy Program (Title I, Part B of Improving America's Schools Act)
- Pennsylvania Literacy Corps—Program Year 2000-2001—Application Guidelines
- Federal Workforce Investment Act, Section 223, Program Year 2000-2001—Guidelines for State Leadership Activities
- Application Guidelines, Section 231—Funds for Workforce Development Services for the two-year period 1999-2001
- Policy Guidance is issued to Adult Basic and Literacy Education funded programs and sets forth Bureau Policy on learner assessment practices and reporting, 1999-2001
- Policy Guidance is issued to agencies funded by the Bureau of Adult Basic and Literacy Education and sets forth Bureau Policy for reporting agency program performance data to the Bureau, 1999-2001
- Policy Guidance is issued to Adult Basic and Literacy Education funded agencies and sets forth Bureau Policy on funding the operations of the Professional Development Centers 2000-2001
- Policy Guidance is issued to Adult Basic and Literacy Education funded programs to establish policy on adult education participation in the **Team Pennsylvania CareerLink System** and to set requirements pertaining to the Memorandum of Understanding between adult education agencies and local workforce investment boards, 2000-2002
- Policy Guidance is issued to Adult Basic and Literacy Education funded family literacy programs to establish policy and requirements pertaining to the Pennsylvania Family Literacy Summer Reading Program, 2000-2003

Contact: Cheryl Keenan (717-772-3737)

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: Bob Staver (717-787-4313)
- Community College Workforce Development Challenge Grants Application Guidelines 2000-2002

Contact: Richter L. Voight (717-787-5041)

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"
 - Private Licensed School Memoranda—Final Rulemaking—Chapter 73 Regulations
 - Private Licensed School Memoranda—Scholarships
 - Private Licensed School Memoranda—Revised Board Policy on the Use of the Term Tuition "Savings"
 - Private Licensed School Memoranda—Revised Scholarships Policy
 - Private Licensed School Memoranda—Certificates of Preliminary Education and Correspondence High School Programs
- Contact: James G. Hobbs (717-783-8228)
- Education for Corporations Interested in Receiving Authority to Offer Academic Programs in Pennsylvania Leading to Collegiate Level Degrees

Contact: Warren Evans (717-787-7572)

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 (570-963-4040)

Bureau of Vocational-Technical Education

- Pennsylvania State Plan for the Administration of the Carl D. Perkins Vocational and Technical Education Act of 1998
- Contact: Thomas R. Winters (717-787-5530)

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: Fran J. Warkomski (717-783-2311)
- Memorandum to Local Education Agencies (Penn*Link): Guidance Regarding Extended School Year Services (January 3, 1997)
- Memorandum to Local Education Agencies (Penn*Link): Superintendent's Signature on the PDE-4010, Application for Educational Assignment to Approved Private School for School-Aged Children (May 14, 1997)
- Memorandum to Local Education Agencies: Periodic Reporting Requirements of IDEA '97
- Memorandum to Local Education Agencies: Linking IEP Goals and Objectives/Benchmarks to the General Education Curriculum
- Memorandum to Local Education Agencies: The General Education Curriculum and IDEA '97
- Memorandum to Local Education Agencies (Penn*Link): 2000 Cut-Off Date for NEW PDE-4010 (April 18, 2000)
Contact: John Tommasini (717-783-6134)
- Memorandum to Local Education Agencies (Penn*Link): Transition to School Age from Early Intervention—Questions & Answers (February 12, 1997)
- Memorandum to Local Education Agencies (Penn*Link): Policy on Transfer of Records from MAWA to School Districts (December 17, 1999)
Contact: Dr. Richard Price (717-772-2647)
- Memorandum to Local Education Agencies (Penn*Link): 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)
- Memorandum to Local Education Agencies (Penn*Link): Revised Special Education Forms and Formats (May 3, 2000)
Contact: Loujeania Bost (717-772-3260)
- Memorandum to Local Education Agencies: Transition Individualized Education Program (IEP) Format
Contact: Richard Brown (717-783-6876)
- Memorandum to Local Education Agencies (Penn*Link): Reporting of Scores of Students With Disabilities on the Pennsylvania System of School Assessment (PSSA) and Alternate Assessment (October 21, 1999)
Contact: Ellen Romett (717-772-3260)
- Memorandum to Local Education Agencies (Penn*Link): IDEA Regulations Section 300.142(e)(f)(g)(h)(i) Relating to Methods of Ensuring Service (February 24, 2000)
Contact: Edward Copeland (717-783-6883)
- Memorandum to Local Education Agencies (Penn*Link): Distribution of IDEA Funds to Districts (June 8, 2000)
- Memorandum to Intermediate Units (Penn*Link): Support for the Purchase of Assistive Technology Equipment (August 4, 1999)
Contact: Patricia Hozella (717-783-6878)
- Memorandum to Local Education Agencies (Penn*Link): Reporting Students Assigned to Instruction in the Home and Homebound Instruction (April 3, 2000)
Contact: Robert Norris (717-783-6921)

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)

Bureau of Personnel

- Memorandum of February 26, 1999 concerning changes to the Standard Application for Teaching Positions in Pennsylvania

Contact: Suzanne Shatto (717-787-4417)

GUIDANCE MANUALS:**Bureau of Special Education**

- Early Intervention Guidelines

Contact: Dr. Richard Price (717-772-2647)

- Special Education Information System

- Memorandum to Local Education Agencies (Penn*Link): Support for the Purchase of Assistive Technology Equipment (August 4, 1999)

- Memorandum to Local Education Agencies (Penn*Link): Age of Majority and the Pennsylvania Guidelines for Secondary Transition for Students with Disabilities (April 5, 2000)

Contact: John Tommasini (717-783-6134)

- Instructional Support

- Effective Behavior Support

- Guidelines for Intermediate Unit Special Education Plans, 2000-2001

- Guidelines for School District Special Education

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

- Education of Students with Hearing Loss

Contact: John Tommasini (717-783-6134)

- 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: John Tommasini (717-783-6134)

- Individuals With Disabilities Education Act-Part B Program Guidelines for Local Education Agency Applications for 1998/99

Contact: Patricia Hozella (717-783-6878)

Bureau of Information Systems

- Secondary Vocational-Technical Education Individual Student Data System Instruction Manual, 1999-2000

Contact: Barbara T. Kern (717-783-6762)

- Adult Vocational-Technical Education Data Collection Instruction Manual, 1999-2000

Contact: John S. Creason (717-787-7289)

- Elementary/Secondary Professional Personnel Instruction Manual, 1999-2000

Contact: Jeanne S. Hobaugh (717-783-6761)

- Postsecondary Occupationally Specific Instruction Manual, 1999-2000

Contact: Marcia McCormick (717-783-6763)

- Elementary/Secondary Professional Personnel Charter School Institution Manual, 1999-2000

Contact: Jeanne Hobaugh (717-783-6761)

Bureau of State Library

- Revised Classification Scheme for Pennsylvania State Publications, 1998—Provides Call Numbers to be Used in Classifying Pennsylvania State Publications

Contact: Mary Lou Sowden (717-783-5964)

Bureau of Library Development

- Guidelines for Negotiating Agreements, 1996—Guidance for District Library Centers in Negotiating Service Agreements With Local Libraries
- Guidelines for Statewide Library Card System, 1997—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
- Pennsylvania Guidelines for School Library Information Programs, 1999—Suggestions for Implementing Quality Library Programs in Pennsylvania
- Measuring Up To Standards: The Impact of School Library Programs and Information Literacy in Pennsylvania Schools—recent research on the impact of school library programs on academic achievement.
- The Pennsylvania School Library Information Specialist TOOLKIT for Implementing Information Literacy in schools—defines information literacy standards integrated into curricular areas.

Contact: Barbara W. Cole (717-783-5722)

Bureau of Community and Student Services

- Pregnant and Parenting Teen Evaluation Packet
- Education Leading to Employment and Career Training Monthly Attendance Instructions
- Education for Homeless Children and Youth Application for Continuation Funds, Fiscal Year 1999-00
- Safe & Drug-Free Schools & Communities 1998-99 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: Dan Iser (717-787-6406)

Marlene Kanuck (717-783-9294)

Sheldon Winnick (717-772-2066)

Deputy Secretary's Office of Elementary and Secondary Education

- 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 (717-783-9287)

- Child Labor Laws and Employment of Minors

Contact: Stephen Fisher (717-787-6016)

- Guidelines and Application for the Alternative Education for Disruptive Youth Program

- Guidelines and Application for Private Alternative Education Institutions

Contact: Jim Keeley (717-787-4860)

Jim Buckheit (717-787-4860)

Bureau of Teacher Preparation and Certification

- Pennsylvania Teacher Intern Certification Handbook and Institutional Listing (Revised, 1998)

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.
- Alternative Certification
- Teacher Certification Information Sheets (Various handout papers used to respond to queries on professional educator certification in Pennsylvania.)
Contact: Susan Stewart (717-787-3356)
- Guidelines for the Preparation of Self-Study Materials for Certification in Pennsylvania
Contact: Ron Simanovich (717-787-3470)
- Certification for Charter School Professional Staff
- Application Booklets (revised April 2000)
 - Applicant Prepared Outside of Pennsylvania
 - Emergency Permits and Act 97 Waiver
 - Letter of Equivalency for Master's Degree
- Professional Educator Certificate (Revised 4/00)
- Letter of Equivalency for Master's Degree (issued 3/00)
- Letter of Equivalency for Bachelor's Degree (issued 3/00) [00b0]
 - Application information and form
 - Letter of Equivalency with seal
- Emergency Permit with seal (issued 3/00)
- Private School Certificate Application (revised 5/00)
- Requirements of Act 48 of 1999 [00b0]
 - Application for Voluntary Inactive Certification (Form 338R)
 - Approval notice for Voluntary Inactive Certification
 - Application for Removal of Voluntary Inactive Certification (Form 338R2)
 - Approval notice for Removal of Voluntary Inactive Certification
 - Four and five-year notices for educators and school entities

Contact: Susan Stewart (717-787-3356)

Bureau of Postsecondary Services

- Pennsylvania Department of Education Guidelines for the Approval of Degree Programs
Contact: Paula Fleck (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: Paula Fleck (717-772-3623)
- Eisenhower Postsecondary Grant Application Guidelines
Contact: Linda J. Benedetto (717-772-3623)

Deputy Secretary's Office of Postsecondary and Higher Education

- Chart of Activities for a Group Wishing to Establish a Domestic Nonprofit/For-Profit Degree-Granting Institution in Pennsylvania or a Foreign Nonprofit/For-Profit Degree-Granting Corporation Wishing to Operate in Pennsylvania
Contact: Dr. Warren D. Evans (717-787-7572)

Bureau of Vocational-Technical Education

- Guidelines for Community College Variable Stipend Program
- Application Information on Federal Vocational-Technical Education State Leadership Funding
- Application Information on Federal Vocational-Technical Education State Leadership Funding for Graduate Research
- Application Information on Vocational-Technical Education State Economic Development Funding
Contact: John Bonchalk (717-783-6867)
- Cooperative Education Guidelines for Administration
Contact: Norma Stwalley (717-772-4968)
- 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: Paul Munyofu (717-783-6867)
- Tech Prep Program Approval in Pennsylvania Interpretative Questions and Answers
- Tech Prep Secondary and Postsecondary Guidelines 2000-2004
Contact: Raymond Watson (717-787-5293)
- 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 Technical Assistance Manual for Perkins One-Stop Partners in Pennsylvania Career Link Centers
- Secondary & Postsecondary Perkins Local Plan Guidelines 2000-2004
Contact: Carroll A. Curtis (717-772-4851)
- Secondary Vocational-Technical Education Program Approval Application Procedure
Contact: Forrest Keiser (717-787-8804)
- Innovative Learning and Workforce Development Funding
Contact: Jane Acri (717-783-6867)
- New Choices/New Options Career Development for Single Parents, Displaced Homemakers, Single Pregnant Women and Individuals Interested in Nontraditional Vocational Education
Contact: Florence Jean Wright (717-787-5293)

Bureau of Curriculum and Academic Services

- Pennsylvania Strategic Planning: Equitable Representation
- Chapter 4 Strategic Planning Guidelines
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: Lee Plempel (717-787-4234)
- Reading Assessment Handbook
Contact: Mary Emminger (717-787-4234)
- Mathematics Assessment Handbook
Contact: James Masters (717-787-4234)
- School Profiles CD ROMs
Contact: Gerald Bennett (717-787-4234)
- School-By-School Results—Quartile Distribution
- School-By-School Results—Scaled Scores
- Supplemental Documentation for 1997 Reading, Mathematics and Writing Assessment Reports
Contacts: Leonard Lock (717-787-4234)
Richard Kohr (717-787-4234)
- Guidelines for Sex Education in Public Schools of Pennsylvania
Contact: Shirley Black (717-772-0067)
- Pennsylvania Department of Education Guidelines for Approved In-Service Credit
- Pennsylvania Department of Education In-Service Course Writers' and Reviewers' Manual
- Induction and Professional Development Guidelines, May 1993
Contact: Carol Bellew (717-783-2960)

Thaddeus Stevens College of Technology

- View Book
- Student Handbook, 1998-99
Contact: Paul Cameron (717-299-7751)
- School Catalog, Fall 1999—Spring 2001
Contact: Donn E. Pittenger (717-299-7793)

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)
- School-To-Work Opportunities Act Financial Reporting Information for Fiscal Year 2000-2001
- Financial Reporting Instructions for State-Funded Registered Apprenticeship Projects for Fiscal Year 2000-2001
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
- Procedures for Funding Engineering Schools Equipment Grant Program
Contact: Larry Snell (717-787-5993)
- Individuals with Disabilities Education Act, Part B Administrative and Fiscal Guidelines
- Individuals with Disabilities Education Act Part B (IDEA-B) 2000-01 Administrative and Fiscal Guidelines for Rider H—Program Application of LEA; Rider I—Support Services and Rider J—Direct Services
- Individuals with Disabilities Education Act Part B (IDEA-B) 2000-01 Administrative and Fiscal Guidelines for Approved Private Schools
- Individuals with Disabilities Education Act Part B (IDEA-B) 2000-01 Administrative and Fiscal Guidelines for Institutions of Higher Education and other Nonpublic School Entities
- Procedures for Commonwealth Reimbursement of the Special Education Cost of Wards of the State
- Out-of-State Special Education Placements Approval and Reimbursement (jointly with the Bureau of Special Education [John Tommasini])
Contact: Ralph Girolamo (717-783-6535)

Office of Educational Initiatives

- Charter School Manual
Contact: Dr. Timothy Daniels (717-705-2343)

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
- Mary Ellen Mela v. Morrisville School District, Teacher Tenure Appeal No. 5-95
- Angela Martino v. Philadelphia City School District, Teacher Tenure Appeal No. 7-95
- Deborah N. Collins v. Bethlehem Area Vocational-Technical School, Teacher Tenure Appeal No. 3-96
- Shawn-Kimberly Kocher v. Salisbury School District, Teacher Tenure Appeal No. 5-97
- Dale Kessler v. Line Mountain School District, Teacher Tenure Appeal No. 11-94
- Thomas Katruska v. Bethlehem-Center School District, Teacher Tenure Appeal No. 4-97
- Jane L. Shaffer v. Riverview Intermediate Unit, Teacher Tenure Appeal No. 6-97
- John Reber and Thomas L. McDevitt v. Reading School District, Teacher Tenure Appeal No. 12-95

- Mark Berman, et al v. Philadelphia School District, Teacher Tenure Appeal No. 3-97
- Jay Mastro v. City of Pittsburgh School Board, Teacher Tenure Appeal No. 1-98
- Carol Ann Russo v. Easton Area School District, Teacher Tenure Appeal No. 4-98
- Mary Anne Norris v. Penns Valley Area District, Teacher Tenure Appeal No. 2-98
- Alice Hirsch v. Montour School District, Teacher Tenure Appeal No. 2-97
- Karen Korman v. Penns Valley Area School District, Teacher Tenure Appeal No. 1-99
- Kevin Santry v. Philadelphia School District, Teacher Tenure Appeal No. 2-99
- Stephen Moiles v. Marple Newtown School District, Teacher Tenure Appeal No. 1-00
- James B. Dickinson, Jr. v. Gettysburg Area School District, Teacher Tenure Appeal No. 3-98

Contact: Abigail Tierney (717-787-5500)

Certification Appeal Committee Decisions

- Michael Leichliter, Certification Appeal #97-01
- William Tolen, Certification Appeal #97-02
- Peter Coppelli, Certification Appeal #97-03
- Steven P. Miller, Certification Appeal #97-04
- Lisa R. Church, Certification Appeal #97-05
- William F. Beck, Certification Appeal #97-06
- Daunice Bunn Certification Appeal #97-07
- Michael Trombley, Certification Appeal #97-08
- Michael Vitali, Certification Appeal #97-09
- John Rossman, Certification Appeal #97-10
- Brian Cote, Certification Appeal #97-11
- Lorraine Gill, Certification Appeal #97-12
- Manuel Morales, Certification Appeal #97-13
- Laura Lembo, Certification Appeal #97-14
- Matthew McGuire, Certification Appeal #97-15
- Alexander Toll, Certification Appeal #97-16
- Randy Gilgannon, Certification Appeal #97-17
- Alan Lutz, Certification Appeal #97-18
- Sarah Sabin, Certification Appeal #97-19
- Malcolm Conner, Certification Appeal #97-21
- Patricia Loverich, Certification Appeal #97-22
- David Heffner, Certification Appeal #97-23
- Beth Ann Rosica, Certification Appeal #97-24
- Phillip Voronin, Certification Appeal #98-01
- William M. Angle, Certification Appeal #98-02
- Ronald L. Petroff, Certification Appeal #98-03
- Robert Dinnen, Certification Appeal #98-04
- Kathleen Petrini, Certification Appeal #98-05
- Renu Kumari, Certification Appeal #98-06
- Donald E. Dillard, Certification Appeal #98-07
- William C. Vonada, Certification Appeal #98-08
- Paul Casebeer, Certification Appeal #98-09A
- Mischelle Nalley, Certification Appeal #98-09B
- Alyson Gleiberman, Certification Appeal #98-10
- Martin Aylesworth, Certification Appeal #98-11
- Mamun Aiman, Certification Appeal #98-12
- Michael Farkas, Certification Appeal #98-13
- James Pilla, Certification Appeal #98-14

- Clyde Jones, Certification Appeal #98-15
 - David F. Miller, Certification Appeal #98-16
 - Darlene Burnett, Certification Appeal #98-17
 - Edward Littlehale, Certification Appeal #98-18
 - Vicki Phillips, Certification Appeal #98-19
 - Felicia Whitney, Certification Appeal #98-20
 - La'Shawn Randall, Certification Appeal #98-21
 - Amy Sauerwine, Certification Appeal #98-22
 - Robert C. Kern, Certification Appeal #98-23
 - Frank J. Burich, Certification Appeal #98-24
 - Ron D. Cvengros, Certification Appeal #98-25
 - Kristine Stetter, Certification Appeal #98-26
 - Mark McConaghy, Certification Appeal #98-27
 - Dwight Shaw, Certification Appeal #98-28
 - Daniel Waterman, Certification Appeal #99-01
 - Colleen Kosiarski, Certification Appeal #99-02
 - Richard Struck, Certification Appeal #99-03
 - Lynne Smith, Certification Appeal #99-04
 - Lynne Smith, Certification Appeal #99-05
 - Daniel M. McAboy, Certification Appeal #99-06
 - Joseph Adams, Certification Appeal #99-07
 - Deborah K. Warren, Certification #99-09
 - 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: Frank Meehan (717-772-3623)

Certification Audit Appeals

- Lancaster School District
Contact: M. Patricia Fullerton (717-787-5500)

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)
- Commonwealth of Pennsylvania v. Bobby Wilson
Contact: Joseph Miller (717-787-5500)

Food and Nutrition Decision

- Lower Kensington Environmental Center Youth Services, Child Care Food Program 1995-1
- Tots Yearn to Learn, Inc.
Contact: Roger R. Seip (717-787-5500)
- Cassoria Learning Centers, Inc.
Contact: Ernest N. Helling (717-787-5500)
- Blessed Hope S.D.C. Church
Contact: Ann St. Ledger (717-787-5500)
- Little People Day Care School, Inc.
Contact: Karen Feuchtenberger (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
- 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
- David J. Miller, DI-96-01
- Barbara B. Scull, DI-96-34
- 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
- Frank C. Ceraso, DI-96-19
- John A. Carroll, DI-96-16
- Daniel P. Fahringer, DI-97-05
- Thomas E. Hoag, DI-97-01
- Curtis Newell, Jr., DI-94-01
- Michael Dohanic, RE-92-04
- John D. Cooper, DI-95-18
- Andrew J. Byrne, DI-92-27
- Denise Farr (Kaufman), DI-95-27
- Martin Baracca, DI-92-08
- Gary E. Heitzman, DI-95-32
- Henry P. Monyer, DI-95-25
- Stephen A. Knox, DI-95-26
- Sally Ann Ponder, DI-95-28
- Patricia Bumbera, DI-94-15
- Melvin Miller, DI-97-02
- David D. DiMarino, DI-97-07
- Mark D. Maroni, DI-97-08
- John M. Greytock, DI-97-10
- Walter T. Miller, DI-97-11
- Juan E. Garcia, DI-97-18
- Vicki Lee Paulina, RE-96-01
- Mary Jane Pardue, DI-97-31
- Robert Dombloski, DI-97-23
- Lawrence Parks, DI-97-27
- Alfred Cressler, DI-97-29
- Nathaniel Brown, DI-97-28
- Matthew Brose, DI-97-33
- Mindy Rankowitz-Mezzy, DI-97-20
- Joseph W. Bickel, DI-97-38
- Elizabeth A. Mosely-Baker, DI-97-34

- Bonnie Nelson Lott, DI-97-36
 - Lynn Shilling, DI-97-16
 - Edward Savage, DI-97-39
 - Carl Ellis, DI-97-42
 - James Guzzo, DI-98-02
 - Gary Serlo, DI-97-35
 - Christopher Ciabattoni, DI-98-03
 - Anthony Gabriel, RE-95-01
 - Beth Bonow, DI-97-06
 - Sandra Buchwalter, DI-95-04
 - William Campbell, DI-96-05
 - Thomas Davis, DI-96-04
 - Robert Hahn, DI-96-03
 - Michel Gotwals, DI-96-09
 - Francis Kinnery, DI-94-23
 - Jane Wallace, DI-96-02
 - Hugh Mooney, DI-97-03
 - Adrian Teaf, DI-96-38
 - Marilyn Washington, DI-98-05
 - Michael Beich, DI-98-21
 - William Berner, DI-98-24
 - Jack Danner, DI-98-25
 - Lisa Christensen, DI-97-41
 - Anthony Hicks, DI-98-13
 - Jill Johnson, DI-98-35
 - Joel Medvidovich, DI-97-12
 - John Munley, DI-98-36
 - James O'Connor, DI-98-26
 - Stephen Offutt, DI-96-23
 - M. Barbara Ogrizek, DI-97-40
 - Jeremy Burris, DI-98-38
 - Gary Cammisa, DI-98-29
 - James Dickinson, DI-98-04
 - Monique Evans, DI-98-43
 - Geoffrey Griffin, DI-99-01
 - Jerome Hasson, DI-96-25
 - Roger Heller, DI-98-31
 - James Herrington, DI-99-04
 - Mary Elizabeth Hutchinson, DI-98-19
 - Alma Owens, DI-95-10
 - Lisa Palmer, DI-98-08
 - John Robinson, DI-98-10
 - Joseph Vance, RE-98-01
 - Sandra Spicer Sharp, RE-94-02
- Contact: Carolyn Angelo (717-787-6576)

State Board of Private Licensed Schools

- Security Officers Training Academy, 95-7
- Kittanning Truck Driving School, 95-9
- Andrew Blanco

- Wines, Steins and Cocktails, Ltd.
- Professional Bartender Training, Jeffrey McKnight, 97-6
- Pittsburgh Diesel Institute, 97-7
- Pro-Model Management & Jan Nagy Modeling and Finishing School, 98-5
- Philadelphia Wireless Technical Institute, 97-21
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
- Rairdan M., #806-A
- Henry T., #820A
- W. Thomas F., #835
- Barbara B., #836
- Allison S., #837
- Daniel S., #838
- Kristopher M., #839
- Jonathan A., #840
- Lindsay S., #841
- David N., #842
- Ronny D., #843
- Zachary H., #844
- Robert M., #845
- Richard G., #846
- Student X, #847
- Kevin L., #848
- Jonathan K., #849
- Christopher C., #850
- Tyler H., #851
- Sue Ann G., #852
- Samuel L., #853
- Jared M., #854
- Joseph P., #855
- Alexandra A., #856
- Richard B., #857
- Alex Q., #858

- Joel K., #859
- Sarah A., #860
- Katherine R., #861
- Joshua G., #862
- Emily S., #863
- Ashley P., #864
- Steven B., #865
- Andrew G., #866
- Mary A., #868
- James C., #869
- Louis C., #870
- Jaclyn B., #872
- Daniel O., #873
- Joel K., #875
- Laura C., #877
- William L., #878
- Kristin C., #879
- Hugh B., #880
- Christina B., #881
- Christina B., #881A
- Vincent V., #882
- Blake B., #883
- Grant G., #884
- Colin C., #885
- Hakeem M., #886
- Sarah V., #887
- Erin S., #888
- Jonathan L., #889
- Sharon J., #890
- Shellie J., #891
- Trisha K., #892
- Sarah T., #893
- Chelsie L., #894
- Stephen O., #895
- Gwynne W., #896
- Joseph C., #897
- Cory B., #898
- Daniel S., #899
- Christopher S., #900
- Jonathan E., #901
- Benjamin P., #902
- Jonathan S., #903
- Tanisha W., #904
- Bryce M., #905
- Joseph F., #906
- Zachary K., #907
- Elizabeth L., #908
- Roman C., #909
- Alex Q., #911

- Seth P., #912
- Rashawn S., #913
- Alisha S., #914
- Michael F., #915
- Scott B., #916
- Marquis B., #917
- Derrick B., #918
- Allyson S., #919
- Jonathan A., #920
- Laura B., #922
- Christopher B., #923
- Chad R., #924
- Michael W., #925
- Daniel L., #926
- Kimberly M., #927
- Dustin T., #928
- Michael W., #929
- Scott F., #930
- Louis C., #931
- Natalie W., #932
- Stephen L., #933
- Elisabeth S., #934
- Charles F., #935
- Craig K., #936
- Kevin L., #937
- Matthew K., #938
- Joseph M., #939
- Natasha A., #940
- Avery W., #941
- Madison K., #942
- Christopher F., #943
- Jason L., #944
- Daquez P., #945
- Brandon C., #946
- Thomas S., #947
- Kristi H., #948
- Matthew S., #949
- Rebecca S., #950
- Moses E., #951
- John H., #952
- Kyle B., #953
- David N., #954
- Justin B., #955
- Kurt L., #956
- #957—Not Filed
- Kenneth F., #958
- Glenn R., #959
- Choice T., #960
- Thomas D., #961

- Jay W., #962
- Jared M., #963
- Paul M., #964
- Jessica N., #965
- Michael C., #966
- Tiffani L., #967
- Mark S., #968
- Kevin K., #969
- Michael K., #970
- Samantha K., #971
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- Robert K., #974
- Steven K., #975
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- Alfred M., #977
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- Andrew S., #979
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- Jillian B., #981
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- Russell S., #983
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- Joseph A., #987
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- Anthony K., #990
- Carla B., #991
- Warren B., #992
- Tiffani L., #993
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- Yacine M., #995
- Matthew Z., #996
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- Ashley C., #998
- Alfred M., #999
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- Daniel S., #1001
- David B., #1002
- Kelly S., #1003
- Joshua W., #1004
- Kelly S., #1005
- Thomas T., #1006
- Kenneth F., #1007
- Christopher M., #1008
- Richard J., #1009
- Christine P., #1010

- Sean M., #1011
- Brannon I., #1012
- Amy B., #1013
- Andrew B., #1014
- Christopher C., #1015
- Deaidra H., #1016
- Rosemary R., #1017
- Karl S., #1018
- #1019 Not issued as yet (number out of sequence)
- Nicole D., #1020
- Jerry V., #1021
- #1022—Not Filed
- Jenna M., #1023
- #1024—Not issued as yet
- Jonathan P., #1025
- Jonathan K., #1026
- Joseph J., #1027
- 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
- Barry D., #759
- Nechama S., #760
- Nechama S., #760-A
- Rairdan D., #761
- Jared M., #762
- Susan F., #763
- Anthony B., #764
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- Christopher M., #766
- Shane A., #767
- Michael G., #768
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- Haven L., #774
- Bryan K., #775
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- Michael R., #778
- Mir S., #779
- Gareth R., #780
- Joshua T., #781
- Donna C., #782
- Jared M., #783
- John H., #784
- Kimberly H., #785
- Angelo B., #786
- Lynn T., #787
- Kevin L., #788
- Michael R., #789
- Portia R., #790
- Matthew R., #791
- Dorian W., #792
- Christopher D., #793
- Erin O., #794

- Chrystal S., #795
- Wesley P., #796
- Lisbeth W., #797
- Christina S., #798
- David P., #799
- Meghan C., #800
- Andrew C., #801
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- Jason S., #803
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- Anthony R., #805
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- Gareth R., #807
- Pete P., #808
- Joseph K., #809
- Matthew K., #810
- Eddie S., #811
- Alexandra W., #812
- Louis C., #813
- James C., #814
- William G., #815
- Holly D., #816
- Christopher C., #817
- Mary W., #818
- Jason I., #819
- Henry T., #820
- Sharron G., #821
- Michael R., #822
- Grant G., #823
- Warren G., #824
- Pareese S., #825
- Brian B., #826
- Matthew S., #827
- Stanley S., #828
- Ryan R., #829
- Jared M., #830
- William P., #831
- Ian F., #832
- Teddy C., #833
- Michael C., #834

Contact: John Tommasini (717-783-6134)

School Construction Decisions

- In the Matter of: Reimbursement for the Rose Tree Media School District
Contact: Linda Barrett (717-787-5500)

State Board of Private Academic Schools

- Christian Light Education Center
- Dynamic Springs Institute
Contact: Carol Strait (717-783-6840)

Miscellaneous

- Farrell Area School District v. Commonwealth of Pennsylvania, Department of Education, Office of School Services
Contact: Marion Gray (717-783-3618)
- Shane B. Peck v. Edward L. Rech, Office of Postsecondary/Higher Education, Division of Private Licensed Schools
Contact: James G. Hobbs (717-783-8228)
- Greater Latrobe School District v. Bureau of Elementary and Secondary Education
Contact: Ernie Helling (717-787-5500)
- Pottsgrove Taxpayers Alliance v. Department of Education
Contact: Virginia Breighner (717-787-5500)

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: Loujeania Bost (717-772-3260)
- Internal Policy: Participation of Psychologists in Multidisciplinary Evaluations
- Internal Policy: Serving as a Representative of the District at Individualized Education Program Meetings
- Internal Policy: Signature of a Notice of Recommended Assignment
Contact: John Tommasini (717-783-6134)

Bureau of Management Services

- Right-to-Know Act Management Guide—Provides the Department's Policy on Providing Public Access to Agency Records
- Americans with Disabilities Act (ADA) Procedures/Management Guides—Provides the Department's Procedures for Providing Alternate Formats, Accommodations and Accessibility to Persons with Disabilities
Contact: Mitch Akers (717-783-9791)

Bureau of Community and Student Services

- Pregnant and Parenting Teen Funding Application Guidelines
- Education Leading to Employment and Career Training Funding Application Guidelines
- Learn and Serve America Request for Application Guidelines
Contact: Dorothy Hershey (717-783-7089)
- 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)
- Safe Schools Grant Application Guidelines
- Successful Students' Partnership Dropout Prevention Program Funding Application Guidelines
- Education Mentoring Grant Application Guidelines
Contact: Maritza Robert (717-783-3755)

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 (717-787-3356)
- Policy Regarding Acceptance on Educational Testing Service Facsimile Score Reports
- 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: Ron Simanovich (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

- Annual Operation Plan—Pennsylvania State Approving Agency, Division of Veterans/Military Education
Contact: George Kordek (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
Contact: Allan Mensky (717-787-5293)
- 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)

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 Regulations and Guidelines
Contact: Kathleen Kennedy (717-783-4393)

Thaddeus Stevens College of Technology

- Faculty Manual
Contact: Betty Tompos (717-299-7749)

OTHER**Bureau of State Library**

- Disaster Response and Recovery Manual
- State Library of Pennsylvania Collection Development Policy
Contact: Mary Lou Sowden (717-783-5964)
- 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 (717-787-5041)
- Professional Standards and Practices Commission—Pa. Code Title 22—Chapter 233 Bylaws—Statement of Policy, Annual Report, Statute (22 P. S. §§ 2070.1—2070.18)
Contact: Carolyn Angelo (717-787-6576)
- Postsecondary and Higher Education Operating Institutions of Higher Education in Pennsylvania Legally Authorized to Grant Degrees
Contact: Dr. Warren D. Evans (717-787-6576)

Bureau of Vocational-Technical Education

- The Area Vocational-Technical School Organization—A Technical Assistance Manual
Contact: Peggy Dell (717-787-8804)
- Community College Variable Stipend Program
Contact: John Bonchalk (717-783-6867)

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 (717-783-6583)

Bureau of Budget and Fiscal Management

- Standard Contract for Food Service Management Services
Contact: Saeed Khokhar (717-787-3186) or (800-331-0129)
- School Construction Fact Sheet—A Brief Description of School Construction Procedures
Contact: Carle Dixon Earp (717-787-5480)

Scranton State School for the Deaf

- Office of Civil Rights Complaint #03911181 and 03911182 Assurance Statement, August 1992
Contact: Dorothy S. Bambach (570-963-4040)

Office of Educational Initiatives

- Summary of Performance Funding for Pennsylvania Schools
- School Performance Funding Reporting Documents
- Pennsylvania Charter School Directory
Contact: Dale Baker (717-787-9819)

EMERGENCY MANAGEMENT AGENCY

2000

- C2000-1 Radiological Preparedness Program (BOOT)
C2000-2 Weather Emergency Preparedness Exercise (BOOT)
C2000-3 Act 165 Grant Application and Expenditure Guidance (BOA) Grants Mgmt
C2000-4 Guidance for Enforcement of the Hazardous Material Emergency Planning and Response Act (Act 1990-165) (BOP)
C2000-5 Radiation Emergency Response Fund (RERF) Grant Guidance (BOA)
C2000-6 Planning Guidance For Mass Fatalities Incidents (BOP)
C2000-7 Emergency Management Performance Grant Annual Submission (BOA)
C2000-8 Radiation Transportation Emergency Response Fund (RTERF) Grant Guidance (BOA)

1999

- C99-1 Preparation and Review of SARA off-Site Response Plans and Maintenance of State Emergency Operations Center Chemical Preparedness Database (BOP)
C99-4 Radiation Emergency Response Fund (RERF) Grant Guidance (BOA)
C99-4 Nuclear Power Plant Accident Emergency Worker Dosimetry and Potassium Iodide (KI) (BOP)
C99-5 Emergency Management Exercise Program (BOOT)
C99-6 State and Local Assistance Program Annual Submission (BOA)
C99-7 Hazardous Materials Emergency Preparedness (HMEP) Planning and Training Grant Guidance (BOA)
C99-8 Requirements for Preparation of Annual Update of County Hazardous Material Emergency Response Preparedness Assessment—Reporting Year 1999 (BOP)

1998

- C98-6 Radiation Transportation Emergency Response Fund (RTERF) Grant Guidance (BOP)

1997

- C97-4 Movement of Authorized Persons on Commonwealth Highways During a Blizzard or Major Winter Storm (Exec. Office)
C97-8 Emergency Equipment, Materials and Supplies (BOA)

1995

C95-6 Guidance for Enforcement of the Hazardous Material Emergency Planning and Response Act (Act 1990-165) (BOP)

1993

C93-1 Guidance for Appropriate Emergency Response to Spills or Leaks from Vehicle Fuel Tanks or Heating System Fuel Supply Tanks or Lines (SFCO)

1989

89-2 Evacuation Authority (Exec. Office)

89-7 PEMA's Correspondence Courses (BOOT)

EMERGENCY MANAGEMENT DIRECTIVES (Revised 7/27/00)**2000**

D2000-1 Official Enrollment Of Emergency Management Volunteers (EO)

D2000-2 Training and Test Authorization Requests (EO)

D2000-3 Compensation for Accidental Injury (EO)

D2000-4 Testing Program and Protocol for State Emergency Voice Alerting Network (SEVAN) (BOOT)

D2000-5 Act 1990-165 Facility and Vehicle Inspections (BOP)

D2000-6 PA Emergency Incident Reporting System (PIERS) (BOOT)

1999

D99-2 Certified Hazardous Material Response Teams in Pennsylvania (BOP)

1997

D97-2 Act 1990-165 Facility and Vehicle Inspections (BOP)

D97-3 Testing Program and Protocol for State Emergency Voice Altering Network (SEVAN) (BOOT)

1995

95-2 Instructor Classification System and Code of Professionalism (SFCO)

1993

D93-5 Pennsylvania Emergency Incident Reporting System (PEIRS) (BOOT)

1991

D91-3 Firefighter's Memorial Flag (SFCO)

D91-4 Guidelines for the Operation of a Fire Service Certification Advisory Committee (SFCO)

1990

D90-3 Emergency Management Training and Education (BOOT)

Contact: Mark Goodwin, Chief Counsel 717-651-2010

ENVIRONMENTAL HEARING BOARD**GUIDANCE MANUALS:**

Filing Instructions and an appeal form that are provided to the public on request.

Internal Operating Procedures published in the Pennsylvania Bulletin on May 20, 2000 at 30 Pa. Bull. 2541.

Practice and Procedure Manual effective September 4, 1999.

The Board also publishes an annual report in August for each fiscal year ended in June as well as an annual summary of a selected number of its decisions.

These materials are distributed broadly and may be accessed on the Board's website at www.verilaw.com.

Contact: William T. Phillipy (717) 787-3483

ENVIRONMENTAL PROTECTION**Office of Policy and Communications**

- Environmental Quality Board Policy for Processing Petitions 012-0100-001
- DEP Mediation Confidentiality 012-0501-001
- Policies and Procedures for Implementing the History Code 012-0700-001
- Guidance for Implementation of the Agricultural Land Preservation Policy 012-0700-002
- Quality Management Plan for DEP (written by Labs/MTS) 012-0800-001

- Policy for Development, Approval and Distribution of Regulations 012-0820-001
- Policy to Encourage Voluntary Compliance by Means of Environmental Audits 012-0840-001
- Policy for Development, Approval and Distribution of Guidance 012-0900-001
- Secretary's Directive/Review of Existing Regulations and Technical Guidance Documents 012-0900-002
- Electronic Copies of Technical Guidance 012-0900-003
- Revised General Permit Guidance 012-0900-004
- Use of DEP Personal Computers by Local Procurement Units 012-0900-005
- Adoption by Reference of EPA's Y2K Enforcement Policy 012-0900-006
- Public Participation in the Development of Regulations and Technical Guidance 012-1920-001
- Policy/Acceptance/Community Environmental Projects in lieu of Civil Penalties 012-4180-001
- 2001 Environmental Education Grants Program Manual and Forms 012-5500-001
- Environmental Education Grants Elective Program 012-5500-002
- Data Standards for Names and Addresses 013-0830-001
- Data Standard for Pennsylvania Municipality Codes 013-0830-002
- DEP Locational Data Policy 013-0830-003
- Policy for the DEP Money-Back Guarantee Permit Review Program 013-2000-001
Contact: Joe Sieber 717-783-1497

Bureau of Laboratories

- Critical Elements for Certification of Laboratories for Chemistry 150-2302-001
- Critical Elements for Certification of Laboratories for Microbiology 150-2302-002
- Critical Elements for Certification of Laboratories for Radionuclides 150-2302-003
- Procedures for Approval/Accreditation of Laboratories in PA, Utilizing the NELAC Standards 150-2302-004
Contact: Ted Lyter 717-783-7150

Bureau of Land Recycling and Waste Management

- Permit Applications with Out-of-State Notarization 250-2100-751
- Draft Guidance on Radioactivity Monitoring, Munic. & Residual Waste Processing/Disposal Facilities 250-3100-001
- Quality Assurance Program 250-3100-401
- Execution of Release Forms by Waste Management Field Inspectors 250-3120-320
- Purge Water from Groundwater Sampling 250-3130-763
- Calculation of Civil Penalties 250-4180-302
- Risk Assessment Guidelines for Facilities Burning Hazardous Waste 251-0300-402
- Exclusionary Siting Criteria—Hazardous Waste Treatment & Disposal 251-2000-704
- Revisions to Exclusionary Siting Criteria Document 251-2000-705
- Time Frame for Application of Hazardous Waste Exclusionary Siting Criteria 251-2000-706
- Hazardous Sites Cleanup Act, Preapplication Meetings 251-2100-203
- Policy and Procedure for Municipal Waste Facilities Equivalency Approvals 251-2100-727
- Change of Ownership/Transfer of Permit 251-2100-754
- Review Procedure for Hazardous Waste Transfer Facilities for PBR Status 251-2149-713
- Household Hazardous Waste Collection Program 251-2200-502
- Establishment of Household Hazardous Waste (HHW) Program 251-2200-515
- Reimbursement to Host County for Hazardous Review 251-5500-758
- Section 902 Recycling Grant Applications that must comply with Act 57 252-5500-100
- Review of Residual and Hazardous Waste Source Reduction Strategies 252-6600-516
- Land Recycling Program Technical Manual 253-0300-100
- ARARs—Cleanup Response and Remedial Actions 253-4500-606
- Environmental Emergency Response Actions 253-4500-608
- Mitigating Remedies under the Orphan Sites Program 253-4500-613
- Issuance of Grants for Technical Evaluations under HSCA 253-5500-612

- Off-site Audit Manual for Hazardous Sites Cleanup Program 253-5700-621
- Community Relations Activities for State HSCP and Federal Superfund Program 253-5700-632
- Prep of Analysis of Alternatives/HSCA Proposed Response Document 253-5700-634
- Environmental Emergency Response Program Response Actions 253-5800-638
- Clean Fill Policy and Procedures 254-2000-715
- Local Municipality Involvement Process 254-2100-100
- Environmental Assessment Process, Phase I Review 254-2100-101
- Municipal Waste Facility Review—Traffic Analysis 254-2100-102
- Process for Evaluating Daily Volume 254-2100-103
- Areas Where Municipal Waste Landfills (MWLF) are Prohibited 254-2153-721
- Leak Detection Tests for Installed Liners 254-2153-723
- Use of Waste Tires/Tire Derived Materials at Landfills 254-2153-748
- Municipal Sludges Allowed at Agricultural Utilization Sites 254-2154-720
- Single Permit for Multiple Agricultural Usage Sites 254-2154-740
- Pumping Requirements for Construction/Demolition Landfills in Noncoal Mines 254-2157-717
- Liners for Construction/Demolition Waste Landfills 254-2157-718
- Issue of Emergency Municipal Waste Transfer 254-2158-745
- Management of Municipal Ash Waste from Resource Recovery Facility 254-2160-762
- Approval of Beneficial Use by Order of DEP 254-2163-719
- Clarification of the Identification of Infectious Waste Generators 254-2167-702
- Co-mingling of Infectious & Chemotherapeutic Waste in One Container 254-2167-703
- Procedures for Container/Vehicle Decontamination & Small Spill Cleanup 254-2167-708
- Clarification of Requirements Related to Storage Bags 254-2167-709
- Clarification of the Permit-by-Rule Provision for Mixed Waste/Residual Waste 254-2167-712
- Temp Storage & In-Transit Provisions during Transport or Transfer 254-2167-725
- Policy/Procedures for Infectious Waste Definition 254-2167-726
- Guidelines for the Development of County Waste Management Plan Revisions 254-2212-504
- Proper Identification & Disposal of Mixed Loads of Municipal/Residual Waste 254-4000-749
- Best Practices for Environmental Protection in the Mushroom Farm Community 254-5401-001
- Guidelines for Yard Waste Composting Facilities 254-5403-100
- County Option to Retain or Eliminate Municipal Waste Flow Control 257-2212-501
- New Waste Streams Review 258-2000-764
- General Permitting Procedure 258-2000-765
- Municipal Waste-like Permitting Guidance (Form S) 258-2000-766
- Chemical Analysis 258-2000-767
- Implementation Guidance 258-2000-768
- Disposal of Municipal-Like Residual Waste 258-2100-747
- Co-Product Determinations in Residual Waste Program 258-2100-769
- Interim Operating Requirements for Permitted and Unpermitted Facilities 258-2181-771
- Safe Fill Policy and Procedure Establishing Criteria for use of Uncontaminated Soil, Rock, Stone etc. 258-2182-773
- Cleanup Standards under the Residual Waste Regulations 258-5100-761

Contact: Michele Blake 717-783-6006

Bureau of Air Quality

- Employer Trip Reduction Policy 271-5000-001
- Compliance Assurance Policy for Cement Kilns with CEMS 273-4000-001
- Compliance Assurance Policy for Hospital Waste Incinerators 273-4000-002
- Compliance Assurance Policy for Municipal Waste Incinerators, including Revisions 273-4000-003
- Enforcement Policy for CEMS on Fluid Catalytic Cracking Units 273-4000-004

- Enforcement Policy—CEMS and Coal Sampling/Analysis Systems 273-4000-005
- Interim Compliance Strategy on RACT for NOX Sources with CEMS 273-4000-007
- Policy for Sampling/Determination of Compliance with Low RVP Gasoline
- Requirements in the Pittsburgh 273-4000-008
- Air Pollution Control Act/Compliance History Review/Civil Penalty Assessment Procedure 273-4100-005
- DEP/EPA Asbestos Demolition/Renovation Civil Penalty Policy 273-4130-001
- Guidance for Application of Regional Civil Assessment Procedure 273-4130-003
- Compliance Docket Procedure 273-4130-004
- Stage I Penalty Assessment Guidance 273-4130-006
- Stage II Enforcement Strategy 273-4130-007
- Compliance Strategy for Mushroom Composting Operations 273-5401-001
- Source Testing Manual 274-0300-002
- Continuous Emissions Monitoring Manual 274-0300-003
- Policy for Stage II Vapor Recovery Testing Requirements 274-3100-001
- Interim Procedures Pertaining to Continuous Source Monitor. Sys. Quarterly Data Reports 274-3100-002
- Air Quality Operating Permit—Protocol 275-2101-001
- AQ Operating Permit—Permitting Procedures 275-2101-002
- Air Quality Permit Exemptions 275-2101-003
- AQ Operating Permit—Modification/Reactivation 275-2101-004
- AQ Operating Permit—Delegation Conditions & Policy Performance Test Waivers 275-2101-005
- AQ Operating Permit—Requirements 275-2101-006
- AQ Operating Permit—Best Available Technology & Other Permitting Criteria 275-2101-007
- AQ Operating Permit—Hazardous Waste Incineration 275-2101-008
- AQ Operating Permit—Waste Derives Liquid Fuel Policies 275-2101-009
- AQ Operating Permit—Air Toxics Policies 275-2101-010
- AQ Operating Permit—Public Notification 275-2101-011
- AQ Operating Permit—Prevention of Significant Deterioration 275-2101-014
- AQ Operating Permit—Volatile Organic Compounds 275-2101-015
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- Contact: Trudy Troutman 717-783-3795

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- Contact: Charles High 717-787-5027

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Contact: Evan Shuster 717-787-5103

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Office of Pollution Prevention and Compliance Assistance

- Guidance for Pollution Prevention and Energy Efficiency Site Visits 700-5600-001
Contact: Calvin Kirby 717-772-5834

GENERAL SERVICES

POLICY STATEMENTS:

Bureau of Contract Administration & Business Development

- Contract Compliance—Pre-qualification of Vendors and Non-construction Contractors, Pa Code § 68
- Contract Compliance—Construction Contracts, 4 Pa Code § 68.101
- Internal Guidelines for MBE/WBE Certification, 4 Pa Code § 68.201
(Contact: Gary Lee 783-3119)

GUIDANCE MANUALS:

Bureau of Construction

- Administrative Procedures
(Contact: David McCarty 787-6330)

Bureau of Contract Administration & Business Development

- Contract Compliance Review for Contractors (Construction and Non-Construction)
- Contract Compliance Orientation and Training Manual

(Contact: Gary Lee 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 & Paperwork Management

- M210.4 Forms Management (8/16/83).....1-2
- M210.5 Standard (STD) Forms Management (9/15/98)
- M210.6 Publications Management (8/1/84).....1

(Contact: Donald E. Gibas 787-3707)

Bureau of Purchases

- M215.3—Field Procurement Handbook (8/20/99)

(Contact: Joseph Nugent 787-4718)

Bureau of Supplies and Surplus Operations

- State Surplus Property Manual (2/3/98)
- M610.1 Commodity Distribution Center Catalog (10/27/97)

(Contact: Ronald Wolf 787-5940)

Bureau of Vehicle Management

- Automotive Service Facilities

(Contact: Joe Robb 787-3162)

Professional Selections and Project Control Office

- Instructions to Bidders

(Contact: Ann Fischer 787-4479)

Bureau of Real Estate

- M260.1 Manual for Space Utilization (12/2/77 & 3/3/80.1-2)

(Contact: Michael E. Adams 787-2834)

MANAGEMENT DIRECTIVES AND ADMINISTRATIVE CIRCULARS:**Bureau of Facilities Management**

- 625.8 Contracting for Bargaining Unit Work (2/25/94)
- 99-37 Christmas Trees and Decorations (11/9/99)

(Contact: Thomas Stanbeck 787-3893)

Bureau of Financial and Management Services

- 220.3 Mail Delivery Between Harrisburg and the Pittsburgh and Philadelphia State Office Buildings (10/26/82)
- 220.10 Processing Automated Mail (2/21/91)
- 240.7 Submission of Changes to the Commonwealth Telephone Directory, Agency Organizational & Functional Listings, and Employee Locator File (9/26/97)
- 610.15 Master Lease Program (1/3/95)

(Contact: Barbara Sexton 787-5051)

Bureau of Police and Safety

- 205.2 Powers and Duties of Policing Forces (2/9/77)
- 625.4 Enforcement of Fire and Panic Regulations (3/27/91)
- 720.3 Guidelines for Reporting Bombs and Bomb Threats (12/17/97)

(Contact: Eugene Marzullo 787-9013)

Bureau of Publications & Paperwork Management

- 220.9 Graphic Design, Typesetting, Reproduction, and Printing Services (6/4/87)
(Contact: Donald E. Gibas 787-3707)

Bureau of Purchases

- 215.9 Contractor Responsibility Program (4/16/99)
—250.3 State Contracts Information Document (10/17/97)
—620.1 Coal Sampling and Reporting (6/18/00)
(Contact: Joseph Nugent 787-4718)

Commonwealth Agency Recycling Office

- 205.22 Implementation of Act 1998-101, Municipal Waste Planning, Recycling & Waste Reduction Act (8/7/89)
(Contact: John Rarig 772-2300)

Bureau of Risk and Insurance Management

- 630.1 Agency Insurance Coordinators (10/2/87)
—630.2 Reporting of Employee Liability Claims (4/28/98)
—720.4 Safety and Loss Prevention Program (10/2/87)
(Contact: Kenneth Love 787-2492)

Bureau of Contract Administration & Business Development

- 215.16 Contract Compliance Program (6/30/99)
—410.10 Guidelines for Investigating and Resolving Discrimination Complaints (3/29/97)
(Contact: Gary Lee 783-3119)

Bureau of Professional Selections & Administrative Services

- 625.9 Agency Funded Construction Projects Exceeding \$25,000 (6/4/97)
—00-16 Submission of Construction Requisitions Financed by Lapsing Funds (6/19/00)
(Contact: Ann Fischer 787-7156)

Commonwealth Travel Center

- 99-21 Commonwealth Travel Center Contract Administration (7/9/99)
—99-32 Services provided by the Commonwealth Travel Center (9/8/99)
(Contact: James Henning 772-0372)

Commonwealth Media Services

- 220.1 Commonwealth Media Services (6/21/90)
(Contact: Carlton Sherwood 787-9777)

Bureau of Real Estate

- 625.1 Repairs, Alterations, and Improvements to Commonwealth Buildings Under the Direct Supervision of the Department of General Services (4/10/96)
—625.2 Inventory of Commonwealth Property (6/3/96)
—625.5 Reporting Surplus Real Property (5/6/96)
—625.6 Lease Amendment Exceptions for Leasehold Improvements Costing Less than \$5,000 (10/27/86)
—625.7 Use of STD-291, Request for Lease Action and Budget Approval (11/6/97)
—00-13 Availability—State Surplus Real Property for Transfer to Commonwealth Agencies—Washington Co. (6/5/00)
—99-25 Availability of State Surplus Real Property for Transfer to Commonwealth Agencies—Bucks Co. (7/26/99)
(Contact: Michael E. Adams 787-2834)

Bureau of Supplies and Surplus Operations

- 00-4 Calendar Bases, Calendar Refills, Diaries and Date Books for 2001 (2/2/00)
—99-22 Availability—Commonwealth Telephone Directory (7/9/99)
(Contact: Ronald Wolf 787-5940)

Bureau of Vehicle Management

- 615.1 Temporary Assignment of Commonwealth Automotive Fleet (12/2/92)
—615.3 Rates and Billing for Motor Vehicles of the Commonwealth Automotive Fleet (6/19/00)
—615.6 License Plates for Commonwealth-Owned Vehicles (6/30/97)
—615.7 Commonwealth Vehicle Invoices (7/3/97)

- 615.9 Permanent Assignment of Commonwealth Automotive Fleet Vehicles (12/9/92)
- 615.11 Use and Condition Inspections of Commonwealth-Owned Motor Vehicles (4/21/82)
- 615.12 Motor Vehicle Authorization List (8/11/83)
- 615.13 Emission Control Test Program—Commonwealth Automotive Fleet (9/26/97)
- 615.14 Repairs and Maintenance, Commonwealth Automotive Fleet (6/25/97)
- 00-14 Refueling of Commonwealth Automobile Fleet Vehicles (6/6/00)
- 99-35 Placing of Decals and Logos on Commonwealth Vehicles (11/2/99)
- 99-36 Winterization of State Vehicles and Commonwealth Garage Parking and Hours of Operation (11/2/99)
(Contact: Joe Robb 787-3162)

EXTERNAL GUIDELINES

Bureau of Engineering and Architecture

- Professional Agreement and General Conditions to that Agreement
(Contact: Bob Glenn 787-3709)

Bureau of Contract Administration & Business Development

- The Pennsylvania Minority and Women Business Enterprise Officem
(Contact: Gary Lee 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)

Bureau of Purchases

- Cooperative Purchasing Program
(Contact: Joseph Nugent 787-4718)

Executive Office

- Doing Business with the Department of General Services
(Contact: Samatha Elliot 787-3197)

INTERNAL GUIDELINES:

Departmental Procedures (By Category)

Organization and Functions

- Organization and Functions
- Executive Offices
- Bureau of Risk and Insurance Management
- Deputy Secretary for Procurement
- Bureau of Vehicle Management
- 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 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 Construction

Personnel

- Time and Attendance Reporting
- Partial and Full Day Closings of District Offices and Field Offices
- Disciplinary Actions
- Employee Leave
- Childbirth Leave
- Position Vacancies (Processing, Announcing, and Filling Vacancies)
- Employee Conduct and Behavior (Powers and Duties of the Capitol Police)
- Standards of Conduct and Behavior
- Performance Standards
- State Employee Assistance Program
- Employee Performance Evaluations
- Position Classification
- Approval for Overtime Compensation
- Employee 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
- Unemployment Compensation Insurance
- Community Work Experience Program
- Student Internship
- Group Life Insurance Program

Training

- Training
- Employee Recognition Programs

Labor Relations

- Employee Grievances
- Health and Welfare Trust Funds
- Driver's License Suspension/Revocation Policy

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

Financial Management

- Budget Preparation and Control

Contract Compliance

- Pre-Qualification of Vendors
- Pre-Qualification of Contractors

Publications Management

- Processing Subscriptions and Sales of Pennsylvania Code
- Book Store Operations
- Processing Department Publications

Forms Management

- Creating, Revising or Deleting a Form

Travel

- Approvals for Acquisition and Use of Hotel and Transportation Orders
- Reimbursement for Lodging and/or Travel by Common Carrier
- Per Diem/Mileage Allowance—Field Personnel

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)

Communications

- Cellular Telephone Service

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

Personal Property

- Manual for Personal Property Control
- Commonwealth Owned Personal Property Subject to Inspection

Insurance

- Processing Premium Invoices—Net of Commissions
- Processing Premium Invoices—Net of Commissions (Bonds)

Real Property

- Leasing Real Estate for Commonwealth Use
- Sale of Commonwealth Owned Property

Space and Facilities Management

- Rules and Regulations—Commonwealth Parking

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

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
- State Employee Crime Prevention Program
(Contact: Brenda Bowman 783-1163)

HEALTH**POLICY STATEMENTS****Bureau of Drug and Alcohol Programs**

- Confidentiality and Student Assistance Programs (1/92)
- Disclosure of Confidential Information to the Criminal Justice System (10/92)
- Oral Polio Vaccine (12/91)
- Provision of Outpatient Treatment Services Within the School Setting (11/94)
- Reporting of Communicable Diseases (12/92).
- Requests for Exceptions to Regulations and Requirements in State Plan
- Single County Authorities Subcontracts with Providers (1/97)
- Tuberculosis Testing (9/92)

Contact: Hector Gonzales (717) 783-8200

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
- Statement of Policy: Managed Care Organizations: Quality Health Care Accountability and Protection
Contact: Stacy Mitchell (717) 787-5193
- Bureau of Chronic Diseases and Injury Prevention, Division of Chronic Disease Intervention
- Position Statement on Colorectal Cancer Screening (9/98)
- Position Statement on Breast Cancer Screening (11/97)
- Position Statement on Prostate Cancer Screening (Revised 3/00)
- Position Statement on Cervical Cancer Screening (Revised 3/00)
- Policy Statement on Unsolicited Proposals requesting funding from the Cancer Control Program (2/00)
Contact: Emily Tierney (717) 787-5900

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: Michael Huff (717) 787-4366
- Guidelines for Documentation & Maintenance of School Health Records (1988)
- Request for Reimbursement and Report of School Health Services Instruction Manual (1997)
- Guidelines for School Based Program for Control of Lice, Scabies and Ringworm (1986)
- Guidelines for Scoliosis Screening Program in School (1984)
- Guidelines for Hearing Screening Program in School (1985)
- Guidelines for School Tuberculin Testing Program (1986)
- Guidelines for Vision Screening Program in School (1989)
- Guidelines for School Dental Health Program (1986)
- Guidelines for Care: Children Assisted by Medical Technology in Education Settings, (1993)
- Indoor Air Quality Guidelines for Pennsylvania Schools (1999)
Contact: Roxann Arbegast-Boes, (717) 787-2390

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

- Air Ambulance Licensure Program Manual for Air Ambulance Services—Rotocraft
- Ambulance Licensure Program Manual for Basic and Advanced Life Support Units
- EMS Complaint Investigation Manual
- EMS Continuing Education Manual
- EMS Training Manual
- Emergency Medical Services Study Guide (Basic Life Support and Advanced Life Support)
- Medical Command Accreditation Manual
- Medical Command Course
- Pennsylvania Emergency Medical Services Continuing Education Handbook for Prehospital EMS Personnel
- Prehospital Care Personnel Manual
- Quick Response Services Recognition Program
- Trauma Patient Triage Protocols
- Pennsylvania EMS Information Management System Patient Encounter Form Instruction Manual
Contact: Margaret E. Trimble (717) 787-8740

Bureau of Family Health

- Case Management and Tracking Protocol for Community Health Nurses, including Protocols for Early Intervention Referrals (Revised 8/95)
- Pennsylvania Lead Lab Data Management System (PALL) Blood Lead Level Reporting Manual (11/97)
Contact: Kim Strizzi (717) 787-7192

Bureau of Health Planning

- Primary Health Care Practitioner Loan Repayment Program Fact Sheet (5/00)
- Primary Health Care Practitioner Loan Repayment Program (Revised 9/99)
- Loan Forgiveness for Primary Care Practitioners
- Commonwealth of Pennsylvania Appalachian Regional Commission J-1 Visa Waiver Application Procedure (Revised 4/00)
- J-1 Visa Waiver Program Appalachian Regional Commission Fact Sheet (Revised 4/00)
- State 20 J-1 Visa Waiver Program Application Policy and Procedure (Revised 4/00)
- State 20 J-1 Visa Waiver Program Fact Sheet (Revised 4/00)
- Guidelines for Federally-Designated Primary Care Health Professional Shortage Area

- Guidelines for Federally-Designated Mental Health Professional Shortage Area
- Guidelines for Federally-Designated Dental Health Professional Shortage Area
- Guidelines for Federally Designated Medically-Underserved Shortage Area
- Guidelines for Development of a Rural Health Clinic

Contact: Leslie Best (717) 772-5298

Bureau of Health Statistics

- Application for Access to Protected Data (Revised 7/00)
- User's Guide for Access to Protected Data, (Revised 7/00)

Contact: Craig Edelman (717) 783-2548

INTERNAL GUIDELINES

Bureau of Health Statistics

- Policy and Procedures for Assisted Conception Birth Registrations (9/95)

Contact: Frank Yeropoli (724) 656-3113

OTHER

Bureau of Community Program Licensure and Certification

- Complaint Investigations, Licensing Alert 2-96(4/19/96)
- Distinction between Outpatient and partial hospitalization services, Licensing Alert 3-97 (3/97)
- Group Counseling, Licensing Alert 2-94(11/29/94)
- Licensed Capacity, Licensing Alert 1-94(11/29/94)
- Minimum Content Requirements for Pennsylvania Department of Health Approved Curriculum for Tuberculosis and Sexually Transmitted Diseases, Licensing Alert 6-97, (6/97)
- Minimum Content Requirements for Pennsylvania Department of Health Approved HIV/AIDS Curriculum, Licensing Alert 1-97 (2/97)
- Physical Examinations, Licensing Alert 1-96(4/19/96)
- Psychosocial Histories, Licensing Alert 4-96(4/19/96)
- Relocation, Licensing Alert 3-94(11/29/94)
- Reporting of Unusual Incidents, Licensing Alert 5-97 (5/97)
- Request for Exceptions to Regulations, Licensing Alert 4-97 (3/97)
- Rescheduling of LAAM, Licensing Alert 2-98 (1/98)
- Rescission of Shelter, Drop-in and Hot-line Regulations, Licensing Alert 1-98 (1/98)
- Restrictions on Licenses/Certificates of Compliance/Approval, Licensing Alert 2-97 (2/97)
- Scheduling of Licensing Inspections, Licensing Alert 3-96(4/19/96)
- Unannounced Visits, Licensing Alert 5-96(4/19/96)

Contact: Cheryl Williams (717) 783-8765

- Ambulatory Gynecological Surgery in Hospitals and Clinics Regulations (footnoted)

Contact: John Hair (717) 783-8665

Division of Home Health

- New Licensure Application Directives

Contact: Janice Staloski (717) 783-1379

Bureau of Health Planning

- State Health Improvement Plan

Contact: Joseph B. May (717) 772-5298

Emergency Medical Services Office

- Prehospital Care Response Report
- State Emergency Medical Services System Development Plan

Contact: Margaret E. Trimble (717) 787-8740

Bureau of Facility Licensure and Certification (Long Term Care Provider Bulletins)

- Long Term Care Provider Bulletin No. 22 (Revised 1/10/00)
- Influenza in Nursing Homes (Revised 10/25/99)
- Physicians Participation in Resident Care Planning (Revised 7/1/99)

- MRSA Guidelines (Updated 7/1/99)
- Resident Assessment State Designated Instrument (effective 1/31/91) (Updated 9/17/97)
- Admission/Treatment of AIDS, AIDS Related Conditions (Revised 7/99)
- Nurse Aide Abuse (Revised 6/95)
- Nurse Aide-Enrollment Information (Revised 7/1/99)
- Potential Hazards of Restraint Devices-FDA Alert (Revised 7/1/99)
- Nurse Aide Registry Update (Revised 7/1/99)
- Training of Companions/Sitters in T18 or 19 Facilities (Revised 7/1/99)
- Adjustment of Licensure Fees (Revised 7/1/99)
- Disposition of Patient Medications (Revised 7/1/99)
- Advance Directives for Health Care/Durable Power of Attorney/Do Not Resuscitate Orders (Revised 7/1/99)
- Exception/Waiver Requests (Revised 7/1/99)
- Federal Clarification of RAI Issues-Amended (Revised 7/1/99)
- Incident/Accident Reporting Procedures (Revised 7/1/99)
- Taping of Exit Conference (Revised 7/1/99)
- Precautions for Excessive Temperatures (Revised 7/1/99)
- Informal Dispute Resolution (Revised 5/30/00)
- Ban on Use of Egg Breaking Centrifuges (6/28/96)
- Pennsylvania Nurse Aide Registry on Worldwide Web (9/27/96)
- Surety Bond Requirements—Clarification of Oblige (6/16/97)
- Department Access to Records at Nursing Homes Pursuant to 35 P.S. 448.813 (6/16/97)
- Ninety-day Advance Notice Requirement for Changes in Ownership, Structure, or Name (7/1/99)
- Federal Requirements Regarding Use of the Comprehensive Resident Assessment (6/12/98)
- Resident Choice of Pharmacy Provider (1/9/98)
- Vancomycin Resistant Enterococci (VRE) Recommendations (11/12/97)
- Nursing Hours (6/4/99)
- Metallic Mercury Precautions (6/13/00)
Contact: William A. Bordner (717) 787-1816

Division of Acute and Ambulatory Care

- Inpatient Care in Outpatient Settings
- Resident Choice of Pharmacy Provider
- Vancomycin Resistant Enterococci (VRE) Recommendations
- Director of Nursing
- Hospital Bed Count Clarification
Contact: Elaine Gibble (717) 783-8980

Bureau of Family Health

- Screening Young Child For Lead Poisoning: Guidance for State and Local Public Health Officials, Statement by the Centers for Disease Control—11/97 (federal guidelines adopted by PA)
- Application for Chronic Renal Disease Transportation Services
- Application for Services (Division of Special Health Care Programs-Form #HD1072F) and Guidelines for Completion
Contact: Kim Strizzi (717) 787-7192
- WIC State Plan of Operations
Contact: Frank Maisano (717) 783-1289

Bureau of Health Statistics

- 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
- Order Form for Health Statistics Publications, revised June 2000
Contact: Donna Ritchie (724) 656-3287
(except Order Form for Health Statistics Publications, contact Donna Livering (717) 783-2548)

Bureau of Laboratories

- Submission of Rabies Specimens
- General Specimen Submission
- Compliance with Shipping of Diagnostic Specimen/Etiologic Agent
Contact: Richard E. Berman (610) 280-3464
- Postmortem Blood Testing on Motor Vehicle Accident Victims—Specimen Submittal Requirements
- Blood Lead Analysis—Specimen Submittal Requirements
- Environmental Lead Analysis—Specimen Submittal Requirements
- Neonatal Testing for Genetic Disorders—Specimen Submittal Requirements
- Blood Alcohol Proficiency Testing Program Requirements
- Blood Lead Proficiency Testing Program Requirements
- Erythrocyte Protoporphyrin Proficiency Testing Program Requirements
- Abused Drugs in Blood Proficiency Testing Program Requirements
- Abused Drugs in Urine Proficiency Testing Program Requirements
Contact: M. Jeffrey Shoemaker, Ph.D. (610) 280-3464
- Clinical Laboratory Application Procedure
- Glucose/Cholesterol Screening Procedure
- Multiphasic Screening Procedure
- Out-of-State Laboratory Licensure/Certification Procedure
- Understanding State Clinical Laboratory Regulation
- Nursing Home Laboratory Licensure Procedure
- Proficiency Testing Evaluation Procedure
Contact: Joseph Gasiewski (610) 280-3464 Ext. 3224

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
- Application for Certification as a Utilization Review Entity
Contact: Stacy Mitchell (717) 787-5193

Bureau of Chronic Diseases and Injury Prevention

- A Guide to Services for Pregnant Women
- Application for Recognition of Outpatient Diabetes Education Programs (1/99)
Contact: Emilie Tierney (717) 787-6214
- Many of these documents are also available on the Department of Health's website, www.health.state.pa.us

INSURANCE

I. NOTICES:**Executive Office—Insurance Department Notices**

<i>No.</i>	<i>Date</i>	<i>Description</i>
	08/28/1986	Ceding Credit Life/Accident and Health Insurance to Insurers Owned by Agents, Brokers or Creditors
	06/16/1987	Ceding Credit Life/Accident and Health Insurance to a Single Producer Owned Captive Reinsurer
1993-19	11/19/1993	21 PA Code, Chapter 25, Rules and Procedural Requirements for Insurance Holding Company Systems
1994-09	07/07/1994	Approval and Solicitation of Long Term Care Policies for Continuing Care Retirement Communities
1994-11	10/03/1994	General Account Modified Guaranteed Annuity
1994-12	10/03/1994	Separate Account Modified Guaranteed Annuity
1994-13	10/03/1994	General Account Modified Guaranteed Life Insurance
1994-14	10/03/1994	Separate Account Modified Guaranteed Life Insurance
1995-07	07/19/1995	Modification of Contract for Use When an Annuity Premium Tax is Not Applicable
1995-09	08/23/1995	Deregulation of Commercial Lines Property and Casualty Forms
1996-01	03/20/1996	Deregulation of Accident and Health Forms
1996-13	08/24/1996	Deregulation of Life Insurance Forms
	04/12/1997	Deregulation of Accident and Health Forms
	06/28/1997	Deregulation of Accident and Health Forms
1997-03	08/09/1997	Mutual to Stock Notices
1998-01	02/07/1998	Continuing Education Advisory Board Guidelines and 1998 Continuing Education Advisory Board Members
1998-04	07/25/1998	Codification of Statutory Accounting Principles
	08/29/1998	Notice of Requirements to File Forms Under the A&H Filing Reform Act
1999-01	01/01/1999	Limit on Cancellation, Refusals to Renew, Refusals to Write, Surcharges, Rate Penalties and Point Assignments
1999-05	10/09/1999	Repeal of Outdated Notices
1999-06	10/23/1999	List of Approved Data Service Vendors
2000-01	01/29/2000	Department Addresses and Hours of Operations
2000-02	02/12/2000	Codification of Statutory Accounting Principles
2000-03	02/19/2000	Federally Mandated Health Care Fraud and Abuse Reporting
2000-04	02/26/2000	The Violent Crime Control and Law Enforcement Act of 1994, 18 U.S.C., Sections 1033 and 1034
2000-05	06/10/2000	Per Diem Charges for Financial Examinations Conducted by the Pennsylvania Insurance Department
2000-06	06/10/2000	Per Diem Charges for Market Conduct Examinations Conducted by the Pennsylvania Insurance Department
2000-07	06/10/2000	Record Retention

Statements of Policy

- 31 Pa. Code, Chapter 67, Sections 67.41-67.45 and Appendix A, Motor Vehicle Financial Responsibility Law, Subchapter D. Adopted 05/19/1989.
- 31 Pa. Code, Chapter 89, Sections 89.451-89.474, Approval of Life, Accident and Health Insurance. Subchapter H. Statements of Policy. Adopted 02/05/1982.
- 31 Pa. Code, Chapter 90c, Sections 90c.1-90c.25, Individual Applications. Adopted 01/18/1991.
- 31 Pa. Code, Chapter 90d, Sections 90d.1-90d.9, Individual Accidental Death Benefits; Provided by Riders or Built into Policies. Adopted 01/18/1991.
- 31 Pa. Code, Chapter 90e, Sections 90e.1-90e.13, Individual IRA Endorsements for Life Insurance and Annuities. Adopted 01/18/1991.

- 31 Pa. Code, Chapter 90f, Sections 90f.1-90f.16, Individual Imminent Death/Lifetime Health Care Facility Confinement Benefits Provided as Accelerated Death Benefit or Settlements of Death Benefit; Provided by Riders or Built into Policies. Adopted 01/18/1991.
- 31 Pa. Code, Chapter 90g, Sections 90g.1-90g.16, Individual Health Care Facility Benefits Provided as Accelerated Death Benefit or Settlement of Death Benefit; Provided by Riders or Built into Policies. Adopted 01/18/1991.
- 31 Pa. Code, Chapter 90h, Sections 90h.1-90h.11, Individual Waiver of Surrender Charges for Life and Annuity Contracts Resulting From Health Care Facility Usage; Provided by Riders or Built into Policies. Adopted 01/18/1991.
- 31 Pa. Code, Chapter 90i, Sections 90i.1-90i.3, Certificates of Assumption. Adopted 03/05/1993.
- 31 Pa. Code, Chapter 119, Sections 119.1-119.26, Anti-Fraud. Adopted 08/27/1993.
- 31 Pa. Code, Chapter 120, Sections 120.1-120.5, Loss Cost Adjustment Filing. Adopted 08/27/1993.
- 31 Pa. Code, Chapter 150, Sections 150.1-150.5, Uniform Health Insurance Claim Form. Adopted 07/02/1993.
- 31 Pa. Code, Chapter 152, Sections 152.101-152.105, Preferred Provider Organizations, Primary Care Gatekeeper PPO Products. Adopted 09/27/1991.
- 31 Pa. Code, Chapter 153, Section 153.2, Permission to file accident and health, life and annuity insert pages. Adopted 10/19/1990.
- 31 Pa. Code, Chapter 153, Section 153.3, Simplified review of company merger, assumption or name change form and rate filing. Adopted 06/28/1991.
- 31 Pa. Code, Chapter 301, Sections 301.201-301.204, Health Maintenance Organization, Subchapter H. Point-of-Service Products Group Specific Community Rating. Adopted 09/27/1991.
- 31 Pa. Code, Chapter 301, Sections 301.301-301.321, Health Maintenance Organization, Subchapter I. Contractual Arrangements Between HMOs and IDSs. Adopted 04/05/1996.
- 31 Pa. Code, Chapter 303, Section 303.1, Out-of-State Health Maintenance Organization Investments. Adopted 03/25/1988.

Contact: Peter J. Salvatore, Regulatory Coordinator, Special Projects Office, 717-787-4429; fax 717-772-1969

II. OTHER:

Special Projects Office

Regulatory Procedures Manual

Internal procedures regarding drafting of regulations

Contact: Peter J. Salvatore, Regulatory Coordinator, Special Projects Office, 717-787-4429; fax 717-772-1969

Administrative Hearings Office

Digest of Automobile Policy Terminations (Act 68 and 78)

Insurance Commissioner Decisions on Automobile Insurance Administrative Hearings

Digest of Homeowners Policy Terminations (Act 205)

Insurance Commissioner Decisions on Homeowners Insurance Administrative Hearings

Digest of Agency Terminations (Act 143)

Administrative Hearing Officer Decisions on Insurance Agency Administrative Hearings

Practice and Procedure Digest

Describes the Administrative Hearing Process

Contact: K. Bernhard, Docket Clerk, Administrative Hearings Office, 717-783-2126; fax 717-787-8781

Bureau of Administration

Public Documents Room Procedures

Procedures to review public documents at the Insurance Department

Contact: Tracey Pontius, Director, Bureau of Administration, 717-787-4298; fax 717-783-1059

LABOR AND INDUSTRY

POLICY STATEMENTS:

Bureau of Labor Law Compliance, Apprenticeship and Training

- Apprenticeship and Training Council Policy Manual

Contact: Robert E. Moore (717-787-4763)

Bureau of Occupational and Industrial Safety

- Universal Accessibility Interpretation

- 1) April 3, 1995
- 2) April 24, 1995
- 3) February 29, 1996

- 4) November 20, 1996
- 5) April 15, 1997

- 6) July 28, 1997
- 7) December 4, 1997

Contact: James S. Varhola (717-787-3329)

GUIDANCE MANUALS:

Bureau of PENNSAFE

- Workplace Safety Committees Technical Assistance Manual
- 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

- Safety Pays: Workplace Safety Committee Incentive Program (Pamphlet)
- "Workers' Compensation and the Injured Worker" Brochure
Contact: Bryan Mahoney (717-783-5421)
- Application for Certification of Workplace Safety Committee Completion Guide
- Workplace Safety Committee Certification Renewal Affidavit Overview
- Certified Employer Network Overview
- Accident and Illness Prevention Service Provider Qualifications Guide
- Insurer, Individual Self-Insured Employer and Group Self Insurance Fund Accident and Illness Prevention Service/Program Audit Overviews
- 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
- Employer's Guide to Self-Insuring Workers' Compensation
- Workers' Compensation Self Insurance Loss Portfolio Transfer Guidelines
Contact: George Knehr (717-783-4476)
- PA Workers' Compensation Employer Information Pamphlet
Contact: Tom Kurtz (717-787-3567)
- Procedures for Completing an Application for Fee Review
Contact: Eileen Wunsch (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:

NONE

OTHER:

Bureau of Labor Law Compliance

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 PENNSAFE

- 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)

Bureau of Labor Law Compliance

- Prevailing Wage Poster
Contact: Robert E. Moore (717-787-4763)

Bureau of Workers’ Compensation

- News & Notes (A Bureau of Workers’ Compensation Public Newsletter)
- Employer’s Guide to Workers’ Compensation Insurance in Pennsylvania (A folder which includes: An Employer’s Overview, A Guide to Loss Cost Multipliers, A Guide to Classification Codes and other workers’ compensation information of interest to employers.)
- Bureau of Workers’ Compensation Annual Report
Contact: Bryan Mahoney (717-783-5421)
- Workplace Illnesses & Injuries Report (Annual Statistical Publication)
Contact: Terry Titus (717-787-3361)

Bureau of Unemployment Compensation Benefits and Allowances

- UCP-1 Pennsylvania Unemployment Compensation Handbook
- UCP-1(SC) Pennsylvania Unemployment Compensation Handbook for individuals filing through pilot UC Service Centers
- UCP-1 (Insert) How to Figure Your Weekly Benefit Rate
- UCP-3 Unemployment Compensation Information for Contributing Employers
- UCP-3 (Insert) Pennsylvania UC Tax Information
- UCP-6 Unemployment Compensation for Federal Civilian Employees
- UCP-8 State Unemployment Compensation and Supplemental Unemployment Benefit Plans
- UCP-9 Unemployment Compensation Shareable Regular Extended Benefits Program
- UCP-10 Unemployment Compensation for Ex-Servicemen
- UCP-11 Assistance for Workers Under the Trade Act of 1974
- UCP-16 Unemployment Compensation Information for Reimbursable Employers
- UCP-18 Unemployment Compensation Appeals Information
- UCP-19 Unemployment Compensation in Pennsylvania
- UCP-20 Eligibility Review Program—Information and Instruction for Claimants
- UCP-22 Relief from Charges for Contributory Employees
- UCP-23 Credit Weeks
- UCP-24 Child Support Withholding from Unemployment Compensation
- UCP-27 (Cert) Transitional Adjustment Assistance Benefits
- UCP-28 Services Provided By Pennsylvania Teleclaims (PAT)
- UCP-28 (Insert) Pennsylvania Teleclaims (PAT) Telephone Numbers
- UCP-28Z Services Provided By Pennsylvania Teleclaims (PAT) For Interstate Claimants
- PREP-1 Profile Re-Employment Program
- DUA-5 Disaster Unemployment Assistance
- BAM-12 Benefit Accuracy Measurement Program Information for Unemployment Insurance Claimants
- BAM-13 Benefit Accuracy Measurement Program Information for Employers

- [ES-1938/1938A Trade Adjustment Assistance Benefits \(including NAFTA TAA\)](#)
 - [UC-87Z How to File Pennsylvania Interstate Claims on the Internet System](#)
 - [UC-89 Instructions for Filing Claims by Mail](#)
 - [UC-191/UC-334 Letter. Request for Restitution Agreement of Restitution/Some Good \(POS\) Reasons to Pay Now](#)
 - [UC-360 Claim Confirmation Letter](#)
 - [UC-1627 Important! \(Translation Notice\)](#)
 - [ES-2762 Pennsylvania Unemployment Compensation and the Rights of Employers](#)
 - [ETA-8560 Trade Adjustment Assistance](#)
 - [ETA-9042 North American Free Trade Agreement](#)
- Contact: Pete Cope (717) 787-3547

Bureau of Employer Tax Operations

- [UCP-7 Information For Employers—The Problem of “Localized” and Nonlocalized“ Employment](#)
 - [UCP-25 Employee Contributions](#)
 - [PA-100 Pennsylvania Combined Registration Forms and Instructions \(Unnumbered Informational Flyer\) Information for employers regarding Employees or Independent Contractor](#)
- Contact: Laura Reohr (717) 787-2097

Office of Equal Opportunity

- [Equal Opportunity is the Law Poster \(English and Spanish\)](#)
- Contact: Stella Spells (717-787-1767)

MILITARY & VETERANS AFFAIRS

POLICY STATEMENTS:

- [ADA Policy Statement](#)
 - [HIV/AIDS Policy](#)
 - [Sexual Harassment Policy](#)
 - [Substance Abuse in the Workplace Policy](#)
 - [Workplace Violence Policy](#)
- Contact: Linda Leese (717) 861-8849
- [Equal Opportunity 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) 861-8849
- [Emergency Fire Evacuation Plan, Veterans Homes](#)
- Contact: John Patten (717) 861-8903
- [Public Affairs Airlift Policy](#)
- Contact: LTC Latchford (717) 861-8825
- [Resident Abuse Policy and Procedures](#)
 - [Staff/Resident Fraternalization Policy, Veterans' Homes](#)
- Contact: John Patten (717) 861-8903
- [Standard Operating Procedure for Armory Rentals](#)
- Contact: MAJ Trapani (717) 861-8580

INTERNAL GUIDELINES:

- [Adherence to Work Hours/Wear of Military Uniform](#)
- [Bomb Threat Plan—DMVA contains classified information.](#)
- [Curtailed of Activities at FTIG Due to Inclement Weather.](#)
- [Discipline Manual](#)
- [Photo ID Cards for State Civilian Employees at FTIG](#)

- Political Activity
- Reporting Procedures for Workplace Violence
- Retired Guardsmen Involvement
- Notification of VIP Visits to FIG and DMVA Organizations
- Overtime/Compensatory Leave Policy
- Work Schedule
Contact: Linda Leese (717) 861-8849
- 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) 861-8849

OTHER/GUIDANCE/INSTRUCTIONAL MANUALS:

- Personnel Manual
- DMVA Guide to Classification
- Employee Handbook
- Guide to Managing the Official Personnel Folder
- Leave Manual for the DMVA
- Employee Safety Handbook
- DMVA Guide for Controlling Sick Leave Abuse and Time and Attendance Problems
- PA Worker and Community Right to Know Training Booklet
- Partial and Full-Day Closings for State Employees at Ft. Indiantown Gap
- Training Guidelines Manual
- Work-Related Disability Leave and Modified Light Duty Manual
Contact: Linda Leese (717) 861-8849
- Equal Opportunity Plan
- Contract Compliance Plan for DMVA
- DMVA Workforce Profile 1996
- Training Plan and Report
Contact: John Cutler (717) 861-8796
- Organizational and Functional Statement for the DMVA
- Index of Administrative Publications (contains classified information) Pamphlet 310-1
- Military Publications Index of Blank Forms (contains classified information) Pamphlet 25-32
Contact: Linda Leese (717) 861-8849
- Patient Care Policy Manual, Veterans' Homes
- State Home Construction Grant Program
- Veterans Administration Guidelines for State Veterans' Homes
Contact: John Patten (717) 861-8903
- Adjutant General's Biennial Report
Contact: John P. Maietta (717) 861-8720
- Directory of Agencies Providing Information to Veterans
- PA Veterans' Memorial
- Telephone Directory for Veterans Organizations
- Scotland Schools Admission Packet
- Hollidaysburg Veterans' Home
- Northeastern PA Veterans' Center
- PA Soldiers' and Sailors' Home

- Southeastern PA Veterans' Center
- Southwestern PA Veterans' Center
Contact: John Patten (717) 861-8903
- Standard Operating Procedure for Armory Rentals
Contact: MAJ Trapani (717) 861-8580
- PA Air National Guard Fact Sheet
- PA Army National Guard Fact Sheet
Contact: LtCol Cleaver (717) 861-8468

PENNSYLVANIA BOARD OF PROBATION AND PAROLE

OTHER:

- Annual Report (1992-93).
 - Brochures.
 - General Information on Board.
 - General Information on Parole Supervision.
 - SAVE (Substance Abuse Violators Effort).
 - County SAVE Program
 - RSAT (Residential Substance Abuse Treatment).
 - Pre-Parole Bulletin.
 - Parole Plan Investigations
 - PBPP Fatherhood Initiative
- Contact: Vicki J. Wilken, 787-6208

PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

Deputy Sheriffs' Education and Training Board—Statement of Policy updating 37 Pa. Code Chapter 421 Publication of a statement of policy implemented the authority of Act 1998-10 to expand the hours of basic training and continuing education, and adjusted content accordingly pursuant to the Deputy Sheriffs' Education and Training Act, 71 P. S. §§ 2105-2106. Summer 2000

Contact: Stephen Spangenberg (717) 705-3693 ext. 3040

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 1998 Multifamily Housing Loan Application Package and Guidelines (contains PennHOMES and Tax Credit Guidelines)
- PHFA/City of Philadelphia Partnership Program (Bridge Loan Program)
- PHFA Preprocessing Manual for Projects with Agency Federal HOME Funds
- PHFA Preprocessing Manual for Projects with Agency Reserve Funds
Contact: Bill Koons 717-780-3882

- [PHFA 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](#)
- [General Payout Procedures for Mortgagors & Contractors](#)
Contact: Carolyn Heatherly 717-780-3860

Management Division

- [PHFA Policies, Procedures and Compliance Manual \(PennHOMES Program\)](#)
- [PHFA Management Office Policies and Procedures Manual—Section 8 New Construction and Substantial Rehabilitation Programs](#)
- [PHFA Low-Income Housing Tax Credit Compliance Manual](#)
- [PHFA PennHOMES Financial Reporting Manual](#)
Contact: Donna Farnham 717-780-3814

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 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](#)
- [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 \(newsletter\)](#)
- [Pathway to Senior Activities \(resource guide\)](#)
- [PHFA Service Connection \(supportive services newsletter\)](#)
- [Answers to Common Questions About the Homeowner's Emergency Mortgage Assistance Loan Program \(fact sheet\)](#)
- **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
Homeowner's Emergency Mortgage Assistance Program
Supportive Services Program
Tax Credit Program
Contact: Phil Friday 717-780-3915

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY—PENNVEST

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 Processing Letters of No Prejudice and Preclosing Letters, C-6, March 22, 1999.
- 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.

* Many of these documents are also available on PENNVEST's website: www.pennvest.state.pa.us

**PUBLIC SCHOOL EMPLOYEES' 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
- Designation of Primary and Contingent Alternate Payees in an Approved Domestic Relations
- Order
- Processing Faxed Documents
- Contested Death Benefits
- Purchase of Service Payment Plan
- Purchase of Service Payment Plan
- Purchase of Previous Non-Qualifying School Service
- Worker's Compensation Offset Under Act 57

Contact: Frank Ryder (717) 720-4733

GUIDANCE MANUALS:

- PSERS Member Handbook (Current Ed. 1998)
- PSERS Retired Member Handbook (Current Ed. 2000)
- 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 & Your Retirement Benefits
 - 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 During Employment
 - Let's Talk About: Death Benefits During Retirement
 - 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 Website: www.psers.state.pa.us
- PSERS Annual Financial Report (Includes Mission Statement)
- Actuarial Report (annual and 5 year)
- Actuarial Tables and Computational Procedures, Pa. Bulletin, Vol. 27, No. 33, pp. 3726-3739, July 26, 1997
- Health Options Program Enrollment Package

Contact: Frank Ryder (717) 720-4733

Pennsylvania Municipal Retirement System

POLICY STATEMENTS:

- Calculation of Withdrawing Plan's Portion of Retired Member's Reserve
- Allocation of Excess Interest to Municipal Account, Member's Accounts, and Retired Member's Reserve Accounts
- Portability: Individual Member
- Portability: Plan Spin-offs
- Business and Educational Travel Policy
- Y2K Statement
- Return to Work Policy Statement
- Actuarial Tables
- Disposition of Surplus Equipment
- Public Information

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
- Contact: Frank Ryder (717) 720-4733

PUBLIC WELFARE

(Editor's Note: Statements of Policy are in upper and lower case. Notices of Rule Change are in all capitals. Notices of Rule Change adopted more than 180 days before deposit are starred (*).

Office of Income Maintenance—Contact: Edward J. Zogby (717-787-4081)

POLICY STATEMENTS:

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
•1983	<u>Ch. 166</u>	<u>Computation of Workfare Hrs.</u>	<u>10/25/83</u>	<u>166-83-57</u>
	<u>Ch. 275</u>	<u>Postmark Date as the Recept.</u>	<u>03/15/84</u>	<u>275-84-10</u>
		<u>Indicator for Appeals and for Requests for Reconsideration</u>		
•1984	<u>Ch. 297</u>	<u>Change in Reimbursement Policy for AFDC/SSI</u>	<u>03/15/84</u>	<u>297-84-1</u>
•1985	<u>Ch. 187</u>	<u>Definition of Child Born Out-of-Wedlock</u>	<u>11/08/85</u>	<u>00-85-23(T)</u>
•1988	<u>Ch. 100</u>	<u>Health Insurance Provisions for Single Point of Contact (SPOC)</u>	<u>05/25/88</u>	<u>100-88-2</u>
•1989	<u>Ch. 275</u>	<u>Instructions for Applying the Court Ruling in Juras vs. DPW</u>	<u>06/30/89</u>	<u>275-89-1</u>
•1990	<u>Ch. 183</u>	<u>Additions to/Deletions from a Budget Group</u>	<u>01/08/90</u>	<u>183-90-01</u>
	<u>Ch. 183</u>	<u>Cash Assistance Clarifications: Residence and Income</u>	<u>12/28/90</u>	<u>183-90-05</u>
•1991	*<u>CH. 140</u>	<u>MANDATORY CONTINUATION OF MA THROUGHOUT PREGNANCY AND POST-PARTUM PERIOD</u>	<u>08/20/91</u>	<u>0140-91-01</u>
•1993	*<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 21</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>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>
•1994	*<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>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
	*CH. 141	REVISIONS TO 55 PA. CODE CHAPTERS 141, 147, 166, 177, 178 AND 181: CHANGES TO THE GA NON-FINANCIAL REQUIREMENTS, RELATED MA BENEFITS AND CWEP	09/01/94	141-94-01
•1995	*CH. 257	MA ESTATE RECOVERY—CHAPTER 178—MEDICAL ASSISTANCE RESOURCES; CHAPTER 257—REIMBURSEMENT	06/01/95	257-95-01
	*CH. 141	REVISIONS TO 55 PA. CODE CHAPTERS 141, 178, AND 181: ELIMINATION OF THE TRANSITIONALLY NEEDY (TN) COMPONENT OF THE GENERAL ASSISTANCE (GA) PROGRAM	07/12/95	141-95-01
•1996	Ch. 125	ACT 1995-20 PROVISIONS RELATING TO PERSONS SENTENCED OR CHARGED FOR A FELONY OR MISDEMEANOR	04/05/96	125-96-01
	CH. 141	CHANGES TO AFDC, GA AND MA	07/05/96	141-96-01
	CH. 165	REQUIREMENTS AS MANDATED BY THE WELFARE REFORM ACT OF 1996, ACT NO. 1996-35		
	CH. 501	INTENTIONAL PROGRAM VIOLATIONS—REVISIONS TO CHAPTERS 255, 275, 501	11/16/96	501-96-01
•1998	*CH. 140	SPECIAL MA ELIGIBILITY PROVISIONS—INCREASES IN INCOME LIMITATIONS	10/01/98	140-98-01
•2000	Ch. 153	EMPLOYMENT REQUIREMENTS	06/10/00	
	CH. 178	FOR TWO-PARENT HOUSEHOLDS: REVIS-ING THE DEFINITION OF UNEMPLOY-MENT		
	CH. 187	REVISION TO CHAPTER 187, SUPPORT FROM RELATIVES NOT LIVING WITH THE CLIENT, TO SUPPORT IMPLEMENTATION OF THE FAMILY VIOLENCE OPTION	06/10/00	
	CH. 285	INCREASES IN PAYMENT FOR BURIAL AND/OR CREMATION AND MAXIMUM AMOUNT OF EXCLUDED CONTRIBUTIONS	06/10/00	
	TANF STATE PLAN	NOTICE OF INTENT TO AMEND THE TANF STATE PLAN	06/10/00	

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 Com-pounded Prescriptions</u>	<u>06/30/82</u>	<u>19-82-02</u>
•1984	<u>Ch. 1101</u>	<u>Third Party Resource and Copay</u>	<u>11/01/84</u>	<u>99-84-15</u>

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</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. 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. 1163</u>	<u>Psych. Inpatient Adm of Patients with D/A and Psychiatric Diagnoses</u>	<u>05/31/85</u>	<u>13-85-04</u>
	<u>Ch. 1101</u>	<u>Copayments/Guidelines/Exemption for Pregnancy & Ability to Pay</u>	<u>10/17/85</u>	<u>99-85-12</u>
	<u>Ch. 1153</u>	<u>Require. for Treatment Plans & Doc. of Treatment</u>	<u>10/31/85</u>	<u>29-85-01</u> <u>33-85-02</u>
	<u>Ch. 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>Ch. 1151</u>	<u>Offset of Investment Income</u>	<u>02/21/86</u>	<u>11-86-04</u> <u>12-86-02</u> <u>13-86-01</u>
•1986	<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>
•1987	<u>Ch. 1101</u>	<u>Physicians' Response. Home Health Services</u>	<u>01/12/87</u>	<u>01-87-01</u>
	<u>Ch. 1223</u>	<u>Letter of Agreement—D&A Single County Au- thorities</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 Chiroprac- tors</u>	<u>04/27/87</u>	<u>07-87-01</u>
	<u>Ch. 1249</u>	<u>Reimbursement-Home Health Services in PCH</u>	<u>05/22/87</u>	<u>23-87-01</u>
	<u>Ch. 1101</u>	<u>Professional Lic. No.</u>	<u>06/10/87</u>	<u>10-87-01</u>
	<u>Ch. 1223</u>	<u>Nonrecompensable Services Drug Screens</u>	<u>07/29/87</u>	<u>11-87-05</u> <u>12-87-04</u> <u>16-87-01</u> <u>28-87-02</u>
	<u>Ch. 1101/ Ch. 1123</u>	<u>Coverage for Motorized Wheelchairs</u>	<u>07/30/87</u>	<u>05-87-02</u> <u>01-87-08</u> <u>19-87-06</u>
	<u>Ch. 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>
•1988	<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 Re- cipients Are Considered Homebound</u>	<u>09/26/88</u>	<u>1249-88-01</u>
•1989	<u>Ch. 1101</u>	<u>Policy Reminder Regarding Practitioner License Requirements</u>	<u>09/09/89</u>	<u>1101-89-02</u>
	<u>Ch. 1163</u>	<u>Assignment of DRG (Neonate)</u>	<u>11/18/89</u>	<u>1163-89-01</u>

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•1990	Ch. 1150	Payment Policy for Consultations	04/27/90	1150-90-01	
	Ch. 1249	Use of Medicare Form HCFA-485	06/08/90	1249-90-01	
•1991	*CH. 1101	EPSDT—OBRA '89	08/02/91	1101-91-01	
	CH. 1121			1121-91-02	
	CH. 1123			1123-91-01	
	CH. 1241			1241-91-01	
•1992	*CH. 1141	CLOZAPINE SUPPORT SERVICES	01/31/92	1141-92-01	
	*CH. 1153			1153-92-01	
	Ch. 1241	Revised EPSDT Immunization Guidelines	12/11/92	1241-92-01	
•1993	*CH. 1165	PAYMENT FOR MENTAL HEALTH SERVICES PROVIDED IN A RESIDENTIAL TREATMENT FACILITY FOR ELIGIBLE INDIVIDUALS UNDER 21 YEARS OF AGE	01/01/93	1165-93-01	
	*CH. 1121	CHANGES IN THE MEDICAL ASSISTANCE PHARMACEUTICAL BENEFITS	07/09/93	1121-93-01	
	*CH. 1149	DENTAL SERVICES FOR ADULTS	07/09/93	1149-93-01	
	*CH. 1101	BASIC HEALTH CARE FOR ADULT GENERAL ASSISTANCE RECIPIENTS (FELIX ET. AL. V. CASEY ET. AL.) STIPULATION OF SETTLEMENT	07/21/93	1101-93-03	
	*CH. 1101	UPDATE TO EXCEPTIONS PROCESS AND CRITERIA UNDER THE GENERAL ASSISTANCE BASIC HEALTH CARE PACKAGE	07/21/93	1101-93-04	
	Ch. 1241	Centers for Disease Control Blood Lead Testing	09/03/93	1241-93-01	
	Ch. 1101	Business Arrangements Between Nursing Facilities and Pharmacy Providers	10/08/93	1101-93-05	
	•1994	Ch. 1241	Update to Blood Lead Testing Guidelines	04/08/94	1241-94-01
		*CH. 1239	M.A. CASE MANAGEMENT SERVICES FOR RECIPIENTS UNDER THE AGE OF 21	05/17/94	1239-91-01
		*CH. 1121	PHARMACEUTICAL SERVICES DRUG COVERAGE FOR MEDICALLY NEEDY IN NURSING FACILITIES	06/24/94	1121-94-01
		*CH. 1249	PRIOR AUTHORIZATION OF HOME HEALTH SERVICES (REVISED)	07/01/94	1249-94-02
		*CH. 1121	PHARMACEUTICAL SERVICES PRIOR AUTHORIZATION REQUIREMENT MULTISOURCE BRAND NAME DRUGS	08/26/94	1121-94-02
		*CH. 1121	TREATMENT OF INFERTILITY—DISCONTINUED COVERAGE FOR DRUGS AND RELATED SERVICES	08/30/94	1121-94-03
		CH. 1126			1126-94-01
		CH. 1129			1129-94-01
		CH. 1141			1141-94-01
		CH. 1163			1163-94-01
CH. 1221			1221-94-01		
CH. 1225			1125-94-01		
CH. 1242			1242-94-01		
*CH. 1101	GENERAL ASSISTANCE RESTRUCTURE AS A RESULT OF ACT 49		09/02/94		
1101-94-01					
•1995	CH. 1153	ACCESSING OUTPATIENT WRAPAROUND MENTAL HEALTH SERVICES	09/08/95	1153-95-01	
	CH. 1157	MENTAL HEALTH SERVICES PROVIDED IN NON-JCAHO	09/08/95	1157-95-01	
	CH. 1165	UPDATE-JCAHO-ACCREDITED RTF SERVICES	09/08/95	1165-95-01	
	*CH. 1153	PRIOR AUTHORIZATION OF PARTIAL HOSPITALIZATION	12/30/94	1153-95-01	
	CH. 1163	PAYMENT POLICY FOR ABORTION SERVICES	12/15/95	1163-95-02	

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•1996	CH. 1101	LIMITS ON OFFICE VISITS UNDER THE GENERAL ASSISTANCE (GA) BASIC HEALTH CARE PACKAGE	03/18/96	1101-96-01
	Ch. 1101	Medical Assistance Deductible	09/20/96	1101-96-02
•1997	Ch. 1141	Revision to Physician Assistant and Nurse Midwife Supervision Requirement	07/30/97	1141-97-01
•1998	Ch. 1101 Ch. 1141 Ch. 1150 Ch. 1221	Regulation Changes Regarding "Emergency Medical Condition"	07/01/98	1101-98-01 1141-98-01 1150-98-01 1221-98-01
	Ch. 1163	Revision of Utilization Guidelines for Inpatient Hospital Drug and Alcohol Services Under the Medical Assistance Program	05/18/98	1163-98-01
	Ch. 1223	Drug and Alcohol Clinics with Provisional Licenses	03/01/98	1223-98-01
•1999	Ch. 1187	Capital Component Payments for Post-Moratorium Beds	04/17/99	1187-99-01
	Ch. 1101	"Payment in Full"	09/17/99	99-99-06

GUIDANCE MANUALS:

- Provider Handbook 01—Physician
- Provider Handbook 03—Dentist
- Provider Handbook 04—Podiatrist
- Provider Handbook 05—Medical Supplier
- Provider Handbook 06/08—Short Procedure Unit/Ambulatory Surgical Center
- Provider Handbook 07—Chiropractor
- Provider Handbook 09—Birth Centers
- Provider Handbook 10-I—Independent Medical/Surgical Clinic
- Provider Handbook 11-I—Inpatient Hospital (Encompasses provider types General Hospital, Rehabilitation Hospital, Private Mental Hospital, State Mental Hospital and Extended Acute Psychiatric Care)
- Provider Handbook 11-O—Outpatient Hospital (Encompasses provider types General Hospital, and Rehabilitation Hospital)
- Provider Handbook 15—Optometrist
- Provider Handbook 16—Independent Laboratory
- Provider Handbook 17—Health Maintenance Organization
- Provider Handbook 18—Ambulance Company
- Provider Handbook 19—Pharmacy
- Provider Handbook 20—Portable X-Ray Provider
- Provider Handbook 21—Renal Dialysis Center
- Provider Handbook 22—Funeral Director
- Provider Handbook 23—Home Health Agency
- Provider Handbook 26—Rural Health Clinic
- Provider Handbook 28—Drug and Alcohol Clinic
- Provider Handbook 29—Outpatient Psychiatric Clinic
- Provider Handbook 30—Family Planning Clinic
- Provider Handbook 31—Midwives
- Provider Handbook 33—Psychiatric Partial Hospitalization Facility
- Provider Handbook 36-L—Nursing Facility Services (Encompasses provider types State Mental Retardation Center, Private ICF/MR, State Restoration Center, County Nursing Facility and Private Nursing Facility)
- Provider Handbook 37—Hospice
- Provider Handbook 41—Psychologist
- Provider Handbook 42—Comprehensive Outpatient Rehabilitation Facility

- Provider Handbook 43—Physical Therapist
- Provider Handbook 44—Certified RN Anesthetist
- Provider Handbook 48—Family Based Rehabilitation Service
- Provider Handbook 49—Certified RN Practitioner
- Provider Handbook 50—Early Periodic Screening, Diagnosis and Treatment (EPSDT) Provider
- Provider Handbook 53—Extended Acute Psychiatric Care
- Provider Handbook 54—Nutritionist
- Provider Handbook 55—PA Department of Aging (PDA) Waiver
- Provider Handbook 56—Attendant Care

Office of Social Programs—Contact: Edward Spreha (717) 783-8741

POLICY STATEMENTS:

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
•1993	Ch. 2620	<u>Increase in Personal Needs Allowance for Residents of Personal Care Homes</u>	08/16/93	2620-93-02
•1998	Ch. 2620	<u>Licensing Compliance Prediction System for the Personal Care Home Regulations</u>	06/30/98	99-98-01
•1999	Ch. 2620	<u>Office of Social Programs Bulletin Clarifying Permissibility of Electronic Monitoring/Recording In Personal Care Homes</u>	10/30/99	99/99/01
•2000	Ch. 2620	<u>Personal Care Home Planned, Intermittent, or Holiday Closures</u>	03/01/00	99-00-01

Bureau of Social Services

- Attendant Care Program (ACP) Fiscal Manual
- Attendant Care Program Requirements
- Attendant Care Medicaid Waiver #0277
- Attendant Care Program Updates
- Community Services Program for Persons with Physical Disabilities (CSPPPD) Program Requirements
- OBRA Medicaid Waiver #0235
- Independence Medicaid Waiver #0319
- Community Services Program for Persons with Physical Disabilities Program Directives
- Homeless Assistance Program—Instructions and Requirements for 1999-2000 (Note: Revised/Reissued Annually)
- Human Services Development Fund—1999-2000 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 (Note: Revised/Reissued Annually)
- Medical Assistance Transportation Program—Policy Clarifications Manual (Note: Revised/Reissued Annually)
- 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: Sue Tunis 717-705-8098

POLICY STATEMENTS:

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
•1980	Ch. 3140	<u>Funding of Basic Ed. Components of Private Day Treatment Center Programs</u>	10/29/80	99-80-22
•1981	Ch. 3490	<u>Reporting Suspected Child Abuse in Institutions, Schools, Facilities & Agencies</u>	09/30/81	3490-81-02
		<u>OCYF Licensing Procedures: Clarification of Provider's Right to Appeal DPW Issuance of a Provisional Certification of Compliance</u>	10/29/81	99-81-38

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•1982	Ch. 3140	<u>Elig. Reg. Relating to Adjudicated Delinquent Youth Under the Title IV-E Placement Maint. Prog.</u>	10/01/82	3140-82-01
•1983	Ch. 3130	<u>Clarification of the Definition of "Accept for Service"</u>	02/04/83	3130-83-03
	Ch. 3700	<u>Waiver for Foster Family Homes by Foster Family Care Agencies</u>	02/04/83	3700-83-01
	Ch. 3130	<u>Clarification of County C & Y Agency Requirements with Respect to Fee Setting</u>	02/04/83	3130-83-04
	Ch. 3130	<u>Participation on Agency Administrative Review Panel</u>	02/04/83	3130-83-06
	Ch. 3130	<u>Clarif. on Caseworker-to-Family Case Load Ratio & Case Management Functions</u>	02/04/83	3130-83-07
	Ch. 3140	<u>Clarif. of Adoption Asst. to Relatives in Adoption Cases</u>	05/02/83	3140-83-07
	Ch. 3140	<u>Response. of the Co. for Legal Representation for Children and Parents</u>	06/10/83	3140-83-09
	Ch. 3140	<u>Reimbursement to Parents for the Cost of Child Visits</u>	08/15/83	3130-83-11
	Ch. 3140	<u>Chapter 3140.22 Reimbursement Regulations Alternative Programs 3140.22(e)</u>	02/04/83	3140-83-02
	Ch. 3140	<u>Chapter 3140.22 Reimbursement Regulations Community Residential Service 3140.22(d)(3)</u>	02/04/83	3140-83-03
	Ch. 3140	<u>3130.64(b)(2), 3130.67(9), 3140.131(7), 3700.35(b)(1) Reimbursement to Parents for the Cost of Child Visits</u>	08/15/83	3130-83-11 3140-83-13 3700-83-03
	Ch. 3130	<u>Child Placement Regist. Index</u>	08/29/83	99-83-18
•1984	Ch. 3140	<u>Reimbursement Rates for Placements in VisionQuest Wilderness & Wagon Train Programs</u>	01/12/84	3140-84-01
	Ch. 3130	<u>Application of Chapter 3700 Regulations When Relatives Provide Substitute Family Care</u>	09/01/84	3130-84-06 3700-84-01
	Ch. 3130	<u>Reimbursement for Relative Foster Care</u>	09/01/84	3130-84-07 3700-84-02
	Ch. 3001	<u>Transmittal of Interdpt. Memo. on Nonimmunized Students Excluded from Attending School</u>	07/08/84	99-84-13
	Ch. 3490	<u>Release of Child Abuse Info. to the Media</u>	08/15/84	99-84-20
	Ch. 3700	<u>Reimbursement for Relative Foster Parents</u>	09/01/84	3130-84-07 3700-84-02
	Ch. 3140	<u>VisionQuest Policy</u>	09/07/84	3140-84-05
•1985	Ch. 3001.5	<u>Unannounced Visits to Licensed & Approved Facilities/Agencies</u>	08/20/85	99-85-18
	Ch. 3130	<u>Non-Mandatory Regis. Requirement for Individ. 18 Yrs. & Older with PA Adoption Cooperative Exch.</u>	09/16/85	99-85-24
	Ch. 3130	<u>Interstate Compact on Juveniles</u>	09/30/85	99-85-27
	Ch. 3490	<u>Providing Copies of Child Abuse Reports to Subjects</u>	11/20/85	99-85-28
	Ch. 3490	<u>Abandoned Children and the Child Protective Services Law</u>	12/02/85	99-85-29
•1986	Ch. 3140	<u>Continuing Eligibility for Adoption Assistance</u>	04/15/86	3140-86-02
	Ch. 3490	<u>Law Enforcement Officials as Perpetrators of Suspected Child Abuse</u>	07/15/86	3490-86-04
	Ch. 3350	<u>Screening Prospective Adoptive Parents Pursuant to Act 33 of 1985</u>	09/02/86	3350-86-01
	Ch. 3140	<u>Title IV—E Elig. Issues</u>	09/18/86	3140-86-05

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•1987	Ch. 3490	Implementation of Child Protective Svc. Policies Relating to Alleged Medical Neglect of Disabled Infants	05/01/87	3490-87-01
	Ch. 3170	Fin. Part. in Costs of Co. Human Svc. Depts.	08/31/87	3140-87-02 3170-87-01
	Ch. 3490	Sharing Child Abuse Info Among DPW Offices	09/01/87	3490-87-03
	Ch. 3140	Personal Incident Costs	10/01/87	3140-87-05
	Ch. 3140	OCYF Financial Participation in Costs of County Human Service Departments	08/31/87	3140-87-02
	Ch. 3130	Child Placements with Emergency Caretakers	10/15/87	3130-87-07
•1988		Special Medical Assistance—Healthy Beginnings—for Pregnant Women and Qualified Children	11/02/88	99-88-08
•1989	Ch. 3350	Adoption Record Disclosure	06/06/89	3350-89-01
	Ch. 3490	Definition of Founded Report of Child Abuse	06/08/89	3490-89-01
	Ch. 3140	Title IV-E Administrative and Training Costs. Random Moment Time Study	12/15/89	3140-89-01
	Ch. 3130	Statements of Policy—Amendments to Chapter 3130 Due Process Protections for Parents and Children	10/10/89	3130-89-01
•1990	Ch. 3140	Title IV-E Rate Increases	12/28/90	3140-90-05
•1991	Ch. 3130	Regulatory Interpretation Guidelines for Revisions to Chapter 3130		3130-91-03
•1992	Ch. 3040	Establishing Waiting List Service Priorities	06/27/92	3040-92-01
	Ch. 3140	Title XX Invoicing Procedures for the Youth Development Centers and Youth Forestry Camps (YDCs/YFCs)	09/25/92	99-92-02
•1993		Automatic Enrollment of Children Placed by County Children and Youth Agencies and Juvenile Probation Officers	12/15/93	99-93-06
•1994	Ch. 3130	County Children and Youth Agency Responsibility for Juveniles in Police Custody	03/19/94	3130-93-02
	Ch. 3270	Overpopulation of Indoor	07/30/94	3001-94-01
	Ch. 3280	Child Care Space	08/22/94	00-94-19
		Site Visits and Access to Records by PA Protection and Advocacy, Inc.		
•1995	Ch. 3270 Ch. 3280 Ch. 3290	Certified Childcare Professional Credential	11/01/95	3001-95-01
•1996	Ch. 3001	Day Care—Supervision of Children		3001-96-01
	Ch. 3001	Day Care—Posting DPW Inspection Summaries		3001-96-02
	Ch. 3001	Day Care—Inaccessibility of Above Ground Swimming Pools		3001-96-03
	Ch. 3001	Day Care—Departmental Access to the Facility Premises		3001-96-04
	Ch. 3140	AFCARS		3140-96-01
	Ch. 3140	Title IV—A Emergency Assistance Fiscal Procedures/EA Delinquency Prohib.		3140-96-02
	Ch. 3140	Federal Financial Participation Rate and Reporting Change for Title IV-E Placement Maintenance and Adoption Assistance Costs	10/15/96	00-96-08
	Ch. 3140	Emergency Assistance Eligibility and Invoicing Requirements	09/17/96	3140-96-05
	Ch. 3490	Act 151 Amendments		3490-96-01

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	<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>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>Adoption and Foster Care Automated Reporting System (AFCARS)/Statewide Child Welfare Information System (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>Temporary Assistance to Needy Families Procedures</u>	<u>03/05/98</u>	<u>3140-97-06</u>
	<u>Ch. 3140</u>	<u>Federal Financial Participate Rate and Reporting Change for Title IV-E Placement Maintenance and Adoption Assistance Costs</u>	<u>09/15/97</u>	<u>00-97-10</u>
	<u>Ch. 3140</u>	<u>Instructions—Random Moment Time Study</u>	<u>12/01/97</u>	<u>3140-97-11</u>
	<u>Ch. 3140</u>	<u>Juvenile Detention Training Costs (FY 97-98 and Subsequent)</u>	<u>10/05/97</u>	<u>3140-97-13</u>
		<u>Megan's Law</u>		<u>00-97-03</u>
	<u>Ch. 3350</u>	<u>Statewide Adoption Network (SWAN) Policies and Procedures</u>	<u>01/15/98</u>	<u>3350-97-01</u>
		<u>Kinship Care Guidelines</u>	<u>10/01/97</u>	<u>00-97-06</u>
		<u>Access to Pennsylvania State Police Records</u>	<u>10/01/97</u>	<u>00-97-09</u>
		<u>Megan's Law—Providing Information Regarding Sexually Violent Offenders, Releasing Case Record Information</u>	<u>10/14/97</u>	<u>00-97-11</u>
		<u>Priority Placement Request Procedures for the Interstate Compact on the Placement of Children</u>	<u>12/01/97</u>	<u>00-97-12</u>
<u>•1998</u>	<u>Ch. 3140</u>	<u>NMEPA 1994—Small Business Job Protection Act of 1996</u>	<u>02/07/98</u>	<u>3140-98-03</u>
	<u>Ch. 3140</u>	<u>Title IV-E Policy Changes</u>	<u>08/31/98</u>	<u>00-98-05</u>
	<u>Ch. 3140</u>	<u>Federal Financial Participation Rate Change for Title IV-E Placement Maintenance and Adoption Assistance Costs</u>	<u>10/26/98</u>	<u>00-98-10</u>
	<u>Ch. 3140</u>	<u>Needs-Based Plan Guidelines</u>	<u>04/13/98</u>	<u>3140-89-01</u>
	<u>Ch. 3140</u>	<u>Juvenile Detention Center Staff Training Allocations</u>	<u>11/02/98</u>	<u>3140-98-05</u>
	<u>Ch. 3170</u>	<u>Maximum Rates of State Participation for County Children and Youth Agencies</u>	<u>04/30/98</u>	<u>3170-98-01</u>
		<u>Children Placed a Substantial Distance From Home</u>	<u>02/01/98</u>	<u>00-98-03</u>

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
		<u>1997 Association of Juvenile Compact Administrators Rules and Regulations Amended Travel Permit</u>	<u>06/01/98</u>	<u>00-98-06</u>
	<u>Ch. 3490</u>	<u>Certification and Training Requirements for Children and Youth Supervisors</u>	<u>10/01/98</u>	<u>3490-98-01</u>
•1999	<u>Ch. 3001</u>	<u>Release of Children</u>	<u>09/07/99</u>	<u>3001-99-01</u>
	<u>Ch. 3140</u>	<u>Federal Financial Participation Rate Change for Title IV-E Placement Maintenance and Adoption Assistance Costs</u>	<u>06/15/99</u>	<u>00-99-02</u>
	<u>Ch. 3140</u>	<u>Adoption Assistance Questions and Answers</u>		<u>3140-99-01</u>
	<u>Ch. 3140</u>	<u>AFCARS/PACWIS Reporting Procedures</u>	<u>03/01/99</u>	<u>3140-99-02</u>
	<u>Ch. 3140</u>	<u>Policies and Procedures for Claiming Title IV-E Administrative Costs for Non-Residential Purchase of Service Contracts</u>	<u>06/09/99</u>	<u>3140-99-03</u>
	<u>Ch. 3140</u>	<u>Act 148 Invoicing Procedures for County Child Welfare Services</u>	<u>03/31/99</u>	<u>3140-99-04</u>
	<u>Ch. 3140</u>	<u>FY 2000-2001 Children and Youth Needs-Based Plan and FY 1999-2000 Implementation Plan Instructions</u>	<u>07/17/99</u>	<u>3140-99-06</u>
	<u>Ch. 3140</u>	<u>FY 1999-00 Juvenile Detention Center Staff Training Costs</u>	<u>08/10/99</u>	<u>3140-99-07</u>
	<u>Ch. 3490</u>	<u>Drug Convictions Prohibiting Hiring and Approving Foster/Adoptive Parent Applications</u>	<u>02/03/99</u>	<u>3490-99-01</u>
	<u>Ch. 3490</u>	<u>Implementation of Revisions to the Child Protective Services Law as Amended by Act 127 of 1998</u>	<u>10/01/99</u>	<u>3490-99-02</u>
•2000	<u>Ch. 3140</u>	<u>YDC/YFC Interim Per Diem Rate</u>	<u>03/31/00</u>	<u>00-00-01</u>
	<u>Ch. 3140</u>	<u>TANF—Retroactive Eligibility Determinations</u>	<u>04/15/00</u>	<u>3140-00-01</u>
	<u>Ch. 3140</u>	<u>Invoicing Procedures—Child Welfare TANF</u>	<u>04/15/00</u>	<u>3140-00-03</u>
	<u>Ch. 3140</u>	<u>Needs-Based Instructions—FY 2001-02 Plan and FY 2000-01 Implementation Plan</u>	<u>05/09/00</u>	<u>3140-00-04</u>
	<u>Ch. 3140</u>	<u>County Children and Youth Program Title XX and Title IV-B Procedures</u>	<u>05/22/00</u>	<u>3140-00-05</u>

GUIDANCE MANUALS:

- Update of Policies and Procedures for Juveniles in Detention
- Act 151 Amendments
- Clearance Statements for School Employees
- Certification and Training for Children and Youth Workers
- Office of Children, Youth and Families Bulletin Board System
- Adoption and Foster Care Reporting System
- Title IV-A EA Fiscal Procedures/EA Delinquency Prohibition
- 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
- 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
- Random Moment Time Study/Federal Funding Components
- Surveying and Evaluating Satellite Offices of Private Foster Care and Adoption 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
- 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
- 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
- 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
- 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
- Local Management Agency Policy and Procedures Manual
- "Dear Contractor Letters"—a series of letters providing contract clarifications for subsidized child day care
- PA Standards for Child Welfare Practice
- Audit Requirements for the County Children and Youth Audit Reports
- Licensing Indicator System for Child Day Care Centers
- Licensing Indicator System for Group Day Care Homes
- Kinship Care Guidelines
- Megan's Law, Providing Information Regarding Sexually Violent Offenders, Releasing Case Record Information
- Supervised Independent Living Guidelines
- 1999-2000 Title IV-E Independent Living Program Application Guidelines
- Policy Clarifications Regarding Child Protective Services Regulations as Related to Act 33
- Policy Clarifications Regarding Child Protective Services Regulations as Related to Act 33 - Part II
- Policy Clarifications Regarding Child Protective Services Regulations as Related to Act 33 - Part III
- Policies and Procedures for Act 33 Implementation
- Compliance with Conflict of Interest Provisions of Chapter 3680—Administration of Private Children and Youth Social Service Agencies
- Child Residential Facilities and Child Day Treatment Facilities Potential Training Sources

INTERNAL GUIDELINES:

- Children and Youth Survey and Evaluation Manual
- Needs-Based Plans and Budgets: A Guide to Program Decisions
- Child Death Review Policy and Procedures
- Children and Youth System Policy and Procedures Manual: Accessing Mental Health Services Provided in a Residential Treatment Facility
- A Guide to Foster Parenting
- Application of Child Day Care Service Regulations 10/21/94, Class I Bulletin, 00-94-10
- Procedures for the Regulation of Child Day Care Facilities 2/13/95, Class I Bulletin, 00-95-03
- Waivers of Child Day Care Service Regulations 7/3/95, Class I Bulletin, 00-95-07
- Youth Development Center/Youth Forestry Camp Policy Manual

Office of Mental Health and Substance Abuse Services/Mental Retardation—Contact: Kathy Raptosh—717-787-4114 & Dave Kauffman 717-783-3636

POLICY STATEMENTS:

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
•1981	<u>Ch. 4000</u>	<u>Procedures for Charging & Collecting of Tuition Expenses for School-Age Residents in MR & MH Residential Facilities</u>	<u>09/02/81</u>	<u>199-81-01</u>
•1982	<u>Ch. 4000</u>	<u>Respon. for Collection of Tuition Exp. Under Act 199 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 MN/MR Bulletin)</u>	<u>04/16/82</u>	<u>99-82-15</u>
•1985	<u>Ch. 4000</u>	<u>County Indirect Cost Allocation Plan Guideline Update—Maintenance In Lieu of Rent as a Direct Cost (Joint MH/MR Bulletin)</u>	<u>8/22/85</u>	<u>99-85-17</u>
•1986	<u>Ch. 6000</u>	<u>Procedures for Review of Service Eligibility and Termination Decisions</u>	<u>01/17/86</u>	<u>99-86-01</u>
•1987	<u>Ch. 4305</u>	<u>Community MH/MR Liability</u>	<u>05/21/87</u>	<u>4305-87-2</u>
•1988	<u>Ch. 4305</u>	<u>Quarterly Liability Summaries</u>	<u>01/29/88</u>	<u>4305-88-01</u>

Office of Mental Health and Substance Abuse Services—Contact: Kathy Raptosh (717) 787-4114**POLICY STATEMENTS:**

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
•1981	Ch. 5001	Expiration of 4th Provisional Cert. of Compliance	12/15/83	99-83-49
•1984	Ch. 5250	Guidelines for Delivery of MH Forensic Svs. to Persons in Co. Jails & Persons on Prob. or Parole	08/27/84	99-84-38
•1985	Ch. 4210	Readmission from Community Placement Within 30 Days of Discharge	05/30/85	99-85-21
	Ch. 5001	Administration of Psychotropic Medication to Protesting Patients	03/11/85	99-85-10
•1986	Ch. 5001	Implementation of Act 33 of 1985	03/19/86	99-86-11
	Ch. 5100	Involuntary Outpatient Commitment	05/08/86	99-86-14
•1987	Ch. 4210	Dis. Plan. Response. for SMH Child/Adoles. Prog. & Co. MN/MR Program	01/16/87	99-87-10
	Ch. 5100	Guidelines for Assessing & Documenting the Dangerousness of Mentally Ill Adults	01/16/87	99-87-07
	Ch. 5100	Not. of Grievance & Appeal Proc. Involuntary Outpatient Commitment	09/08/87	99-87-23
•1993	Ch. 5221	Intensive Case Management Record Requirements	09/21/93	5221-93-01
•1998		Reporting Requirements for services funded through county base and CHIPP funds.	02/17/98	OMH-98-01
	Ch. 5310	Licensing Compliance Prediction Instrument Application in the Licensing of Community Residential Rehabilitation Services	08/01/98	OMH-98-02
1999	Ch. 13	Use of Restraints, Seclusion and Exclusion in State Mental Hospitals	01/29/99	OMHSAS-99-01
	Ch. 4300	Revised Procedure for Waiver of Office of Mental Health and Substance Abuse Services (OMHSAS) Program Regulations	10/01/99	OMHSAS-99-08
		<u>Emerich v. Philadelphia Center for Human Development 720 A.2d 1032 (Pa. 1998) (Duty to Ward Third Parties—Tarasoff in Pennsylvania)</u>	09/15/99	OMHSAS-99-09

POLICY STATEMENTS:**Office of Mental Retardation—Contact: Dave Kauffman (717) 783-3636**

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</u>
•1981	Ch. 6000	Policies and Procedures Governing Admissions, Commitment, Transfers, and Discharges at State-Operated Mental Retardation Facilities	12/01/81	99-81-51
•1983	Ch. 6000	Level of Care Documentation	03/23/83	42-456.600-83-01
•1984	Ch. 6000	Therapeutic Leave Gdlines for 2176 Waiver Facilities & State/Non-State ICFs/MR	08/01/84	99-84-08
	Ch. 6000	Inspection of Care Process Facility Documentation Requirement	08/30/84	42.456.1-84-01
	Ch. 6000	Community Residential Program Slot & Funding Adj.	12/27/84	99-84-20
	Ch. 6000	Supplement & Amendment to DPW Policy on Support Svcs for Persons with MR and Their Families	12/27/84	99-84-21
•1985	Ch. 6000	Beneficiary Choice Under 2176 Waiver Prg.	02/06/85	99-85-02
•1987	Ch. 6000	Revised Fair Hearing Proc. Related to Svcs. Under 2176 Waiver Prog.	06/10/87	99-87-08
	Ch. 6000	Doc. Requirements—Waiver Requests Increases for Workers' Comp. Costs	09/25/87	99-87-15

<u>Year</u>	<u>Code Citation</u>	<u>Subject</u>	<u>Date Issued</u>	<u>Bulletin Number</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>Ch. 6000</u>	<u>Preventing, Managing and Reporting Unusual In- cidents 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>•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>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. 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>•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>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>
<u>•1998</u>	<u>Ch. 6000</u>	<u>Guidelines To Supporting People Moving From State Centers Into The Community</u>	<u>03/27/98</u>	<u>00-98-03</u>
	<u>Ch. 6000</u>	<u>Waiver Funding For Prevocational, Supported Employment And Educational Services</u>	<u>04/07/98</u>	<u>00-98-04</u>
	<u>Ch. 6000</u>	<u>Supplemental Grant Agreement Medicaid Waiver For Infants, Toddlers and Families</u>	<u>05/07/98</u>	<u>00-98-05</u>

GUIDANCE MANUALS:

- 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
- Listing of Participating Targeted Service Management Providers
- Medical Assistance Funded Services for Children
- Approved 2176 Waiver Renewal
- 1996FTA Section 16 Capital Associates Program
- Act 28 of 1995
- 1997-98 Annual Report

REVENUE

PLEASE ORDER FROM SPECIFIED BUREAU. THERE IS NO CHARGE UNLESS SPECIFIED.

BUREAU OF ADMINISTRATIVE SERVICES, TAX FORMS DISTRIBUTION UNIT, 711 GIBSON BLVD., HARRISBURG, PA 17104-3200 OR TELEPHONE: 1-800-362-2050(Toll-free number).

- PA-100 PA Enterprise Registration Forms and Instructions Booklet
- PA-40 Personal Income Tax Inst. Book-Resident/Nonresident/Part-year Res. (order by year needed)
- PA-40EZ Personal Income Tax Instruction Book (order by year needed-prior to 1998)
- PA-40NR Personal Income Tax Instruction Book/Nonresidents (1995& prior-order by year needed)
- PA-40T Personal Income Tax TeleFile Book (1998 and later-order by year needed-includes EZ single)
- PA-40EZ KOZ—Keystone Opportunity Zone Tax Return (order by year needed-after 1999)
- PA-40KOZ—Keystone Opportunity Zone Tax Return (order by year needed-after 1999)
- SCHEDULE KOZ—Keystone Opportunity Zone Schedule (order by year need—after 1999)
- PAKOZ P-S Schedule for Partnerships/Shareholders (Keystone Opportunity Zone) (order by year-after 1999)
- PAKOZPSI—Information for Schedule P-S
- 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-prior to 1997)
- PA-3R Sales & Use Tax Replacement Coupon/Instructions
- PA-4R Public Transportation Assistance Fund Taxes/Fees Replacement Coupon/Inst.
- PA-501R Employer Tax Deposit Statement Replacement Coupon/Instructions
- PA-W3R Employer Quarterly Reconciliation Return Replacement Coupon/Instructions
- PA-40ESR Estimated PIT Replacement Coupon
- PA-1 Use Tax Return
- RCT-101KOZ—Keystone Opportunity Zone Instruction Book
- REV-20 Directions for Completion of Federal Form W-2, Block 17
- REV-23 Pamphlet/Practices and Procedures of the Board
- REV-181Application for Tax Clearance
- REV-183Affidavit of Value Realty Transfer Tax
- REV-221 Sales & Use Tax Rate Chart
- REV-227 Sales & Use Tax Credit Chart
- REV-229 Estate Tax General Information
- REV-238 Out of Existence/Withdrawal Affidavit/Corp Tax
- 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-260 Petition for Refund Bd. of Finance and Revenue
- 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 General Information for Withholding PIT \(for Employers\)](#)
- [REV-440 Corp Tax Bulletin 116/Act 48 Changes](#)
- [REV-440D Corp Tax Bulletin 117/Act 21 Changes](#)
- [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-491PA TIDES/EDI Brochure \(Electronic Data Interchange\)](#)
- [REV-493 Prop. Tax/Rent Rebate Insert \(PATAXES\)](#)
- [REV-502 FACT Line Brochure/ PATAXES](#)
- [REV-525 Corp Tax Bulletin #119 Motor Carrier Gross Rec. Tax-Ambulance Services](#)
- [REV-527 Taxpayer's Bill of Rights Brochure](#)
- [REV-531 What Are Your Rights if Audited?](#)
- [REV-532 What Are Your Appeals Rights?](#)
- [REV-534 Refund/Complaints \(Taxpayer's Bill of Rights\)](#)
- [REV-535 What May Department Do to Collect Taxes?](#)
- [REV-541 Federal/State Electronic Filing Pamphlet](#)
- [REV-552 TeleFile/E-File Insert](#)
- [REV-553 Policy Statement-Employee Benefits/Cafeteria Plans](#)
- [REV-554 Disclosure Statement/Taxpayer Rights Advocate](#)
- [REV-555I Inheritance Tax General Information](#)
- [REV-571 CAQ-So You Are Moving to PA Brochure](#)
- [REV-573 CAQ-Property Tax/Rent Rebate Brochure](#)
- [REV-577 CAQ-Estimated Tax Payments](#)
- [REV-580CAQ-Employer Withholding Brochure](#)
- [REV-581CAQ-Personal Income Tax Brochure](#)
- [REV-582 CAQ-Corporation Taxes](#)
- [REV-584CAQ-Inheritance Tax Brochure](#)
- [REV-585CAQ-Sales & Use Tax Brochure](#)
- [REV-588 Starting a Business in PA \(A Beginner's Guide\)](#)
- [REV-591CAQ-IFTA/Motor Fuel Tax Brochure](#)
- [REV-610 CAQ-Voluntary Disclosure Program Guide and Participation Parameters](#)
- [REV-611 CAQ-Residency for PA PIT Purposes Brochure](#)
- [REV-612 CAQ-Military Pay for PA PIT Purposes Brochure](#)
- [REV-614 CAQ-Scholarships, Fellowships and Stipends for PA PIT Purposes Brochure](#)
- [REV-615 CAQ-Reciprocal Agreements and PA PIT Brochure](#)
- [REV-617 CAQ-Hiring Household Workers Brochure](#)
- [REV-618 CAQ-PA Realty Transfer Tax Brochure](#)
- [REV-625 CAQ-Sale of Principal Residence for PA PIT Purposes Brochure](#)
- [REV-627 CAQ-Construction Contracts Brochure](#)
- [REV-630 CAQ-Amended Returns Brochure](#)

- [REV-631 Special Tax Forgiveness Program Brochure \(You May Be Paying Too Much Tax\)](#)
- [REV-634 CAQ-Employee Fringe Benefits/Wage & Salary Supplements Brochure](#)
- [REV-635 CAQ-S Corp Brochure](#)
- [REV-636 CAQ-Roth IRAs Brochure](#)
- [REV-637 CAQ-Unreimbursed Employee Business Expenses Brochure](#)
- [REV-663 CAQ-Sales Tax Revocation Procedures](#)
- [REV-670 Instructions for Fuel Use Tax](#)
- [REV-671 KOZ Brochure-How They Effect Business Owners](#)
- [REV-672 KOZ Brochure-Why Should I Care If I Live In A KOZ](#)
- [REV-695 KOZ Brochure-How Property Owners Benefit](#)
- [REV-704 Brochure/Property Tax/Rent Rebate](#)
- [REV-705 Strategic Planning Update 2000 Brochure](#)
- [REV-704 Brochure-PT/RR Changes](#)
- [REV-705 Strategic Plan Update 2000 Brochure](#)
- [REV-710 Homeowners Century Tax Rebate Application](#)
- [REV-717 Retailer's Information Booklet](#)
- [REV-722 Homeowners Century Tax Rebate Brochure](#)
- [REV-727 Sales Tax Questions & Answers](#)
- [REV-729 Homeowners Century Tax Rebate Insert](#)
- [REV-816G Corp Tax Bulletin #92, Act 90of December 1983](#)
- [REV-816I Corp Tax Bulletin #94, Shares Tax-Banks & Title Insurance Co.](#)
- [REV-816M Corp Tax Bulletin #108, Act 21,1989Shares Tax Base Rate](#)
- [REV-816N Corp Tax Bulletin #95Credits/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-853R Corp Tax Annual Pymt/Extension Replacement Coupon](#)
- [REV-854R Corp Tax Filing Period/EIN/Address Change Form Replacement Coupon](#)
- [REV-855R Corp Tax Custom Refund/Transfer Replacement Coupon](#)
- [REV-857R Corp Tax Estimated Payment Replacement Coupon](#)
- [REV-1026 Information on Motor Carrier Road Tax](#)
- [REV-1076 Tax Bulletin 53A Instructions for Securing Bulk Sales Certificate](#)
- [REV-1200 CT-1 Corporation Tax Instruction Book \(order by year needed\)](#)
- [REV-1220 Certificate of Exemption for Sales & Use Tax](#)
- [REV-1250 Realty Tax Act and Regulation](#)
- [REV-1501 Instruction Book Inheritance Tax Resident](#)
- [REV-1501B Inheritance Tax Life Estate Booklet](#)
- [REV-1611 Notice of Interest Rate and Calculation Changes](#)
- [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-1716 Employer Withholding Period Ending Due Dates](#)
- [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](#)

REGULATIONS/PRONOUNCEMENTS

- All regulations and revenue pronouncements issued by the Department of Revenue are published in Title 61 of the Pennsylvania Code. The Department does not reprint all of these documents. If you need to review a regulation or revenue pronouncement that is not included in this list, please consult Title 61 of the Pennsylvania Code.
- [SEC06.01-06.22 Tax Amnesty](#)
- [SEC08A.1-8A.11 Enforcement](#)
- [SEC09.13 Pronouncement/S Corporation Election](#)
- [SEC09.17 Pronouncement/Research & Development Tax Credit Implementation Issues](#)
- [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](#)
- [SEC31.25 Licensing of Club Plan Secretaries](#)
- [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.](#)
- [SEC32.22 Sales to the US Government](#)
- [SEC32.23 Sales to Comm. of PA and Political Subdivisions and Sales By Commonwealth](#)
- [SEC32.24 Sales to Ambassadors, Ministers](#)
- [SEC32.25 Steam, Gas, Electricity, Fuel Oil, Kerosene](#)
- [SEC32.31 Dairying](#)
- [SEC32.32 Manufacturing/Processing](#)
- [SEC32.33 Farming](#)
- [SEC32.34 Public Utilities](#)
- [SEC32.35 Mining](#)
- [SEC32.36 Printing](#)
- [SEC32.37 Photographers and Photofinishers](#)
- [SEC33.02 Purchase Price](#)
- [SEC33.03 Cancellations, Returns, Allowances & Exchanges](#)
- [SEC33.04 Credit and Layaway Sales](#)
- [SEC34.01-Registration](#)
- [SEC34.02 Keeping of Records](#)
- [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
- SEC36.11 Board of Finance & Revenue
- SEC38.01 Hotel Occupancy/Imposition & Computation of Tax
- SEC38.02 Hotel Occupancy/ Exemptions
- SEC38.03 Hotel Occupancy/Definition
- SEC39.01-39.13 Transient Vendors
- SEC41.02 Concrete Transit Mixing Unit
- SEC41.03 Dry Ice for Packaging Ice Cream
- SEC41.04 Gas Used by a Manufacturer
- SEC41.05 Integrated Plants
- SEC41.06 Processing for Wholesale Distribution
- SEC41.07 Pump Used for Conveying Water Prior to Production Process
- SEC41.08 Recapping & Retreading of Tires
- 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
- SEC45.01 Exemption of Electric Co-op Corp.
- SEC45.02 Automobiles for Attorneys
- SEC45.03 Street Repairs
- SEC46.01 Construction Contractor Cutting or Bending Steel Beam
- SEC46.02 Construction of Exempt Public Utility
- SEC46.03 Contractors Installing Stained Glass Windows
- SEC46.04 Fixed Price Construction Contract
- SEC46.05 Outdoor Advertising Signs
- 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
- SEC47.03 Frozen Food Lockers
- SEC47.04 Golf Bag Carts and Lockers
- SEC47.06 Miniature Golf Course
- SEC47.10 Riding Academies and Stables
- SEC47.11 Saws and Blades to Butchers
- SEC47.12 Soda Fountains
- SEC47.16 Rental of Equipment Between Affiliated Interests
- SEC47.17 Lease or Rental of Vehicles and Rolling Stock
- SEC47.18 Totalizator Equipment
- SEC47.19 Public Transportation Assistance Taxes and Fees
- SEC47.20 Vehicle Rental Tax
- SEC48.01 Utility Services Used by Exempt Organizations

- SEC48.04 Credit Unions
- SEC49.02 Game, Fish, Animals and Birds
- SEC50.01 Purchases & Sales by Wholesalers
- SEC51.01 Purchases of Replacement Parts
- SEC51.02 Use of Automobile Other than for Resale
- SEC51.04 Remittances for Payment of Sales Tax on Certain Vehicles
- SEC52.01 Purchases of Medicines/Med Supplies, Equipment, Devices, etc.
- SEC52.02 Fabrication of Dental Prosthetics
- SEC52.04 Sellers & Repairers of Eyeglasses
- SEC53.01 Clothing
- SEC53.02 Footwear, Footwear Accessories and Footwear Repairs
- SEC54.01 Delivery Charges
- SEC54.02 Sign Painters
- SEC55.01 Automobile Towing Services
- SEC55.04 Taxidermy Service
- SEC55.05 Cleaning of Animals
- SEC56.01 Maintaining Place of Business within Commonwealth
- SEC57.01 Carbonator for Soda Fountains
- SEC57.02 Gas Used by Restaurants
- SEC57.03 Icemaking Equipment
- SEC57.04 Merchandising Equipment
- SEC57.05 Sale of Equipment to Restaurants
- SEC57.06 Sales Order Books
- SEC57.07 Purchase of Soft Drinks by Liquor Licensees
- SEC58.01-58.02 Taxable & Exempt Personal Property
- SEC58.03 Timbering Operations
- SEC58.04 Commission Vendors
- SEC58.05 Decorated Cottage Cheese Containers
- SEC58.06 Barbers & Beauticians Supplies, Materials, Tools and Equipment
- SEC58.07 Trading Stamps
- SEC58.08 Commercial Airport and Aircraft Operators
- SEC58.09 School Textbook Exemption
- SEC58.10 Water Softeners & Conditioners
- SEC58.11 Taxes Paid/Purchases Resold
- SEC58.12 Flags
- 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
- SEC60.18 Pronouncement/ Sale and Installation of Prefabricated Housing
- SEC60.19 Pronouncement/Computer Software, Hardware and Related Transactions
- SEC60.20 Pronouncement/Telecommunications Service
- SEC60.21 Pronouncement/Commercial Racing Activities
- SEC60.22 Pronouncement/Commercial Motion Pictures
- SEC60.23 Pronouncement/Electric Utility Services
- SEC71.04 Cigarette Tax
- SEC94.01 Pronouncement/Disclaimer of Non-probate Taxable Assets

BUREAU OF BUSINESS TRUST FUND TAXES, DEPT. 280900, HARRISBURG, PA 17128-0900, TELEPHONE (717) 783-5472

- REV-330 Electronic Funds Transfer Program Guide
- REV-331A Authorization Agreements for EFT Payments
- REV-335 Payment by EFT Regulation
- DAS3 Magnetic Media Reporting Instructions

BUREAU OF CORPORATION TAXES, DEPT. 280700, HARRISBURG, PA 17128-0700, TELEPHONE (717) 787-8211.

- E69 Important 1967 Legislative Changes
- E70 Important 1969 Legislative Changes
- E71 Important 1970 Legislative Changes
- E72 Important 1970 Legislative Changes
- E73 Important 1971 Legislative Changes-Tentative Tax-Reports & Payments
- F74 Important 1971 Legislative Changes
- F75 1972 Disaster Relief Policy with respect to CNI/CIT
- F76 1973 CNI/CIT
- F77 1974 CNI/CIT
- F78 1974 Tentative Tax-Reports & Payments Rates/CNI/CIT
- F79 1975 CNI/CIT
- F81 1976 Recycling Process
- F82 1977 New Address for Mailing Tax Reports and Remittances
- F83 1978 Important 1977 Legislative Changes Tax Rate
- F84 1979 Addressing Report and Remittances
- REV-816 Corp Tax Bulletin F-851982 CNI/CIT
- REV-816A Corp Tax Bulletin F-861982 CNI Tax, Delays application of depreciation changes in 1981Federal Economic Recovery Tax Act
- REV-816B Corp Tax Bulletin F-871982 Gilbert Asso, Inc. v. Commonwealth
- REV-816C Corp Tax Bulletin 881983CNI/Interest Rate/Oil Franchise Rate/Installment Payment of Tentative CNI Tax/Mutual Thrift Inst./PURTA/Employment Incentive Payments Credits
- REV-816D Corp Tax Bulletin 891983Tentative CNI/Method 2 Election
- REV-816E Corp Tax Bulletin 901983CNI Tax
- REV-816F Corp Tax Bulletin 911984Act No. 90/Election to be Taxed as a PA S Corp.
- REV-816H Corp Tax Bulletin 93 1984Act No. 29/Reporting and Payment of Public Utility Realty Tax Liability
- REV-816J Corp Tax Bulletin 96Fixed Formula-Valuation of Capital Stock/Domestic and Foreign Corporations
- T-CT-1 Corp Tax Bulletin 98 1985Gross Premiums Tax-Foreign Fire Insurance Co.
- T-CT-2 Corp Tax Bulletin 99 1985Economic Revitalization Tax Credit
- T-CT-3 Corp Tax Bulletin 100 1985Estimated CNI System
- T-CT-4 Corp Tax Bulletin 101 1986Capital Stock/Franchise Tax Regulated Investment Co.

- T-CT-5 Corp Tax Bulletin 102 1986Act 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 1987Act No. 58-Reduction in Capital Stock/Foreign Franchise/Tentative Capital Stock/Tentative Franchise Tax Rates
- T-CT-7 Corp Tax Bulletin 104 1988Notice to Mutual Thrift Institution Taxpayers
- REV-1743 Corp Tax Bulletin 105 1988Tentative Capital Stock/Franchise Tax Method 2 Election
- DCT09 Corp Tax Bulletin 106 Notice to Mutual Thrift Institution Taxpayers
- REV-816L Corp Tax Bulletin 107 1989Shares 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 1991Major 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 1991through and including December 1991
- DCT27 Corp Tax Bulletin 113 1991Utilities Gross Receipts/PURTA
- DCT28 Corp Tax Bulletin 115 1991Tax for Financial Inst. for Shares Tax/Mutual Thrift
- DCT29 Corp Tax Bulletin 114 1991Annuities for Gross Premiums Tax Retroactive to July 1, 1991
- REV-440 Corp Tax Bulletin 116A 1994Act 48 Changes
- REV-440A Corp Tax Bulletin 116B 1994Act 48 Amended Shares Tax/Allowing Apportionment
- REV-440C Corp Tax Bulletin 116C 1995Act 48 Concerning Business Trusts
- REV-440D Corp Tax Bulletin 117 1995Double Weighted Sales Factor, Tax Rate Changes Fixed Formula, Processing Exemptions, Insurance Gross Premiums Tax, Utilities Gross Receipts Tax Commercial Printers & Tax Amnesty
- REV-440E Corp Tax Bulletin 118, Limited Liability Companies (LLC's) Reporting Requirements
- REV-545 PA Research and Development Tax Credit
- DCT35 Special Notice/Mutual Thrift Instructions Conversion to Estimated Payment System
- DCT52 PURTA Brochure
- DCT53 Corp Tax Bulletin 120/Purta Compensating Adjustment
- REV-721 Corp Tax Bulletin 121/Estimated Settlements
- DCT54 Corp Tax Bulletin 122/Tax Transition Impact Limitations

BUREAU OF MOTOR FUEL TAXES, DEPT. 280646, HARRISBURG, PA 17128-0646, TELEPHONE (717) 783-1025.

- DMF49 Policy Statement Motor Carrier

OFFICE OF CRIMINAL TAX, 5TH FLR. STRAWBERRY SQ. HARRISBURG, PA 17128, TELEPHONE (717) 783-9685.

- DCI03 Pamphlet Criminal Tax Evasion

OFFICE OF CRIMINAL TAX, 1854 BROOKWOOD ST., HARRISBURG, PA 17104, TELEPHONE 783-4649

- DCI02 Guide to Cigarette Law Enforcement

PRESS OFFICE, DEPT. 281100, HARRISBURG, PA 17128-1100, TELEPHONE (717) 787-6960.

- DPO4 Tax Update

BUREAU OF RESEARCH, DEPT. 281100, HARRISBURG, PA 17128-1100, TELEPHONE (717) 787-6300.

- DOP3 Compendium of Revenue
- DOP4 Personal Income Tax Statistics
- DOP7 Statistical Supplemental to Tax Compendium
- DOP11 Strategic Planning Update 2000

BUREAU OF INDIVIDUAL TAXES, DEPT. 280600, HARRISBURG, PA 17128-0600, TELEPHONE (717) 787-8346

- 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, DEPT. 281061, HARRISBURG, PA 17128-1061, TELEPHONE (717) 787-1382.

- OCCPLR Office of Chief Counsel Private Letter Rulings (Fee Charged)

PA STATE LOTTERY, 2850 TURNPIKE INDUSTRIAL PARK, MIDDLETOWN, PA, 17057, TELEPHONE (717) 986-4714 (*Or from Lottery Retailer Outlets)

- 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
- *Big 4 Brochure
- *Winning Numbers Lists
- *Super 6 Lotto Brochure
- Winners Newsletter
- Lottery Line-Retailer Newsletter
- *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:

- Compendium of Commission and Staff Positions, Summary of Significant Commission
 - Orders and Compilations of Staff No-Action Letters
 - Small Company Offering Registration (SCOR) In Pennsylvania
 - Coordinated Equity Review Notebook
- Contact: G. Philip Rutledge (717) 783-5130

STATE

POLICY STATEMENTS:

Secretary of the Commonwealth

- Use of Public Areas Outside the Capitol, 49 Pa. Code 61

State Athletic Commission

- Athletic Agents, 58 Pa. Code 41.1-41.3

Bureau of Professional and Occupational Affairs

State Board of Cosmetology

- Use of Nail Enhancement Products Containing Methyl Methacrylate, 49 Pa. Code 7.143

State Board of Dentistry

- Amalgams, 49 Pa. Code 33.213
- Disclosure of Financial or Ownership Interest, 49 Pa. Code 33.214
- Lasers, 49 Pa. Code 33.215
- Anesthesia Permit Requirement for Non-parenteral Pre-medication, 49 Pa. Code 33.344

Contact: Lisa Burns (717) 783-7162

State Board of Medicine

- Disciplinary Guidelines for Use of Anabolic Steroids, 49 Pa. Code 16.97
- Guidelines for Use of Controlled Substances in the Treatment of Pain
- Winter 98/99 Newsletter

Contact: Cindy Warner (717) 783-1400

State Board of Nursing

- Scope of Practice Interpretations, 49 Pa. Code 21.401-21.414

Contact: Ann Steffanic (717) 783-7142

State Board of Examiners of Nursing Home Administrators

- Temporary Permits, 49 Pa. Code 39.17
- Subordinate Supervision, 49 Pa. Code 39.18
- Continuing Education Course Content, 49 Pa. Code 39.32

Contact: Melissa Wilson (717) 783-1389

State Board of Occupational Therapy Education and Licensure

- Policy re: Occupational Therapy in Non-Medical Practice

Contact: Lisa Burns (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: Rita T. Solie (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: Melissa Wilson (717) 783-7155

State Real Estate Commission

- Guideline: Assistants
- Guideline: Home Offices
- Guideline: Team Advertising

Contact: Deborah Sopko (717) 783-3658

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

State Board of Social Work Examiners

- Policy re: Limitation on Numbers of Hours of In-Home, Correspondence or Video or Internet-type Continuing Education

Contact: Clara Flinchum (717) 783-1389

GUIDANCE MANUALS:**Bureau of Professional and Occupational Affairs**

- Case Management Guidelines Manual for Professional Health Monitoring Programs

Contact: Robert Wolf (717) 783-4857

State Board of Barber Examiners

- Policy Manual

Contact: Sara Sulpizio (717) 783-3402

State Board of Certified Real Estate Appraisers

- Policy Manual

Contact: Cheryl Lyne (717) 783-3398

State Board of Cosmetology

- Policy Manual

Contact: Sara Sulpizio (717) 783-3402

State Board of Dentistry

- Assignment of Duties to Assistive Personnel: Guidelines

Contact: Lisa Burns (717) 783-7162

State Board of Funeral Directors

- Policy Manual

Contact: Cheryl Lyne (717) 783-3397

State Board of Medicine

- Policy Manual

Contact: Cindy Warner (717) 783-1400

State Board of Nursing

- Staff Suggestions for Nursing Education Curriculum Proposals
- Curriculum Guidelines for the Approval of a CRNP Program
- Criteria for A Self Study Modules at format for LPN IV-Therapy Education Program (1995)

Contact: Ann Steffanic (717) 783-7142

State Board of Physical Therapy

- Policy Manual

Contact: Robert Kline (717) 783-7134

State Board of Psychology

- Policy Manual

Contact: Melissa Wilson (717) 783-7155

State Real Estate Commission

- Policy Manual

Contact: Deborah Sopko (717) 783-3658

Bureau of Commissions, Elections and Legislation

- PA Voter Registration Act: Implementation Manual for County Election Officials

Contact: Terri Marquis (717) 787-5280

DECISIONS:**Bureau of Professional and Occupational Affairs****State Board of Nursing**

- Qualifications of preceptors who supervise students = clinical practice (1995)
- Recommendations for Self-Administration of Medications (1996)
- Role of the LPN in care and maintenance of central venous lines (1994)
- Orders conveyed by a Certified Physician Assistant (1994)

Contact: Ann Steffanic (717) 783-7142

INTERNAL GUIDELINES:**Bureau of Professional and Occupational Affairs****State Board of Dentistry**

- Probable Cause Screening Committee

Contact: Lisa Burns (717) 783-7162

State Board of Examiners of Nursing Home Administrators

- Continuing Education Audit Guidelines

Contact: Melissa Wilson (717) 783-7155

State Board of Medicine

- Probable Cause Screening Committee

Contact: Cindy Warner (717) 783-1400

State Board of Nursing

- A Decision Making Model for Determining RN/LPN Scope of Practice, with Cover Letter (1996)
- 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

Contact: Melissa Wilson (717) 783-7155

State Real Estate Commission

- Internal Operating Guidelines

Contact: Deborah Sopko (717) 783-3658

State Board of Veterinary Medicine

- Probable Cause Screening Committee

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) 787-5280

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 Medicine**

- Interpretive Guidelines for Use of Controlled Substances in Treatment of Pain, Winter 1998/1999 Newsletter

Contact: Cindy Warner (717) 783-1400

State Board of Nursing

- Approved Programs for RN, CRNP and LPN Education

Contact: Ann Steffanic (717) 783-7142

State Real Estate Commission

- Applications: Experience Requirements and Point System for Applicants for Broker's Licenses

Contact: Deb Sopko (717) 783-3658

STATE EMPLOYEES' RETIREMENT SYSTEM**State Employees' Retirement System**

Pursuant to Executive Order 1996-1 (Regulatory Review and Promulgation), the State Employees' Retirement System (SERS) submits for publication in the *Pennsylvania Bulletin* the following list of the agency's nonregulatory public documents. For additional information on the listed items, contact the SERS Public Information Officer by calling (717) 787-9657.

JOHN BROSIUS
Executive Director

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 1999)
- 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)
 - Refund Procedures for those Leaving State Service (SERS-159)
 - Information on Tax Form 1099-R for Tax Year 1999
- Management Directives and Administrative Circulars issued by SERS
- SERS Mission Statement
- SERS Investment Policy
- SERS Investment Guidelines
- SERS current five-year investment plan ("1999 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 3901611 87J (Thomas J. DiLauro, Chair)
- The "SERS News" member newsletter
- SERS Information Bulletins
- SERS *Comprehensive 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

STATE POLICE

GUIDANCE MANUALS

- Cultural Awareness Brochure (SP5-344),
- Equal Employment Opportunity Plan, Statement of Management Commitment (1-99)
- Equal Employment Opportunity Plan(1-99)

GUIDANCE MANUALS, BROCHURES, FORMS AND OTHER MATERIALS:**Bureau of Liquor Control Enforcement**

- Bureau of Liquor Control Enforcement Brochure
- Choices Program Brochure

Bureau of Patrol

- Applicant Information Sheet (SP3-310A)
- Application for Agent Certification—LWTA (SP8-200)
- Physical Examination—LWTA (SP8-200A)
- Police Officer Exemption Application—LWTA (SP8-200C)
- Active Municipal Police Officer LWTA Verification Procedure for Training Waiver (SP8-204)
- Traffic Accident Report (AA-600)
- Emergency Vehicle Designation (SP6-115)
- Emergency Rescue Guidelines for Air Bag Equipped Vehicles
- Request for Air Bag On/Off Switch (HS Form 603)

Bureau of Personnel

- Enlisted Employment Information:
Application for State Police Cadet
Physical Fitness Testing for Cadet Applicants Brochure
General Cadet Information (SP5-349)
Pennsylvania State Police: Your Career Starts Here Brochure
- Liquor Enforcement Employment Information:
Application for Liquor Enforcement Officer Trainee
General Information Brochure (SP5-348)
- Civilian Employment Information:
General Information Pamphlet (SP5-346)
Police Communicators Operator Pamphlet (SP5-347)
Personal Data Sheet for Employment (STD-300)
Civil Service Application

Bureau of Professional Responsibility

- Complaint Verification Form (SP1-108)

Bureau of Records and Identification

- Information for Pennsylvania Firearms Purchasers and Basic Firearm Safety (SP4-135)
- Request for Criminal Record Check (SP4-164)
- Notice of Accident Investigation and Application to Obtain Copy of Accident Report (SP-0015)

Bureau of Research and Development

- Pennsylvania State Police Overview of Department Activities (1-99)
- Pennsylvania State Police CALEA Facts About Accreditation (3-98)
- Pennsylvania State Police Annual Police Pursuit Report (1998)
- Pennsylvania State Police Annual Report (1998)
- Crime in Pennsylvania: Uniform Crime Report (1997)
- Pennsylvania State Police Historical Facts and Highlights

Bureau of Training and Education

- Youngster Protect Yourself from Attacks and Accidents (SP5-330)
- Stop Burglary Brochure (SP5-331)

- Crimes of Fraud: "The Con-Artist" (SP5-332)
- Lady Beware (SP5-333)
- Understanding Crime Prevention (SP5-334)
- Accessing Your Pennsylvania State Police (SP5-335)
- Protect Your Child (SP5-336)
- Preventing Child Abduction and Child Runaway (SP5-337)
- Drugs Aren't Part of Anyone's Future (SP5-342)
- Child Identification Kit (SP5-350)

All of the non-regulatory compliance-related documents listed above are available from the Pennsylvania State Police by contacting the Department at the following address or by calling the following telephone number:

Pennsylvania State Police
Bureau of Research & Development
1800 Elmerton Avenue
Harrisburg, Pennsylvania 17110
(717) 783-5536

Documents are also available from the State Library, Government Publications Section at 219 Forum Building, Harrisburg, PA 17120 and may also be obtained through inter-library loan.

TRANSPORTATION

POLICY STATEMENTS:

Bureau of Equal Opportunity

- Sexual Harassment Pamphlet, 2/1/99
- Disability Related Policy Statement, 2/1/99

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)
- Design 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, Metric and English (Pub. 72M)
- Bridge Design Standards (Pub. 218)
- Bridge Design Standards (Pub. 218M)
- Bridge Construction Standards (Pub. 219)
- Bridge Construction Standards (Pub. 219M)
- Bridge Safety Inspection Manual (Pub. 238)
- Right-of-Way Encroachments and Outdoor Advertising Sign Control (Pub. 266)
- Roadway Specifications (Pub. 408/2000)

Bureau of Environmental Quality

- **Design Manual Part 1A, Environmental Impact Assessment and Related Procedures (Pub. 24)**
- Waste Site Evaluation Procedures for the Highway Project Development Process (Pub. 281)
- Agriculture Resources Evaluation (Pub. 324)

Bureau of Maintenance & Operations

- Pavement Policy Manual (Pub 242)
- 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)
- Traffic Signing Standards, TC-7700 Series (Pub. 111M)
- Traffic Signal Standards, TC-7800 Series (Pub. 148)
- Traffic Signal Design Handbook (Pub. 149)
- Guidelines for the Maintenance of Traffic Signal Systems (Pub. 191)
- Engineering and Traffic Studies (metric) (Pub. 201M)
- Work Zone Traffic Control (metric) (Pub. 203M)
- Flagging Handbook (Pub. 234)
- Handbook of Approved Signs (Pub. 236M)
- Sign Blank Specifications (Pub. 306M)
- Traffic Engineering (Approval & Installation of Traffic Control Devices) (MPS #414)
- Statewide Bicycle & Pedestrian Master Plan
- Pennsylvania Bicycle Driver's Manual (Pub. 380)

Center for Program Development and Management

- PennPlan MOVES

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.)

Bureau of Aviation

- Users Guide to the Aviation Construction Specifications (Pub. 406)
- Aviation Construction Specifications (Pub. 407)

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)
- Apportioned Manual
- Dealer Manual
- Salvor Manual
- Messenger Manual

Driver/Vehicle Program Services

- Safety Administration Forms Manual
- Decentralized Services Training Manual

Bureau of Equal Opportunity

- Minority/Female Resource Guide, 3/99
- OJT—Training Manual
- DBE Directory

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)
- Estimating Manual (Pub. 352)
- Specifications for Consultant Engineering Agreements (Form 442)

Bureau of Environmental Quality

- Wetlands Resource Handbook (Pub. 325)

Bureau of Maintenance & Operations

- Trucker's Handbook (Pub. 194)
- Posting and Bonding Procedures for Municipal Highways (Pub. 221)
- Highway Occupancy Permit Handbook (Pub. 282)
- Guide for Obtaining Minimum Use Driveway Permits
- How to Apply for a Single-Trip Special Hauling Permit for Oversize/Overweight Movement Using Form M-936A
- How to Apply for a Single-Trip Special Hauling Permit for Oversize/Overweight Movement using Form M-936AS
- How to Apply for a Super Load Permit
- Trucker's Guide to Pennsylvania (Map)
- Pennsylvania STAA Truck 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
- PennDOT User's Guide to Transportation Planning & Programming
- Public Involvement Program for Transportation Planning and Programming
- Transportation Management Association Assistance Program Guidelines
- PA Infrastructure Bank Operating Manual

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.)

Bureau of Aviation

- Aviation Development Airport Sponsor's Guide (Pub 405)
- Environmental Evaluation Forms A, B & C for Airport Development Projects

INTERNAL GUIDELINES:

Bureau of Motor Vehicles

- Vehicle Registration Process Training Module
- Data Entry and Examining Training Manual

Bureau of Driver Licensing

- Driver License Process Training Module
- Physician Reporting Packet to Determine Medical Competency for Drivers
- Restorations Training Manual
- Publication 189 Restoration Requirement

Bureau of Office Services

- Model Stockpile Guidelines

Bureau of Equal Opportunity

- Harassment/Sexual Harassment Manual, 1999
- EEO Counselor's Manual, 12/1/98

Bureau of Design

- Appraisal Guide (Pub. 94M)

Bureau of Environmental Quality

- Environmental Impact Statement Handbook (Pub. 278)
- Categorical Exclusion Evaluation Handbook (Pub. 294)
- Public Involvement Handbook (Pub. 295)
- Needs Study Handbook (Pub. 319)
- PennDOT Project Level Air Quality Handbook (Pub. 321)
- Environmental Assessment Handbook (Pub. 362)

Bureau of Maintenance & Operations

- Maintenance Manual (Pub. 23)
- Guide Rail Condition Survey Field Manual (Pub. 33)
- Drainage Condition Survey Field Manual (Pub. 73)
- Highway Maintenance Foreman manual (Pub. 113)

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)
- Cooperation with Outside Agencies: Highway Construction and Materials Testing (MPS #407)

Bureau of Planning and Research

- Conduct of Research at PennDOT
- 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**

- Price List, Maps & Publications (Pub. 12)

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)
- Approved Construction Materials (Pub. 35)
- Producers of Bituminous Mixtures (Pub. 41)
- Producers of Redi-Mixed Concrete (Pub. 42)
- 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)

- Subsurface Boring, Sampling and Testing Contract, Metric Edition (Pub. 222M)
- 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 97/98 (Statistics for urban public transportation providers.)
- PA Rural and Small Urban Public Trans. Program Fiscal Years 1996-97 and 1997-98 (Statistics for rural and small urban public trans. providers.)
- Senior Citizen Shared-Ride Program (Background info, statistics, trends, etc. for Shared-Ride Program.)

Bureau of Aviation

- Aviation Construction Items Catalog (Pub. 5)

Bureau of Equal Opportunity

- Sexual Harassment Prevention (Pub. 109)
- BEO Brochure (Pub. 317)
- ADA Brochure (Pub. 359)
- Equal Employment Opportunity Plan, Federal/State
- DBE Plan
- Contract Compliance Plan
- Title VI Plan

All of the non-regulatory compliance-related documents listed above are available from the Department of Transportation Sales Store. In some cases, due to the length of the document, a duplication fee will be charged. Please contact the PA Dept. of Transportation Sales Store, P.O. Box 2028, 555 Walnut St., 6th Floor Forum Place, Harrisburg, PA 17101-1900, telephone number (717) 787-6746 for more information. Documents are also available from the State Library, Government Publications Section at 219 Forum Building, Harrisburg, PA 17120 and are available through inter-library loan.

[Pa.B. Doc. No. 00-1341. Filed for public inspection August 4, 2000, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

Section 5(d) and 5(g) of the Regulatory Review Act (71 P. S. §§ 745.5(d) and 745.5(g)) provide that the designated standing committees may issue comments within 20 days of the close of the public comment period, and the Independent Regulatory Review Commission (Commission) may issue comments within 10 days of the close of the committee comment period. The Commission comments are based upon the criteria contained in subsections 5.1(h) and (i) of the Regulatory Review Act (75 P. S. § 745.5a(h) and (i)).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The

final-form regulations must be submitted by the dates indicated.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Issued</i>	<i>Final-Form Submission Deadline</i>
59-7	Coroners' Education Board Education Requirements	7/24/00	6/07/02

Coroners' Education Board Regulation No. 59-7

Education Requirements

July 24, 2000

We submit for consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)) which have not been met. The Coroners' Education Board (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by June 7, 2002, the regulation will be deemed withdrawn.

1. General.—Consistency with the statute.

The proposed regulation does not contain provisions for a coroner or deputy coroner to appeal a decision of the Board. The Board should consider adding a section to the final-form regulation delineating or cross-referencing appeal procedures consistent with section 5(c) of the Coroners' Education Board Law (Law) (16 P. S. § 9525.5(c)).

2. Section 199.1. Definitions.—Consistency with the statute; Clarity.

Definition of "Just-cause"

"Just-cause" is defined as follows:

Instances such as job-related emergencies, or illness or accident suffered either by a person required to meet basic education or continuing education requirements or by the person's immediate family or death of the person's immediate family.

We have two concerns with this definition. First, the Law (16 P. S. § 9525.5) does not allow just-cause exceptions to the continuing education requirements. Consequently, the reference to continuing education requirements should be deleted.

Second, based on information provided by the Board, there may be instances where the Basic Education Course is not offered prior to the time a coroner or deputy coroner takes office, such as when an individual is appointed to fill a vacancy. The Board should consider amending the definition of "just-cause" to address this situation.

3. Section 199.12. Temporary chairperson.—Clarity.

This section permits a Board member to serve as a temporary chairperson "with the approval of the Board." To be clear, the section should state that a Board member may serve as a temporary chairperson "with the approval of the majority of the Board members present."

4. Section 199.21. General requirement.—Consistency with the statute; Reasonableness.

Subjects for the Basic Education Course

This section lists subjects for the Basic Education Course, including crime scene investigation, toxicology and the legal duties of a coroner. This list is incomplete because it does not include "forensic autopsies" which is contained in section 2(f) of the Law (16 P. S. § 9525.2(f)). In the final-form regulation, the Board should include "forensic autopsies" in the listing of required subjects.

Tuition

Section 2(g) of the Law (16 P. S. § 9525.2(g)) provides that the Board "shall establish the tuition to be charged for the courses of instruction . . ." However, the proposed regulation does not establish tuition requirements. The Board maintains that tuition for the Basic Education Course is comprised of charges for instruction, books, room and board. An attendee may pay only for instruction and books, or for any combination of instruction, books, room and board. Additionally, there may be frequent, minor tuition adjustments resulting from changes in the cost of meals or lodging. According to the Board, these factors make it difficult to establish tuition within the regulation.

We recognize the difficulties of establishing these tuition requirements in regulation. However, the Board should consider adding a provision to the final-form regulation stating that a current listing of tuition options for the Basic Education Course is available from the Board's office.

5. Section 199.41. Continuing education.—Clarity.

This section requires coroners and deputy coroners to complete 8 hours of continuing education annually. The regulation does not list the subject areas to be covered by the continuing education courses. For improved clarity, the Board should consider listing general subject areas in the regulation. Alternatively, the regulation could state that a current list of subjects for continuing education is available from the Board's office.

6. Section 199.43. Standards for course approval.—Clarity.

This section provides that the Board will consider the qualifications of course instructors when evaluating the suitability of a proposed continuing education course. For clarity, the Board should consider amending the regulation to list the minimum qualifications for instructors, or the criteria the Board will use to determine if a prospective instructor is qualified.

7. Section 199.49. Failure of coroner to meet continuing education requirements.

Section 199.50. Failure of chief deputy coroner or full-time deputy coroner to meet continuing education requirements.

Section 199.52. Extension of time to complete continuing education requirements.—Statutory Authority; Clarity.

Postponing compliance with continuing education requirements

These three sections allow the Board to postpone a coroner or deputy coroner's compliance with the continuing education requirements for "just-cause." The Law (16 P. S. § 9525.3(a)) authorizes the Board to postpone compliance with the Basic Education Course for just-cause. However, there is no similar authorization in the Law (16 P. S. § 9525.5) for continuing education requirements. We request the Board to explain its statutory authority to postpone compliance with the continuing education requirements.

Notification of failure to meet continuing education requirements

Sections 199.49 and 199.50 address the Board's notification procedures when a coroner or deputy coroner fails to meet the annual continuing education requirements. Specifically, these sections provide that the Board will notify the Governor, or the coroner and county commissioners in the case of deputy coroners, "in writing, following the last Board meeting of the year."

Since coroners and deputy coroners have until the end of the calendar year to meet the continuing education requirements, the Board cannot make compliance determinations until after the end of the calendar year. It is our understanding that the Board actually sends notification of failures to meet continuing education requirements after the first meeting of the year, following the year in which the failures occurred. Consequently, the language in the proposed regulation does not accurately reflect the Board's current procedures. Therefore, the regulation should be amended to correctly state when the failure notifications occur.

Allowing less than 8 hours of continuing education

Also, in discussions with the Board, we understand it is the Board's policy to require only 4 hours of continuing education for coroners or deputy coroners who are appointed on or after August 1st in a given year. The Law (16 P. S. § 9525.5) does not provide for less than 8 hours

of continuing education. What is the Board's statutory authority for reducing the continuing education requirements for those appointed toward the end of the calendar year?

8. Section 199.72. Coroners' duty to notify Board.—Clarity.

This section establishes that the elected coroner is to notify the Board "within one month" of the appointment or departure of the chief deputy coroner and any full-time deputy coroners. A 30-day period is clearer than "one month" and would leave no question as to when notification should occur. Therefore, the Board should use 30 days instead of "one month" as the notification period.

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 00-1342. Filed for public inspection August 4, 2000, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received, on the dates indicated, the following regulations for review. 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.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>
11-171	Insurance Department Pennsylvania Assigned Risk Consumer Protection	7/20/00
7-345	Environmental Quality Board Interstate Ozone Transport Reduction	7/25/00

JOHN R. MCGINLEY, Jr.,
Chairperson

[Pa.B. Doc. No. 00-1343. Filed for public inspection August 4, 2000, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Increase in Underwriting Authority of a Domestic Stock Casualty Insurance Corporation: United Casualty Insurance Company of America

United Casualty Insurance Company of America (United Casualty), a domestic stock property insurance company, has filed an application to increase its approved classes of underwriting authorities. The class of insurance that United Casualty has applied to add is as mentioned in 40 P.S. § 382(c)(11), Automobile Liability. Persons wishing to comment on the application are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed, and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written state-

ments should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120; Fax (717) 787-8557; or by e-mail to rbrackbi@ins.state.pa.us.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1344. Filed for public inspection August 4, 2000, 9:00 a.m.]

Highmark Blue Cross Blue Shield; Rate Increase for Direct Pay Special Care Hospital Plan; Filing No. 1-SSC-00-HBCBS

Highmark Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Direct Pay Special Care Hospital Plan. The filing requests an increase of 19.6% of current premium, or \$7.60 per contract per month. This will affect 20,900 contractholders and produce additional premium income of \$1.9 million. The requested effective date of the change is January 1, 2001.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Carol Slack, Actuarial Supervisor, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1345. Filed for public inspection August 4, 2000, 9:00 a.m.]

Highmark Blue Cross Blue Shield; Requesting Approval to Increase Rates for Direct Pay Preferred Hospital Benefits Plan; Filing No. 1-CPE-00-HBCBS

By Filing No. 1-CPE-00-HBCBS, Highmark Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Direct Pay Preferred Hospital Benefits Plan. The filing requests an increase of about 18.1% of current premium, or \$36.86 per contract per month. This will affect about 6,600 contractholders and produce additional premium income of about \$3.0 million. The requested effective date of the change is January 1, 2001.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry

Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1346. Filed for public inspection August 4, 2000, 9:00 a.m.]

Highmark Blue Cross Blue Shield; Requesting Approval to Increase Rates for Direct Pay Preferred Major Medical Plan; Filing No. 1-PMM-00-HBCBS

By Filing No. 1-PMM-00-HBCBS, Highmark Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Direct Pay Preferred Major Medical Plan. The filing requests an increase of about 28.1% of current premium, or \$28.69 per contract

per month. This will affect about 4,100 contractholders and produce additional premium income of about \$1.4 million. The requested effective date of the change is January 1, 2001.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1347. Filed for public inspection August 4, 2000, 9:00 a.m.]

Highmark Inc.; Medigap Medical Surgical Plans Base Rates; Filing No. 1-DPCM-00-HI

Highmark Inc., d/b/a Pennsylvania Blue Shield, requests approval to increase its base rates for its Medigap Medical Surgical Plans in the Capital Blue Cross, Independence Blue Cross and Northeastern Pennsylvania regions. No change is requested for the Highmark Blue Cross Blue Shield region. Increases will vary by region and plan, as follows.

Percentage Region	Amount Plan (s)	Increase Increase	(millions)	PCPM	Contracts
Capital	C	4.1%	\$0.8	\$2.10	30,500
Blue Cross	A, B, H	3.3%	\$0.9	\$1.45	50,800
Independence	C	5.9%	\$2.0	\$4.60	35,800
Blue Cross	A, B, H	5.8%	\$1.2	\$4.10	23,900
Blue Cross of	C	12.7%	\$2.4	\$7.10	28,300
Northeast PA	A, B, H	13.6%	\$1.0	\$6.55	13,600
Plan Total	C	7.2%	\$5.1	\$4.54	94,600
	A, B, H	5.7%	\$3.1	\$2.95	88,300
Total		6.6%	\$8.3	\$3.77	182,900

The filing requests an overall increase of about 6.6% of developed premium. This will affect about 182,900 contract holders and produce additional base premium income of about \$8.3 million. The requested effective date of the change is January 1, 2001.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's Harrisburg Regional Office and Philadelphia Regional Office.

Interested parties are invited to submit written comments, suggestions or objections to Rashmi Mathur, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1348. Filed for public inspection August 4, 2000, 9:00 a.m.]

Highmark Inc.; Requesting Approval to Increase Rates for Direct Pay 65 Plus Drug Plan; Filing No. 1-65P-00-HBCBS

By Filing No. 1-65P-00-HBCBS, Highmark Inc. d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Direct Pay 65 Plus Drug Plan. The filing requests an increase of 39.2% of current premium, or \$28.85 per contract per month. This will affect about 28,450 contractholders and produce additional premium income of about \$9.8 million. The requested effective date of the change is January 1, 2001.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the

Insurance Department's offices in Harrisburg, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1349. Filed for public inspection August 4, 2000, 9:00 a.m.]

Highmark Inc.; Requesting Approval to Increase Rates for Special Care Medical Surgical Plan; Filing No. 1-SCMS-00-HI

By Filing No. 1-SCMS-00-HI, Highmark Inc., d/b/a Pennsylvania Blue Shield, requests approval to increase its premium rates for its Special Care Medical/Surgical Plan in the Capital Blue Cross, Independence Blue Cross and Blue Cross of Northeastern Pennsylvania regions. No change is requested for the Highmark Blue Cross Blue Shield region. Increases will vary by region, as follows.

<i>Region</i>	<i>Percentage Increase</i>	<i>Amount (millions)</i>	<i>Increase PCPM</i>	<i>Number of Contracts</i>
Capital Blue Cross	16.6%	\$0.6	\$6.47	7,500
Independence Blue Cross	26.1%	\$1.7	\$10.59	13,700
Blue Cross of Northeastern PA	22.3%	\$0.3	\$7.55	2,900
All Regions Combined	22.8%	\$2.6	\$8.94	24,000

The filing request an average increase of 22.8% of current premium. This will affect 24,000 contractholders and produce additional premium income of about \$2.6 million. The requested effective date of the change is January 1, 2001.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's offices in Harrisburg and Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1350. Filed for public inspection August 4, 2000, 9:00 a.m.]

Independence Blue Cross; Blue Cross Community Rated Group Rate Increase; Filing No. 8-P-00

Independence Blue Cross requests the Insurance Department's (Department) approval for a 25.2% premium rate increase effective October 1, 2000, for the Community Rated Basic Blue Cross hospitalization program, which now includes groups with up to 50 contracts.

The proposed rate increase would impact approximately 8,100 contracts and produce additional premium income of \$6.4 million.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Department's offices in Harrisburg and Philadelphia.

Interested parties are invited to submit written comments, suggestions or objections to Bharat Patel, Actuary, Insurance Department, Accident and Health Bureau, Office of Rate and Policy Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days of publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1351. Filed for public inspection August 4, 2000, 9:00 a.m.]

Keystone Health Plan Central; Rate Filing

On July 14, 2000, Keystone Health Plan Central submitted a filing requesting a Base rate increase for community rated groups. The proposed effective date is October 1, 2000.

As of the proposed effective period, the requested average rate increases vary by service area.

	<i>Range of Rate Increases (1)</i>	<i>Contracts</i>	<i>Additional Annual Premium</i>
Lehigh Valley	9.9% to 12.2%	13,000	\$5.5 million
Harrisburg	11.3% to 14.2%	36,000	\$16.4 million
Northern Tier	14.2% to 23.3%	4,100	\$2.4 million

(1) Increases between quarters, 1 year apart

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's Harrisburg Regional Office.

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Actuary, Bureau of Accident and Health Insurance, Insurance Department, 1311 Strawberry Square, Harrisburg, PA 17120, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1352. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Medical Society Liability Insurance Company; Physicians and Surgeons Liability Rate Filing

On July 14, 2000, the Insurance Department (Department) received from the Pennsylvania Medical Society Liability Insurance Company a filing for a rate level change for physicians and surgeons liability rates.

The Pennsylvania Medical Society Liability Insurance Company requests to increase rates effective January 1,

2001, by an overall 10.0% and to make other changes as summarized:

- Experience Rating Plan—to implement an Experience Rating Plan that provides claims-free physicians the opportunity for a 15% discount. Groups that are claims free will be eligible for additional discounts.
- Specialty Relativity Changes—to change the relativities for Oncology and Hematology/Oncology, Cardiology No Surgery, Neurology No Surgery, Otolaryngology, Plastic Surgery as well as other changes to the class relativities.
- The counties will be realigned into seven territories from the existing five.
- A charge for corporation, association and partnership coverage based upon 10% of all physician shareholder and employe premium.
- An increased limits factor of 10% to reflect the change in primary limits from \$400,000/\$1,200,000 to \$500,000/\$1,500,000.
- To increase the policy writing minimum from \$200 to \$500.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Ken Creighton, ACAS, Insurance Department, Bureau of Regulation of Rates and Policies, 1311 Strawberry Square, Harrisburg, PA 17120 (e-mail at kcreight@ins.state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1353. Filed for public inspection August 4, 2000, 9:00 a.m.]

Progressive Northern Insurance Company; Motorcycle Program Rate Filing

On June 30, 2000 the Insurance Department (Department) received from Progressive Northern Insurance Company a filing for a rate level change for motorcycle insurance.

The company requests an overall 9.9% increase amounting to \$908,000 annually, to be effective August 12, 2000, for new business and September 21, 2000, for renewal business.

Unless formal administrative action is taken prior to August 29, 2000, the subject filing may be deemed approved by operation of law.

Copies of the filing will be available for public inspection, by appointment, during normal working hours at the Department's offices in Harrisburg, Philadelphia, Pittsburgh and Erie.

Interested parties are invited to submit written comments, suggestions or objections to Michael W. Burkett,

Insurance Department, Bureau of Regulation of Rates and Policies, Room 1311, Strawberry Square, Harrisburg, PA 17120 (e-mail at mburkett@ins.state.pa.us) within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1354. Filed for public inspection August 4, 2000, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) in connection with the termination of the insured's automobile policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). This administrative hearing will be held in the Insurance Department's Regional Offices in Philadelphia, PA. Failure by the appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The hearing will be held in Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Wesley S. and Murphy R. Hamilton; file no. 00-280-02465; CNA Insurance Companies; doc. no. PH00-07-015; September 29, 2000, at 12 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses and the like necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the 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.

M. DIANE KOKEN,
Insurance Commissioner

[Pa.B. Doc. No. 00-1355. Filed for public inspection August 4, 2000, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Philadelphia County, Wine & Spirits Shoppe #9114, Adams & Tabor Center, 730 Adams Avenue, Philadelphia, PA 19124-2318.

Lease Expiration Date: August 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 4,000 to 7,000 net useable square feet of new or existing retail commercial space within a 1/2 mile radius of Adams Avenue and Roosevelt Boulevard, Philadelphia.

Proposals due: August 25, 2000 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113
Contact: Robert Jolly, (215) 482-9670

Carbon County, Wine & Spirits Shoppe #1303, 221 Delaware Avenue, Palmerton, PA 18071-1812.

Lease Expiration Date: August 31, 2001

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,800 to 2,700 net useable square feet of new or existing retail commercial space within the Borough of Palmerton or the surrounding portions of Lower Towamensing Township.

Proposals due: August 25, 2000 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, Brandywine Plaza, 2223 Paxton Church Road, Harrisburg, PA 17110-9661
Contact: Ronald Hancher, Jr., (717) 657-4228

Erie County, Wine & Spirits Shoppe #2518, Lakeside Commons, Suite 120, 220 W. Plum Street, Edinboro, PA 16412-2121.

Lease Expiration Date: March 31, 2002

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 3,000 to 5,000 net useable square feet of new or existing retail commercial space in a shopping center environment serving the Edinboro area.

Proposals due: August 25, 2000 at 12 noon

Department: Pennsylvania Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: George Danis, (412) 565-5130

JOHN E. JONES, III,
Chairperson

[Pa.B. Doc. No. 00-1356. Filed for public inspection August 4, 2000, 9:00 a.m.]

PENNSYLVANIA MUNICIPAL RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by Pennsylvania Municipal Retirement Law (53 Pa.C.S. § 881.101—881.501) (relating to Pennsylvania Municipal Retirement Board), in connection with the Pennsylvania Municipal Retirement Board's denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Pennsylvania Municipal Retirement Board, 1010 North 7th Street, Suite 301, Eastgate Center, Harrisburg, PA 17102.

September 18, 2000 George G. Kremenec 1:30 p.m.
(Disability)

Persons with a disability who wish to attend the listed hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Tina Eisenhart at (717) 787-2065 to discuss how the Pennsylvania Municipal Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 16 Pa. Code § 91.1 (relating to applicability of general rules), procedural matters will be in conformance with the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1—35.251 unless specific exemption is granted.

JAMES B. ALLEN,
Secretary

[Pa.B. Doc. No. 00-1357. Filed for public inspection August 4, 2000, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff; Doc. No. C-00992317 v. American Business Alliance, Inc.; A-310379

Public Meeting held
July 20, 2000

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Default Order

By the Commission:

On April 7, 1999, the Law Bureau Prosecutory Staff instituted a complaint against American Business Alliance, Inc. (Respondent), an IXC reseller certificated at A-310379. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510 its 1997-1998 Annual Assessment in the amount of \$200 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) That the Commission issue an order cancelling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) That the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service of the complaint was perfected on April 13, 1999. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore, It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. American Business Alliance, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2 above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by American Business Alliance, Inc. at Docket No. A-310379 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience pursuant to Ordering Paragraph No. 4 above, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1358. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff; Doc. No. C-00992318 v. American Teletronics Long Dist.; A-310126

Public Meeting held
July 20, 2000

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Default Order

By the Commission:

On April 7, 1999, the Law Bureau Prosecutory Staff instituted a complaint against American Teletronics Long Dist. (Respondent), an IXC reseller certificated at A-310126. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 1997-1998 Annual Assessment in the amount of \$117 and its 1998-1999 Annual Assessment in the amount of \$114 were due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessments nor filing objections.

The complaint sought the following remedies:

(1) That the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) That the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service of the complaint was perfected on April 23, 1999. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore, It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. American Teletronics Long Dist. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select

an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2 above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by American Teletronics Long Dist. at Docket No. A-310126 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4 above, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1359. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff; Doc. No. C-00992319 v. Bel-Save, Inc.; A-310308

Public Meeting held
July 20, 2000

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Default Order

By the Commission:

On April 7, 1999, the Law Bureau Prosecutory Staff instituted a complaint against Bel-Save, Inc. (Respondent), an IXC reseller certificated at A-310308. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that pursuant to 66 Pa.C.S. § 510, its 1998-1999 Annual Assessment in the amount of \$242 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) That the Commission issue an order cancelling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) That the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, the complaint was unclaimed because the Respondent moved and the forwarding order expired. To date, more than 20 days later, no answer has been filed to the complaint, the assessment has not been paid, and the Respondent has

not notified the Commission of its current address; *Therefore, It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Bel-Save, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2 above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Bel-Save, Inc. at Docket No. A-310308 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4 above, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1360. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff; Doc. No. C-00992324 v. Citizens Utilities Co. of Pa.; A-310700

Public Meeting held
July 20, 2000

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Default Order

By the Commission:

On April 7, 1999, the Law Bureau Prosecutory Staff instituted a complaint against Citizens Utilities Co. of Pa. (Respondent), an IXC reseller certificated at A-310700. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 1996-1997 Annual Assessment in the amount of \$6,885 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) That the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) That the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service of the complaint was perfected on April 15, 1999. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore, It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Citizens Utilities Co. of Pa. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2 above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Citizens Utilities Co. of Pa. at Docket No. A-310700 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4 above, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1361. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff; Doc. No. C-00992325 v. GSI Communications, Inc.; A-310061

Public Meeting held
July 20, 2000

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Default Order

By the Commission:

On April 7, 1999, the Law Bureau Prosecutory Staff instituted a complaint against GSI Communications, Inc.

(Respondent), an IXC reseller certificated at A-310061. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 1995-1996 Annual Assessment in the amount of \$7,688 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

(1) That the Commission issue an order cancelling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) That the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service of the complaint was perfected on April 12, 1999. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore, It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. GSI Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2 above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by GSI Communications, Inc. at Docket No. A-310061 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4 above, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1362. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff; Doc. No. C-00992332 v. Minimum Rate Pricing, Inc.; A-310348

Public Meeting held
July 20, 2000

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Default Order

By the Commission:

On April 7, 1999, the Law Bureau Prosecutory Staff instituted a complaint against Minimum Rate Pricing, Inc. (Respondent), an IXC reseller certificated at A-310348. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 1998-1999 Annual Assessment in the amount of \$317 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

- (1) That the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and
- (2) That the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service of the complaint was perfected on May 10, 1999. To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore, It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.
2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.
3. Minimum Rate Pricing, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2 above.
4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Minimum Rate Pricing, Inc. at Docket No. A-310348 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4 above, the Office of Executive Director refer the total outstanding

assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1363. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff; Doc. No. C-00992333 v. MTC Telemangement Corp.; A-310272

Public Meeting held
July 20, 2000

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Default Order

By the Commission:

On April 7, 1999, the Law Bureau Prosecutory Staff instituted a complaint against MTC Telemangement Corp. (Respondent), an IXC reseller certificated at A-310272. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 1998-1999 Annual Assessment in the amount of \$23 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

- (1) That the Commission issue an order cancelling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and
- (2) That the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, the complaint was unclaimed as a result of the Respondent moving. To date, more than 20 days later, no answer has been filed to the complaint, the assessment has not been paid, and Respondent has not notified the Commission of its current address; *Therefore, It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.
2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.
3. MTC Telemangement Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2 above.
4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and with-

out further action by the Commission, the certificate of public convenience held by MTC Telemanagement Corp. at Docket No. A-310272 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience pursuant to Ordering Paragraph No. 4 above, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1364. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff; Doc. No. C-00992337 v. The Phonco, Inc.; A-310267

Public Meeting held
July 20, 2000

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Default Order

By the Commission:

On April 7, 1999, the Law Bureau Prosecutory Staff instituted a complaint against The Phonco, Inc. (Respondent), an IXC reseller certificated at A-310267. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 1998-1999 Annual Assessment in the amount of \$49 was due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessment nor filing objections.

The complaint sought the following remedies:

- (1) That the Commission issue an order cancelling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and
- (2) That the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, the complaint was unclaimed. To date, more than 20 days later, no answer has been filed to the complaint, the assessment has not been paid, and Respondent has not notified the Commission of its current address; *Therefore, It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.
2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.
3. The Phonco, Inc. immediately cease providing service to any new customers and, within 10 days of the

entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2 above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by The Phonco, Inc. at Docket No. A-310267 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4 above, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1365. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff; Doc. No. C-00992339 v. Premier Billing Services, Inc.; A-310158

Public Meeting held
July 20, 2000

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Default Order

By the Commission:

On April 7, 1999, the Law Bureau Prosecutory Staff instituted a complaint against Premier Billing Services, Inc. (Respondent), an IXC reseller certificated at A-310158. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 1995-1996 Annual Assessment in the amount of \$48, its 1996-1997 Annual Assessment in the amount of \$55, its 1997-1998 Annual Assessment in the amount of \$75, and its 1998-1999 Annual Assessment in the amount of \$61 were due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessments nor filing objections.

The complaint sought the following remedies:

- (1) That the Commission issue an order cancelling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and
- (2) That the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service of the complaint was perfected and signed by Linda Harwood.

To date, more than 20 days later, no answer has been filed to the complaint and the assessment has not been paid; *Therefore,*

It Is Ordered that:

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Premier Billing Services, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2 above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Premier Billing Services, Inc. at Docket No. A-310158 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience pursuant to Ordering Paragraph No. 4 above, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1366. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff; Doc. No. C-00992341 v. Public Communications Assoc. Ltd. t/a Public Phone; A-310052

Public Meeting held
July 20, 2000

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Default Order

By the Commission:

On April 8, 1999, the Law Bureau Prosecutory Staff instituted a complaint against Public Communications Assoc. Ltd., t/a Public Phone (Respondent), an IXC reseller certificated at A-310052. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66

Pa.C.S. § 510, its 1996-1997 Annual Assessment in the amount of \$728, its 1997-1998 Annual Assessment in the amount of \$908, and its 1998-1999 Annual Assessment in the amount of \$840 were due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessments nor filing objections.

The complaint sought the following remedies:

(1) That the Commission issue an order canceling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) That the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, the complaint was unclaimed because the Respondent moved and the forwarding order expired. To date, more than 20 days later, no answer has been filed to the complaint, the assessment has not been paid, and the Respondent has not notified the Commission of its current address; *Therefore, It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Public Communications Assoc. Ltd., t/a Public Phone immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2 above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Public Communications Assoc. Ltd., t/a Public Phone at Docket No. A-310052 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4 above, the Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1367. Filed for public inspection August 4, 2000, 9:00 a.m.]

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff; Doc. No. C-00992350 v. Xiex Telecommunications, Inc.; A-310243

Public Meeting held
July 20, 2000

Commissioners Present: John M. Quain, Chairperson; Robert K. Bloom, Vice-Chairperson; Nora Mead Brownell; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

Default Order

By the Commission:

On April 7, 1999, the Law Bureau Prosecutory Staff instituted a complaint against Xiex Telecommunications, Inc. (Respondent), an IXC reseller certificated at A-310243. In the complaint, Prosecutory Staff alleged that the Commission sent by certified mail notices to the Respondent that under 66 Pa.C.S. § 510, its 1997-1998 Annual Assessment in the amount of \$25, and its 1998-1999 Annual Assessment in the amount of \$25 were due. The complaint charged that the Respondent violated 66 Pa.C.S. § 510(c) by neither paying the assessments nor filing objections.

The complaint sought the following remedies:

(1) That the Commission issue an order cancelling the Respondent's certificate of public convenience if Respondent failed to answer the complaint within 20 days of receipt of the complaint, and

(2) That the Commission issue an order referring the total outstanding assessment balance to the Attorney General's office for appropriate civil collection action.

According to the post office return receipt, service was perfected on April 19, 1999. To date, more than 20 days later, no answer has been filed to the complaint and the assessments have not been paid; *Therefore, It Is Ordered That:*

1. The allegations in the Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.

2. The Secretary serve a copy of this order upon all jurisdictional telecommunication carriers and also cause a copy of this order to be published in the *Pennsylvania Bulletin* with a 20-day comment period.

3. Xiex Telecommunications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide a written notice to each existing customer directing each to select an alternative IXC service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established under Ordering Paragraph No. 2 above.

4. Absent the filing of adverse public comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, the certificate of public convenience held by Xiex Telecommunications, Inc. at Docket No. A-310243 shall be cancelled, and the company's name stricken from all active-utility lists maintained by the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

5. Sixty days after publication in the *Pennsylvania Bulletin*, following cancellation of the certificate of public convenience under Ordering Paragraph No. 4 above, the

Office of Executive Director refer the total outstanding assessment balance to the Attorney General's office for appropriate civil collection and action.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1368. Filed for public inspection August 4, 2000, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (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 protest to the application. Protests to the applications published herein are due on or before August 28, 2000, as set forth at 52 Pa. Code § 3.381 (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent application or both.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating as common carriers for transportation of persons as described under each application.

A-00117075. Alpha Community Ambulance Service, Inc. (P. O. Box 272, State College, Centre County, PA 16804), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in the county of Centre, and from points in said county, to points in Pennsylvania, and vice versa. *Attorney:* Douglas M. Wolfberg, 5002 Lenker Street, Suite 202, Mechanicsburg, PA 17055.

A-00105691, Folder 2. Edward Jefremow (35015 Bennett Pl., Holland, Bucks County, PA 18966)—persons in group and party service, in vehicles seating 15 passengers or less, including the driver, between points in the county of Bucks.

A-00117079. Edward L. Barnaba, t/d/b/a First Impression's Limousine & Armed Escort (1150 Banksville Road, Suite 129, Pittsburgh, Allegheny County, PA 15216)—persons in limousine service, between points in the counties of Washington, Butler, Westmoreland, Armstrong, Beaver and Indiana, and from points in said counties, and the county of Allegheny, to points in Pennsylvania, and return.

A-00117078. Personal Transport, Inc., t/d/b/a PT Transport (1807 Penn Avenue, Pittsburgh, Allegheny County, PA 15222), a corporation of the Commonwealth of Pennsylvania—persons upon call or demand in the city of Pittsburgh, Allegheny County. *Attorney:* W. David Slomski, The Chamber of Commerce Building, 411 Seventh Avenue, Suite 1402-A, Pittsburgh, PA 15219.

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-00117072. William C. Patterson, t/d/b/a Corry Cab Company (127 Park Street, Corry, Erie County, PA

16407)—persons upon call or demand in the city of Corry, Erie County, and within an airline distance of 12 statute miles of the limits of said city; subject to the following condition: that no right, power or privilege is granted to provide service to, from or between points in Crawford County; which is to be a transfer of all of the right authorized under the certificate issued at A-00115958 to Roy Tucker, t/d/b/a Corry Cab Company, subject to the same limitations and conditions.

A-00117073, Sta of Pennsylvania, Inc. (222 Sandy Lake Road, Grove City, Mercer County, PA 16127, a corporation of the Commonwealth of Pennsylvania—(1) persons in group and party service, in vehicles seating more than 15 passengers including the driver, between points in Pennsylvania; and (2) persons in group and party service, in vehicles seating 15 passengers or less, including the driver: (a) from the boroughs of North Irwin, Irwin, Penn, Manor, South Greensburg, Southwest Greensburg, Arona and Adamsburg, and the city of Jeannette, and the townships of North Huntingdon, Hempfield and Penn, and the village of Rillton, Sewickley Township, Westmoreland County, to points in Pennsylvania and return, (*formerly A-00079466, F. 3*); (b) from points in the borough of Youngwood, Westmoreland County, to points in Pennsylvania, and return, (*formerly A-00079466, F. 3, Am-A*); (c) from the boroughs of Scottdale, Smithton, Mt. Pleasant, West Newton and Madison and the townships of East Huntingdon, South Huntingdon, Sewickley and Rostraver, Westmoreland County, to points in Pennsylvania, and return; with the right immediately above, subject to the following condition: that no right, power or privilege is granted to render service for Herminie No. 1, Westmoreland County, (*formerly A-00079466, F. 3, Am-B* as modified); (d) from the city of McKeesport, the township of Elizabeth and the borough of Versailles, Allegheny County and the city of Greensburg and the township of Westmoreland County, to points in Pennsylvania, and return; with the right immediately above, subject to the following condition: that no right, power or privilege is granted to render service for Herminie No. 1, Westmoreland County; and (e) from the borough of Sutersville, Westmoreland County, to points in Pennsylvania, and return, (*formerly A-00079466, F. 3, Am-B*); (f) from the township of Franklin, Westmoreland County, to points in Pennsylvania, and return, (*formerly A-00079466, F. 3, Am-D*); (g) from the city of Jeannette, Westmoreland County, to points within an airline distance of 25 statute miles of the limits of said city, and return, (*formerly A-00079466, F. 3, Am-E*) and (h) from the villages of Scott Haven, Lowber, Hutchinson, Cowansburg, Shaner, Herminie No. 1, Keystone Shaft and Rillton in Sewickley Township, Westmoreland County; and the village of Hahnton in North Huntingdon Township, Westmoreland County, to points in Pennsylvania, and return, (*formerly A-00079466, F. 3, Am-F*); which is to be a transfer of all the rights issued under the certificate issued at A-00079466, F. 3 to H. J. Gongaware Sons, Inc., a corporation of the Commonwealth of Pennsylvania, subject to the same limitations and conditions. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

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-00115804, Folder 2. U.S.A. Limousine Ultra, Inc. (10 Industrial Highway MS49, Lester, Delaware County, PA 19013), a corporation of the Commonwealth of Pennsylvania—additional right—persons in limousine service,

between points in the city and county of Philadelphia, and the counties of Bucks, Delaware, Chester and Montgomery. *Attorney:* John J. Gallagher, P.C., Suite 1100, 1760 Market Street, Philadelphia, PA 19103.

Applications of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons by transfer of rights as described under each application.

A-00106305, Folder 5. Star Limousine Service, Inc. (910 Sheraton Drive, Mars, Butler County, PA 16046-9414), a corporation of the Commonwealth of Pennsylvania—persons in limousine service: (1) between points in the county of Butler, and from points in the county of Butler, to points in the county of Allegheny, and vice versa; and (2) from points in the counties of Butler and Allegheny, to points in Pennsylvania, on and west of U. S. Highway Route 219, and return; subject to the following condition: that no right, power or privilege is granted to transport between points in the county of Allegheny; which is to be a transfer of all of the rights authorized under the certificate issued at A-00114985 to Cranberry Limousine Service, Inc., subject to the same limitations and conditions. *Attorney:* William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219-2383.

Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under each application.

A-00098496, Folder 1, Am-B. Greater Johnstown Yellow Cab, Inc. (1301 Frankstown Road, Johnstown, Cambria County, PA 15902), a corporation of the Commonwealth of Pennsylvania, inter alia—persons upon call or demand in the area of the counties of Cambria and Somerset as outlined: beginning at Route 422 at the Cambria County Line, thence east via Route 422 to the borough of Cresson, Cambria County, where Route 422 intersects with Route 53, thence southwestwardly via Route 53 to its intersection with Route 160 in the Borough of Wilmore, Cambria County, thence southwardly via Route 160 to its intersection with Route 30, thence westwardly via Route 30 to the Cambria County Line, thence northwardly along the Somerset and Cambria County lines to the point of beginning, at Route 422 in Cambria County; so as to permit the transportation of persons upon call or demand in the areas of the counties of Cambria and Somerset as outlined: beginning at Route 422 at the Cambria County line, thence east via Route 422 to the borough of Cresson, Cambria County, where Route 422 intersects with Route 53, thence southwestwardly via Route 53 to its intersection with Route 160 in the borough of Wilmore, Cambria County, thence southwardly via Route 160 to its intersection with Route 31 in the borough of Roxbury, Somerset County, thence westwardly via Route 31 to the borough of Somerset, thence southwardly via Route 281 to its intersection with Route 653 to the borough of New Lexington, Somerset County, thence westwardly to the Somerset County line, thence northwardly along the Somerset and Cambria County lines to the point of beginning, at Route 422 in Cambria County.

A-00112359, Folder 1, Am-A. Taylor Paratransit, Inc., t/d/b/a American Eagle Bus Company (999 South Keyser Avenue, Taylor, Lackawanna County, PA 18517)—persons, in paratransit service, between points in the counties of Lackawanna, Luzerne and Monroe, and from points in said counties, to points in Pennsylvania, and

return: *so as to permit* the transportation of persons in paratransit service, between points in the counties of Lackawanna, Luzerne and Monroe, and from points in said counties, to points in Pennsylvania, and vice versa. *Attorney:* Patrick N. Coleman, 310 East Drinker Street, P. O. Box 175, Dunmore, PA 18512-0175.

A-00113298, Folder 1, Am-A. McCarthy Flowered Cabs, Inc. (1339 North Main Avenue, Scranton, Lackawanna County, PA 18508), a corporation of the Commonwealth of Pennsylvania—persons upon call or demand in the boroughs of Moosic, Old Forge, Taylor, Dunmore, Throop and Olyphant, and within an airline distance of 3 statute miles of the limits of the borough of Olyphant, all in Lackawanna County: *so as to permit* the transportation of persons, upon call or demand, in the city of Wilkes-Barre, Luzerne County, and within an airline distance of 5 statute miles of the limits of said city. *Attorney:* Lloyd R. Persun, 3401 North Front Street, P. O. Box 5950, Harrisburg, PA 17110-0950.

Application of the following for the approval of the transfer of stock as described under each application.

A-00112359, Folder 5000. Taylor Paratransit, Inc., t/d/b/a American Eagle Bus Company (999 South Keyser Avenue, Taylor, Lackawanna County, PA 18517), a corporation of the Commonwealth of Pennsylvania—for the approval of the transfer of 100 shares of issued and outstanding shares of stock held by Scott Weisenfluh to Barbara Weisenfluh. *Attorney:* Patrick N. Coleman, 310 East Drinker Street, Dunmore, PA 18512.

Applications of the following for approval of the right and privilege to discontinue operating as common carriers by motor vehicle for the transportation of persons as described under each application.

A-00115556, Folder 1, Am-A. John Andrew McElroy, t/d/b/a Lake Harmony Wholesale (P. O. Box 204, Blakeslee, Carbon County, PA 18610)—discontinuance of service—persons upon call or demand in the borough of Blakeslee, Carbon County, and within an airline distance of 12 statute miles of the limits of the borough of Blakeslee.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1369. Filed for public inspection August 4, 2000, 9:00 a.m.]

Transfer by Sale Without Hearing

A-210091, A-230084, A-210055F2000, A-230039F2000, A-2125852000 and A-230405F2000. Total Environmental Solutions, Inc. Application of Total Environmental Solutions, Inc., for approval of the transfer, by sale, of all tangible and intangible property used or useful in the public service of Four Seasons Water Company, Inc., Four Seasons Sewer Company, Inc., Riviera Utilities Water Company of Pa, Inc., and Riviera Utilities Sewer Company of Pa, Inc., to Total Environmental Solutions, Inc., and for the Issuance of Certificates of Public Convenience to Total Environmental Solutions, Inc., for approval to provide water and wastewater service to the public in portions of Foster, Dennison and Butler Townships, Luzerne County, and Sandy Township, Clearfield County, PA.

This application may be considered without a hearing. Protests or petitions to intervene can be filed with the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before August 21, 2000, under 52 Pa. Code (relating to public utilities).

Applicant: Total Environmental Solutions, Inc.

Through and By Counsel: Thomas J. Sniscak, Susan J. Smith, William E. Lehman, Malatesta, Hawke and McKeon, 100 North Tenth Street, P. O. Box 1778, Harrisburg, PA 17105.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 00-1370. Filed for public inspection August 4, 2000, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

August 14, 2000	Sherry Ann Dulsky (Purchase of Service)	10 a.m.
September 13, 2000	Jean A. Foster (Purchase of Maternity Leave) Sara Younkins	1 p.m. 2:30 p.m.
September 20, 2000	Francis B. Lorson (Multiple Service Membership) Carolyn J. Carter (Final Average Salary)	10:30 a.m. 1:30 p.m.
September 27, 2000	Stephanie P. Johnson (Purchase of Service)	1 p.m.

Persons with a disability who wish to attend the listed hearings and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Marilyn Fuller-Smith Assistant Executive Director, at (717) 720-4921 to discuss how the Public School Employees' Retirement System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with the

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". The 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.

Act 1984-196 redefined a "qualified small business concern" as any independently owned and operated, for-profit business concern employing 100 or fewer employees. See 4 Pa. Code § 2.32. The business must include the following statement on every invoice submitted to the Commonwealth: "(name of business) is a qualified small business concern as defined in 4 Pa. Code 2.32."

A business is eligible for payments when the required payment is the latest of:

The payment date specified in the contract.

30 days after the later of the receipt of a proper invoice or receipt of goods or services.

The net payment date stated on the business' invoice.

A 15-day grace period after the required payment date is provided to the Commonwealth by the Act.

For more information: contact: Small Business Resource Center

PA Department of Community and Economic Development
 374 Forum Building
 Harrisburg, PA 17120
 800-280-3801 or (717) 783-5700

Reader's Guide

Legal Services & Consultation—26

① Service Code Identification Number

② Commodity/Supply or Contract Identification No.

B-54137. Consultant to provide three 2-day training sessions, covering the principles, concepts, and techniques of performance appraisal and standard setting with emphasis on performance and accountability, with a knowledge of State Government constraints.

Department: General Services

Location: Harrisburg, Pa.

Duration: 12/1/93-12/30/93

Contact: Procurement Division
 787-0000

③ Contract Information

④ Department

⑤ Location

⑥ Duration

⑦

(For Commodities: Contact:)
 Vendor Services Section
 717-787-2199 or 717-787-4705

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 A STEP AHEAD IN COMPETING FOR A STATE CONTRACT!

The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. Bureau personnel can supply descriptions of contracts, names of previous bidders, pricing breakdowns and other information to help you submit a successful bid on a contract. We will direct you to the appropriate person and agency looking for your product or service to get you "A Step Ahead." Services are free except the cost of photocopying contracts or dubbing a computer diskette with a list of current contracts on the database. A free brochure, "Frequently Asked Questions About State Contracts," explains how to take advantage of the bureau's services.

Contact: **Bureau of Contracts and Public Records**
 Pennsylvania State Treasury
 Room G13 Finance Building
 Harrisburg, PA 17120
 717-787-2990
 1-800-252-4700

BARBARA HAFER,
State Treasurer

Commodities

E5678 Wanner Piston Pump Pak, Model #A25RF52-20, to include: MWC A20FB Piston Pump, 20 gpm, 11 HP Briggs & Stratton Engine w/electric start, MWC A52 unloader valve, Teejet 1 1/4" line strainer, steel frame and direct drive.

Department: Conservation and Natural Resources
Location: Forest Fire Protection Warehouse, Halifax, PA
Duration: Indeterminate 2000—2001
Contact: Deborah J. Kauffman, (717) 783-1896

CAD-01 Autocad 2000 Software Full Version. Academic pricing required.

Department: Corrections
Location: State Correctional Institution at Houtzdale, P. O. Box 1000, Houtzdale, PA 16698-1000
Duration: Indeterminate 2000—2001
Contact: Diane K. Davis, Purchasing Agent II, (814) 378-1000

8505340 Portable Drinking Fountain with Cup Dispenser. Complete as one unit. Rubbermaid Drinking Fountain: Style #1785 Cup Dispenser: 8250-92. No substitute. For a copy of bid package fax request to (717) 787-0725.

Department: Transportation
Location: Harrisburg, PA
Duration: FY 2000—01
Contact: Vendor Services, (717) 787-2199

1070110 Glass Polycarbonate Sheets, 11" x 50 3/4" x 9/16". For a copy of bid package fax request to (717) 787-0725.

Department: Corrections
Location: Graterford, PA
Duration: FY 2000—01
Contact: Vendor Services, (717) 787-2199

8252490 Sport Utility Vehicle, 4x4, 4 door, air conditioning, cruise. For a copy of bid package fax request to (717) 787-0725.

Department: Transportation
Location: Harrisburg, PA
Duration: FY 2000—01
Contact: Vendor Services, (717) 787-2199

8252020 Rebid—Truck, Dump, Type II and Type IV. For a copy of bid package fax request to (717) 787-0725.

Department: Transportation
Location: Harrisburg, PA
Duration: FY 2000—01
Contact: Vendor Services, (717) 787-2199

1067340 New Diesel Genset Standby Power System. For a copy of bid package fax request to (717) 787-0725.

Department: PA Public TV Network
Location: Hershey, PA
Duration: FY 2000—2001
Contact: Vendor Services, (717) 787-2199

1066340 Pinnacle Software. No substitute. For a copy of bid package fax request to (717) 787-0725.

Department: PA Public TV Network
Location: Hershey, PA
Duration: FY 2000—01
Contact: Vendor Services, (717) 787-2199

BCI-39 1 Each—Pole Can Video Surveillance System, LEA Law Enforcement Associates Model No. LEA-5700

Department: State Police
Location: 1800 Elmerton Avenue, Harrisburg, PA 17110
Duration: October 31, 2000
Contact: Robert D. Stare, (717) 705-5921

SU 35000-4 Shippensburg University is seeking FDA Licensed and DEA Certified vendors who are interested in bidding on a medication dispensing system for the Etter Health Center. Bid due date will be August 17, 2000 by 4 p.m. Qualified vendors interested in receiving a bid package should fax their request to Zora Frank, Purchasing Manager at (717) 477-1350. The University encourages responses from small and disadvantaged, minority and women-owned firms.

Department: State System of Higher Education
Location: Shippensburg University, Shippensburg Township, Shippensburg, Cumberland County, PA 17257
Duration: Indeterminate 2000—2001
Contact: Zora Frank, (717) 447-1386

8252510 Body, Steel, Service with Transverse Compartments. For a copy of bid package fax request to (717) 787-0725.

Department: Transportation
Location: Harrisburg, PA
Duration: FY 2000—01
Contact: Vendor Services, (717) 787-2199

SERVICES

1000-13602 Educational and reference software on CD-Rom

Department: Corrections
Location: 2520 Lisburn Road, Camp Hill, PA 17011
Duration: Indeterminate 2000—2001
Contact: Beth Procopio, (717) 975-4960

Advertising, Public Relations—01

RFP #2000-03 The State System of Higher Education, Office of the Chancellor, is soliciting proposals from agencies to provide a full range of marketing, advertising and promotional services. Interested agencies may obtain a copy of RFP No. 2000-03 by contacting Linda Venneri at (717) 720-4135 or lvenneri@sshechan.edu; or go to www.sshechan.edu/finadmin.htm. Proposals must be submitted by September 15, 2000, 3 p.m. A pre-proposal conference will be held on August 30, 2000, at 10 a.m. at the Dixon University Center, Administration Building, Conference Room A. Participation by Minority Business Enterprises & Women Business Enterprises is encouraged.

Department: State System of Higher Education
Location: Dixon University Center, 2986 North 2nd Street, Harrisburg, PA 17110
Duration: 3 years
Contact: Linda Venneri, (717) 720-4135

Barber/Cosmetology—05

SP1347001003 To provide cosmetology and barber services to the residents of the Northeastern Veterans Center.

Department: Military Affairs
Location: Northeastern Veterans Center, 401 Penn Avenue, Scranton, PA 18503
Duration: October 1, 2000 to September 30, 2003
Contact: Robert J. Casey, (570) 961-4317

Computer Related Services—08

3500011780 Provide a four day onsite training course which is designed to teach the theory of utilizing technology as a method for delivering training. This training shall provide practical knowledge and skills in technology-based training concepts.

Department: Environmental Protection
Location: Harrisburg, PA
Duration: Through June 30, 2001
Contact: Sharon Peterson, (717) 787-2471

1801811664 Vendor will provide extended warranty for seven Kodak Scanners for 3 year period. One Kodak Care Kit*, Part #891-7619, 9500-D Scanner, One Kodak Care Kit*, Part #819-4185, 5500-D Scanner, Five Kodak Care Kit*, Part #185-2771, 7500-D Scanner. *Note: The Kodak Care Kit contains telephone support, preferential response to serve calls, travel, labor and repair parts.

Department: Revenue
Location: Department of Revenue, Bureau of Information Systems, 8th Floor, Strawberry Square, Harrisburg, PA 17128
Duration: Three years, 2000—2003
Contact: Richard Beddow, (717) 787-2300

Construction & Construction Maintenance—09

2-1-0004 This contract will provide manpower, equipment and incidental guiderail material for installation of approximately 34,000 linear feet of guiderail at various locations throughout Centre County. All guiderail material will be supplied by the Department of Transportation except for the bolts, nuts, washers, rotating brackets, bridge connection plates, anchor bolts, concrete for the end treatments and end anchorages. It will be the Contractor's responsibility to pick up material and deliver it to the work sites. A mandatory prebid meeting (only 1 day) will be held to include review of the guiderail locations, and a site will be determined where the guiderail will be stored. The Department shall be responsible for removal of all existing guiderail and for any grading of shoulder stabilization prior to the placement of the guiderail by the Contractor. All requests for bid packages must be received by Fax (814) 357-0355 or telephone (814) 355-4731.

Department: Transportation
Location: Various locations within Centre County
Duration: One Year Contract
Contact: Tina A. Smith, (814) 355-4731

DGS948-37PHASE4PARTA Project Title: Expansion of Air-Conditioning System. Brief Description: The work of this phase on the Fourth Floor South Wing and Suite 238 of the Second Floor South Wing includes, without limiting, removal and replacement of chilled water distribution and air-conditioning systems, replacement of the chilled water distribution system in wall chases in occupied areas on the first through third floors including abatement of hazardous materials and new fan coil enclosures and the patching of disturbed wall chases. Estimated Range: \$1,000,000 to \$2,000,000. HVAC Construction. Plans Deposit: \$120 per set payable to: Reynolds Construction Management, Inc. Bidders will receive one set of documents for each project noted for coordination of work of all projects in the same area. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$15 per set or provide your express mail account number to the office listed below. Mail requests to: Reynolds Construction Management Inc., P. O. Box 5746, Harrisburg, PA 17110, (717) 230-8063. Bid Date: Wednesday, August 30, 2000 at 2 p.m. A Prebid Conference has been scheduled for Thursday, August 10, 2000 at 4:15 p.m. in Rm. 8E-B of the East Wing, Main Capitol Building, Harrisburg, PA. Contact: Tim Werner, (717) 230-8063. There will be a walk through immediately following the Prebid Conference. A second walk through will be scheduled if requested. All Contractors who have secured contract documents are invited and urged to attend this Prebid Conference. Special Insurance, Contractor Qualification and Historic Conservation Qualification forms are included in the Bid Package and must be completed and submitted prior to award. The Contractor must demonstrate the qualifications and experience of key full-time personnel of its own or subcontractors involving conservation of historic materials that will be encountered in the building. The qualifications require specialized education, training and experience in several restoration related disciplines involving supervising of conservation work and restoration and conservation trades among other skills and trades as described in the Contractor Qualifications summary of work.

Department: General Services
Location: Main Capitol Building, Harrisburg, Dauphin County, PA
Duration: August 31, 2001
Contact: Contract and Bidding Unit, (717) 787-6556

DGSA577-31 Project Title: Replace Boiler Plant Valves. Brief Description: Replace boiler plant valves. Estimated Range: Under \$100,000. Mechanical Construction. Plans Deposit: \$25 per set payable to: Commonwealth of PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid Date: Wednesday, August 23, 2000 at 1 p.m.

Department: General Services
Location: State Correctional Institution, Graterford, Montgomery County, PA
Duration: 150 Calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

DGSA1574-20 Project Title: Pave Parking Facilities and Resurface Loop Road. Brief Description: Pave and line paint the parking facilities adjacent to the prison's gate house and personnel training building and resurface a loop road. Estimated Range: Under \$100,000. Paving Construction. Plans Deposit: \$25 per set payable to: Commonwealth of PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid Date: Wednesday, August 23, 2000 at 11 a.m.

Department: General Services
Location: State Correctional Institution at Cresson, Cresson Township, Cambria County, PA
Duration: 60 Calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

DGS948-53PHASE1PARTD Project Title: Plumbing Improvements. Brief Description: The work of this phase on the Fourth Floor South Wing and Suite 238 of the Second Floor South Wing includes, without limiting, removal and replacement of plumbing piping, fixtures and sing cabinets; room finishes as required by ADA reconfigurations and replacement of plumbing piping systems in wall chases in occupied areas on the First through Third Floors. Estimated Range: \$500,000 to \$1,000,000. Plumbing Construction. Plans Deposit: \$120 per set payable to: Reynolds Construction Management, Inc. Bidders will receive one set of documents for each project noted for coordination of work of all projects in the same area. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$15 per set or provide your express mail account number to the office listed below. Mail requests to: Reynolds Construction Management, Inc., P.O. Box 5746, Harrisburg, PA 17110, (717) 230-8063. Bid Date: Wednesday, August 30, 2000 at 2 p.m. A Prebid Conference has been scheduled for Thursday, August 10, 2000 at 4:15 p.m. in Rm. 8E-B of the East Wing, Main Capitol Building, Harrisburg, PA. Contact: Tim Werner, (717) 230-8063. There will be a walk through immediately following the Prebid Conference. A second walk through will be scheduled if requested. All Contractors who have secured Contract Documents are invited and urged to attend this Prebid Conference. Special Insurance, Contractor Qualification and Historic Conservation Qualification Forms are included in the Bid Package and must be completed and submitted prior to award. The Contractor must demonstrate the qualifications and experience of key full-time personnel of its own or subcontractors involving conservation of historic materials that will be encountered in the building. The qualifications require specialized education, training and experience in several restoration related disciplines involving supervising of conservation work and restoration and conservation trades among other skills and trades as described in the Contractor Qualifications summary of work.

Department: General Services
Location: Main Capitol Building, Harrisburg, Dauphin County, PA
Duration: August 31, 2001
Contact: Contract and Bidding Unit, (717) 787-6556

DGS948-36PHASE4PARTA Project Title: Waterproofing of Main Capitol Building. Brief Description: The work of this phase on the Fourth Floor South Wing and Suite 238 of the Second Floor South Wing includes, without limiting, comprehensive restoration or replacement of windows including hardware and the replacement of rain conductors in wall chases from the Fourth Floor to the sub-basement in the South Wing. Estimated Range: \$300,000 to \$600,000. General Construction. Plans Deposit: \$120 per set payable to: Reynolds Construction Management, Inc. Bidders will receive one set of documents for each project noted for coordination of work of all projects in the same area. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$15 per set or provide your express mail account number to the office listed below. Mail requests to: Reynolds Construction Management Inc., P. O. Box 5746, Harrisburg, PA 17110, (717) 230-8063. Bid Date: Wednesday, August 30, 2000 at 2 p.m. A Prebid Conference has been scheduled for Thursday, August 10, 2000 at 4:15 p.m. in Rm. 8E-B of the East Wing, Main Capitol Building, Harrisburg, PA. Contact: Tim Werner, (717) 230-8063. There will be a walk through immediately following the Prebid Conference. A second walk through will be scheduled if requested. All Contractors who have secured contract documents are invited and urged to attend this Prebid Conference. Special Insurance, Contractor Qualification and Historic Conservation Qualification Forms are included in the Bid Package and must be completed and submitted prior to award. The Contractor must demonstrate the qualifications and experience of key full-time personnel of its own or subcontractors involving conservation of historic materials that will be encountered in the building. The qualifications require specialized education, training and experience in several restoration related disciplines involving supervising of conservation work and restoration and conservation trades among other skills and trades as described in the contractor qualifications summary of work.

Department: General Services
Location: Main Capitol Building, Harrisburg, Dauphin County, PA
Duration: August 31, 2001
Contact: Contract and Bidding Unit, (717) 787-6556

DGSA574-30 Project Title: Housing Unit Ventilation. Brief Description: Provide and install energy recovery ventilators and all associated ductwork, grilles and louvers plus electrical work to four housing units. Estimated Range: \$100,000 to \$500,000. HVAC and Electrical Construction. Plans Deposit: \$25 per set payable to: Commonwealth of PA. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$5 per set or provide your express mail account number to the office listed below. Mail requests to: Department of General Services, Room 107 Headquarters Building, 18th and Herr Streets, Harrisburg, PA 17125, (717) 787-3923. Bid Date: Wednesday, September 6, 2000 at 2 p.m. A Prebid Conference has been scheduled for Monday, August 21, 2000 at 9 a.m. at the State Correctional Institution, Muncy, PA. Meet at the Main Gate. Contact: Blaine Paulus for Clearances, (570) 546-3171 Ext. 350 no later than August 18, 2000 or Mary Shafer, Ext. 430. All Contractors who have secured Contract Documents are invited and urged to attend this Prebid Conference.

Department: General Services
Location: State Correctional Institution, Muncy, Lycoming County, PA
Duration: 140 Calendar days from date of initial job conference
Contact: Contract and Bidding Unit, (717) 787-6556

DGS948-35PHASE1PARTC Project Title: Life Safety Code Improvements. Brief Description: The work of this phase on the Fourth Floor South Wing and Suite 238 of the Second Floor South Wing includes, without limiting, historical restorations, general constructions and hazardous material abatement as related to the installation of electrical system upgrades including telephone/data/audio, new fire alarm and fire suppression systems. Estimated Range: \$2,000,000 to \$5,000,000. General, Electrical and Fire Protection Construction. Plans Deposit: \$120 per set payable to: Reynolds Construction Management, Inc. All bidders will receive one set of documents for each project noted for coordination of work of all projects in the same area. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. Contact the office listed below to arrange for delivery of documents. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$15 per set or provide your express mail account number to the office listed below. Mail requests to: Reynolds Construction Management Inc., P. O. Box 5746, Harrisburg, PA 17110, (717) 230-8063. Bid Date: Wednesday, August 30, 2000 at 2 p.m. A Prebid Conference has been scheduled for Thursday, August 10, 2000 at 4:15 p.m. in Rm. 8E-B of the East Wing, Main Capitol Building, Harrisburg, PA. Contact: Tim Werner, (717) 230-8063. There will be a walk through immediately following the Prebid Conference. A second walk through will be scheduled if requested. All Contractors who have secured contract documents are invited and urged to attend this Prebid Conference. Special Insurance, Contractor Qualification and Historic Conservation Qualification Forms are included in the Bid Package and must be completed and submitted prior to award. The Contractor must demonstrate the qualifications and experience of key full-time personnel of its own or subcontractors involving conservation of historic materials that will be encountered in the building. The qualifications require specialized education, training and experience in several restoration related disciplines involving supervising of conservation work and restoration and conservation trades among other skills and trades as described in the contractor qualifications summary of work.

Department: General Services
Location: Main Capitol Building, Harrisburg, Dauphin County, PA
Duration: August 31, 2001
Contact: Contract and Bidding Unit, (717) 787-6556

DGS948-37PHASE5PARTA Project Title: Expansion of Central Air-Conditioning System. Brief Description: The work of this phase on the Fourth Floor South Wing and Suite 238 of the Second Floor South Wing includes, without limiting, removal and replacement of chilled water distribution and air-conditioning systems, replacement of the chilled water distribution system in wall chases in occupied areas on the First through Third Floors including abatement of hazardous materials and new fan coil enclosures and the patching of disturbed wall chases. Estimated Range: \$1,000,000 to \$2,000,000. HVAC Construction. Plans Deposit: \$120 per set payable to: Reynolds Construction Management, Inc. Bidders will receive one set of documents for each project noted for coordination of work of all projects in the same area. Refundable upon return of plans and specifications in reusable condition as construction documents within 15 days after the bid opening date. Bidder is responsible for the cost of delivery of the plans and specifications. A separate check must be submitted to cover the cost of delivery. Mail a separate check for \$15 per set or provide your express mail account number to the office listed below. Mail requests to: Reynolds Construction Management Inc., P. O. Box 5746, Harrisburg, PA 17110, (717) 230-8063. Bid Date: Wednesday, August 30, 2000 at 2 p.m. A Prebid Conference has been scheduled for Thursday, August 10, 2000 at 4:15 p.m. in Rm. 8E-B of the East Wing, Main Capitol Building, Harrisburg, PA. Contact: Tim Werner, (717) 230-8063. There will be a walk through immediately following the Prebid Conference. A second walk through will be scheduled if requested. All Contractors who have secured contract documents are invited and urged to attend this Prebid Conference. Special Insurance, Contractor Qualification and Historic Conservation Qualification Forms are included in the Bid Package and must be completed and submitted prior to award. The Contractor must demonstrate the qualifications and experience of key full-time personnel of its own or subcontractors involving conservation of historic materials that will be encountered in the building. The qualifications require specialized education, training and experience in several restoration related disciplines involving supervising of conservation work and restoration and conservation trades among other skills and trades as described in the Contractor Qualifications summary of work.

Department: General Services
Location: Main Capitol Building, Harrisburg, Dauphin County, PA
Duration: August 31, 2001
Contact: Contract and Bidding Unit, (717) 787-6556

RFP #99-19 "Bridge Anti/De-icing" The object of this project is to provide an anti-icing/de-icing, deck-mounted spraying system using liquid chemical freeze depressants such as calcium and magnesium chloride. Additional information and a Request for Proposal (RFP) may be obtained by faxing a request for RFP 99-19 to Vikki Mahoney at (717) 772-8282.

Department: Transportation
Location: Erie County
Duration: Forty-five Days (Estimated)
Contact: Larry Ligon, (717) 783-8911

FDC-406-674R Improvements to a Booster Pump Station at French Creek State Park in Berks County. Work includes removing and reinstalling pump control system/panels, electric heater, and modify the chain link fencing. Note: Bid documents will be available on or after August 8, 2000.

Department: Conservation and Natural Resources
Location: Union Township
Duration: 120 Days
Contact: Construction Management Section, (717) 787-5055

Engineering Services—14

08430AG2582 Open-End Contract for various engineering and environmental services on various projects in Engineering District 11-0, that is Allegheny, Beaver and Lawrence Counties. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin* or www.statecontracts.com under Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 11-0
Duration: Sixty Months
Contact: N/A

08430AG2587 An Open-End Contract to provide various design services for various projects in Engineering District 8-0, that is Adams, Cumberland, Franklin, York, Dauphin, Lancaster, Lebanon and Perry Counties. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin* or www.statecontracts.com under Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 8-0
Duration: Sixty Months
Contact: N/A

08430AG2586 To provide preliminary engineering, environmental studies, final design, consultation during construction and shop drawing review on S. R. 0048, Sections A11 and A16, Wall Road Bridge and Mosside Boulevard Bridge in Allegheny County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or www.statecontracts.com under Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 11-0
Duration: Thirty days after construction completion
Contact: N/A

08430AG2585 To provide environmental studies, preliminary engineering, final design, including preparation of bridge and roadway plan, specification and estimates, construction consultation and viewers plans for S. R. 0462, Section 012 in Springettsbury Township, York County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or www.statecontracts.com under Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 8-0
Duration: Thirty days after construction completion
Contact: N/A

08430AG2584 To provide a minimum of survey corps for preliminary, final and construction surveys on various projects in Engineering District 12-0, that is Fayette, Greene, Washington and Westmoreland Counties. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin* or www.statecontracts.com under Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 12-0
Duration: Sixty Months
Contact: N/A

08430AG2581 A project specific, multi-phase Agreement to provide environmental studies, preliminary engineering, final design, consultation during construction and shop drawing review on S. R. 1042, Section A01, Alle-Kiski Bridge and Rockway Connector in Allegheny County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin*, or www.statecontracts.com under Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 11-0
Duration: Ten Years
Contact: N/A

08430AG2583 Project specific agreement for preliminary engineering, environmental studies, final design and consultation during construction of S. R. 2006, Section 001 in Lancaster County. Details concerning this project may be found under Department of Transportation—Retention of Engineering Firms in the *Pennsylvania Bulletin* or www.statecontracts.com under Retention of Engineering Firm Data.

Department: Transportation
Location: Engineering District 8-0
Duration: Thirty days after construction completion
Contact: N/A

Environmental Maintenance Service—15

BOGM 00-04 Clean out and plug 35 abandoned oil and gas wells, estimated to be 1,600 feet in depth each; prepare and restore well site; mobile and demobilize plugging equipment. This project issues August 4, 2000; payment in the amount of \$10 must be received before bid documents will be sent.

Department: Environmental Protection
Location: Gaines Township, Tioga County
Duration: 190 days after notice to proceed
Contact: Construction Contracts Section, (717) 783-7994

Food—19

6080 Miscellaneous Foods for October through December 2000. Specifications and delivery dates are available upon request from Agency. Vendors requesting bid packages are requested to supply an address, telephone number, and fax number when contacting the agency.

Department: Public Welfare
Location: Harrisburg State Hospital, Central Storeroom, P. O. Box 61260, Cameron and Maclay Streets, Harrisburg, PA 17105-1260
Duration: October through December 2000
Contact: Jack W. Heinze, (717) 772-7435

578 Misc. frozen foods to be delivered quarterly.

Department: Public Welfare
Location: Dietary Department, Torrance State Hospital, S. R. 1014, Torrance, PA 15779
Duration: October through December 2000
Contact: Nancy E. Byers, (724) 459-4677

5277 Frozen vegetables to be delivered quarterly.

Department: Public Welfare
Location: Dietary Department, Torrance State Hospital, S. R. 1014, Torrance, PA 15779
Duration: October through December, 2000
Contact: Nancy E. Byers, (724) 459-4677

Inquiry No. 9041 Poultry, Fish and Fish Products

Department: Public Welfare
Location: Selingsgrove Center, Box 500, Route 522, Selingsgrove, PA 17870
Duration: October through December 2000
Contact: Arletta K. Ney, P.A., (570) 372-5070

7780 Perishable Foods: Meats, Poultry, Seafood/Fish, Miscellaneous, Juice, Prepared Salads, Prepared Produce, Fresh Fruits/Vegetables, Bread/Rolls, Ice Cream, Dairy Products, Frozen Fruits/Vegetables, Fresh Eggs, Cheese, Fresh Pies/Cakes, and Fresh Pastry.

Department: Public Welfare
Location: Danville State Hospital, 200 State Hospital Drive, Danville, PA 17821
Duration: October 1, 2000 through December 31, 2000
Contact: Pamela Bauman, (570) 271-4578

5276 Poultry to be delivered quarterly.

Department: Public Welfare
Location: Dietary Department, Torrance State Hospital, S. R. 1014, Torrance, PA 15779
Duration: October through December, 2000
Contact: Nancy E. Byers, (724) 459-4677

5275 Meat and meat products to be delivered quarterly.

Department: Public Welfare
Location: Dietary Department, Torrance State Hospital, S. R. 1014, Torrance, PA 15779
Duration: October through December, 2000
Contact: Nancy E. Byers, (724) 459-4677

Inquiry No. 9038 Juices, Frozen

Department: Public Welfare
Location: Selingsgrove Center, Box 500, Route 522, Selingsgrove, PA 17870
Duration: October through December 2000
Contact: Arletta K. Ney, P. A., (570) 372-5070

Inquiry No. 9039 Fruits and Vegetables, Frozen

Department: Public Welfare
Location: Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870
Duration: October through December 2000
Contact: Arletta K. Ney, P.A., (570) 372-5070

6081 Meat and Meat Products for October through December 2000. Specifications and delivery dates available upon request from Agency. Vendors requesting bid packages are requested to supply an address, telephone number and fax number when contacting the agency.

Department: Public Welfare
Location: Harrisburg State Hospital, Central Storeroom, P.O. Box 61260, Cameron and Maclay Streets, Harrisburg, PA 17105-1260
Duration: October through December 2000
Contact: Jack W. Heinze, (717) 772-7435

Inquiry No. 9042 Frozen Foods, Miscellaneous

Department: Public Welfare
Location: Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870
Duration: October through December 2000
Contact: Arletta K. Ney, P.A., (570) 372-5070

6079 Prepared Salads, Fresh for October through December 2000. Specifications and delivery dates available upon request from Agency. Vendors requesting bid packages are requested to supply an address, telephone number and fax number when contacting the agency.

Department: Public Welfare
Location: Harrisburg State Hospital, Central Storeroom, P.O. Box 61260, Cameron and Maclay Streets, Harrisburg, PA 17105-1260
Duration: October through December 2000
Contact: Jack W. Heinze, (717) 772-7435

402707 Misc. Frozen Foods

Department: Public Welfare
Location: Warren State Hospital, 33 Main Dr., N. Warren, PA 16365
Duration: October, November, December 2000
Contact: John Sample, PA I, (814) 726-4448

6077 Fruits & Vegetables, Frozen for October through December 2000. Specifications and delivery dates available upon request from Agency. Vendors requesting bid packages are requested to supply an address, telephone number and fax number when contacting the agency.

Department: Public Welfare
Location: Harrisburg State Hospital, Central Storeroom, P.O. Box 61260, Cameron and Maclay Streets, Harrisburg, PA 17105-1260
Duration: October through December 2000
Contact: Jack W. Heinze, (717) 772-7435

402706 Meat & Meat Products

Department: Public Welfare
Location: Warren State Hospital, 33 Main Dr., N. Warren, PA 16365
Duration: October, November, December 2000
Contact: John Sample, PA I, (814) 726-4448

402708 Poultry & Poultry Products

Department: Public Welfare
Location: Warren State Hospital, 33 Main Dr., N. Warren, PA 16365
Duration: October, November, December 2000
Contact: John Sample, PA I, (814) 726-4448

Inquiry No. 9040 Meat and Meat Products

Department: Public Welfare
Location: Selinsgrove Center, Box 500, Route 522, Selinsgrove, PA 17870
Duration: October through December 2000
Contact: Arletta K. Ney, P.A., (570) 372-5070

2500-Coffee Coffee, Ground, Institutional Blend, 24-1 lb./cs.

Department: Corrections
Location: State Correctional Institution, 1000 Follies Road, Dallas, PA 18612
Duration: August 2000 to June 2001
Contact: Patti Rovinski, (570) 675-1101 Ext. 221

6082 Poultry and Poultry Products for October through December 2000. Specifications and delivery dates available upon request from Agency. Vendors requesting bid packages are requested to supply an address, telephone number, and fax number when contacting the agency.

Department: Public Welfare
Location: Harrisburg State Hospital, Central Storeroom, P.O. Box 61260, Cameron and Maclay Streets, Harrisburg, PA 17105-1260
Duration: October through December 2000
Contact: Jack W. Heinze, (717) 772-7435

HVAC—22

110350007 Vendor to provide to the State Correctional Inst. Graterford all labor, equipment and parts required to repair culinary equipment. Equipment included electrical, steam and related miscellaneous equipment, all ovens and warming cabinets, Hobart brand equipment and any other related equipment.

Department: Corrections
Location: State Correctional Inst. Graterford, Box 246, Off Rt. 29, Graterford, PA 19426
Duration: 12 months
Contact: Kelly Richardson, (610) 489-4151, Fax. 270-3656

Janitorial Services—23

010350 Furnish all equipment, materials, labor, chemicals and supervision to perform janitorial service for the Pennsylvania Department of Transportation, Maintenance District 1-5, Venango County. Areas to be serviced include front offices, garage area, basement conference room area and all windows in the building. Bid packages with detailed requirements are available upon request. All requests must be received by fax at (814) 437-1174 and must include company name, address, phone number, fax number, contact person and Federal Identification Number.

Department: Transportation
Location: 1460 Pittsburgh Road, P. O. Box 191, Franklin, PA 16323
Duration: 1 year contract with two 1-year renewals
Contact: Patricia J. Carrara, (814) 432-3115

Bid #8168 Furnish all equipment, materials and labor to perform janitorial services including empty waste baskets, clean lavatories, sweep floors, machine buff tile floors, dust furniture, etc. at the Uniontown Station. Detailed Work Schedule & Bid must be obtained from Facility Management Division, (717) 783-5484.

Department: State Police
Location: Uniontown Station, R. D. 1, Box 1, Gaddis Crossroads, Lemont Furnace, PA 15456
Duration: November 1, 2000—June 30, 2003
Contact: Donna Enders, (717) 783-5484

Lodging/Meeting Facilities—27

MEDP2001 Conference to be held April 23, 24, 25, 26, 2001. Lodging—on location and handicap accessible—Single rooms for 150 attendees on April 23, 2001, 200 single rooms on April 24, 2001 and 200 single rooms on April 25, 2001. Parking—for 200 vehicles onsite at no cost. A meeting room for 200 April 24, 2001 from 8 a.m. through 1 p.m. on April 26, 2001. A meeting room 500 sq. ft. minimum available April 23, 2001; Four breakout rooms with internet capability to accommodate 50 each April 23, 24, 25, 2001; A hospitality room to accommodate 100 for casual attendance each day; A/V and presentation equipment available for all meeting spaces each day. Facilities for cash bar on site. Able to provide meals and breaks for 200 attendees each day. Contact Angela Heller for Bid Pkg./Specs—Bids must be received at designated address by 1 p.m., August 31, 2000.

Department: Transportation
Location: Conference facility must be within 10 miles of the city of Lancaster, PA.
Duration: April 23, 24, 25, 26, 2001
Contact: Angela Heller, (717) 705-1421

Medical Services—29

CU-755 Contractor to provide Sports Medicine Services to the University's Athletic department to include but not limited to Athletic Training Services, Supplies and Equipment, Athletic Health Insurance, Medical Services, Nutritional Counseling and Sports Psychology. Interested bidders should fax their requests to Antonia Williams, (610) 399-2128.

Department: State System of Higher Education
Location: Cheyney University, Cheyney and Creek Roads, Cheyney, PA 19319
Duration: 3 years with renewal options
Contact: Antonia Williams, (610) 399-2360

110350006 Vendor to supply to the State Correctional Institution Graterford Registered Nurses and Licensed Practical Nurses for the care and treatment of incarcerated inmates. This service will be used for fill-in during absences of employees and also as a supplemental staffing contract.

Department: Corrections
Location: State Correctional Inst. Graterford, Box 246, Off. Rt. 29, Graterford, PA 19426
Duration: 1 year
Contact: Kelly Richardson, (610) 489-4151, Fax 270-3656

Property Maintenance—33

SP8102002 Site preparation, installation and all materials for woven wire fences around portions of State forest timber sales located on the Buchanan State Forest. The four sites are: Site 1: Located in Mann Township, Bedford County approximately 7,920 lineal feet perimeter Site 2: Located in Mann Township, Bedford County approximately 14,824 lineal feet perimeter Site 3: Located in Mann Township, Bedford County approximately 3,432 lineal feet perimeter Site 4: Located in Mann Township, Bedford County approximately 9,240 lineal feet perimeter.

Department: Conservation and Natural Resources
Location: DCNR, Bureau of Forestry, Buchanan State Forest, Forest District #2, Bedford County
Duration: Nine Months
Contact: Andrew Glodek, Forester, (717) 485-3148

3881100016 Install 13 woven wire fences at 11 locations on the Sproul State Forest. Fences will be installed in Clinton and Centre Counties. The 13 woven wire fences combined are approximately 80,000 lineal feet.

Department: Conservation and Natural Resources
Location: DCNR, Bureau of Forestry, HCR 62, Box 90, Renovo, PA 17764
Duration: June 30, 2001
Contact: Richard Kugel, (570) 923-6011

SP#00782008 The contractor shall provide all labor, tools, equipment, materials and supervision for the partial roof replacement on Building #6 at the Hamburg Center, which includes Thermoplastic Membrane Roofing. To receive detailed specifications, submit Fax to Beverly O. Epting, PA, Hamburg Center, Hamburg, PA 19526, Fax (610) 562-6025.

Department: Public Welfare
Location: Hamburg Center, Old Route 22, Hamburg, PA 19526
Duration: Anticipated dates: October 1, 2000 to June 30, 2001
Contact: Beverly O. Epting, PA, (610) 562-6031

Real Estate Services—35

373883 Lease Office Space to the Commonwealth of Pennsylvania 6,839 sq. ft. of existing office space with 13 parking spaces, situated in Scranton, Lackawanna County, PA, bounded by: Pine Street to the north, Lackawanna Avenue to the south, Jefferson Avenue to the east and Franklin Avenue to the west. The Department of Labor and Industry will occupy the space. Proposals Due: September 11, 2000.

Department: Labor and Industry
Location: 505 North Office Building, Harrisburg, PA 17125
Duration: N/A
Contact: Jennings Ward, (717) 787-7412

373883 Lease Office Space to the Commonwealth of Pennsylvania 1,867 sq. ft. of existing office space with 12 parking spaces, bounded by: the Harrisburg International Airport N., follow the Susquehanna River to Rt. 76W. to 83N., to 581W., to 21st St., N., to Creek Side Drive, N., to 944 N., to Enola Drive, E. on Valley Road to 11/15 N., to 81 E., to Rt. 83 S., to 283 S., to 76 E., to the Airport. The space must be contiguous and on 1 floor. The Department of Transportation will occupy the space. Proposals Due: August 14, 2000. Solicitation No. 93061

Department: Transportation
Location: 505 North Office Building, Harrisburg, PA 17125
Duration: N/A
Contact: Jennings Ward, (717) 787-7412

373883 Lease Office Space to the Commonwealth of PA. Requesting proposals to lease 85,000 usable square feet of "Green" office space with parking for a minimum of 400 parking spaces to be constructed on the site known as Hancock Square, located at the corner of Main and Sweede Streets in the Borough of Norristown, Montgomery County, PA. The space will be occupied by the Department of Environmental Protection. To receive solicitation #93029 call (717) 787-4394.

Department: Environmental Protection
Location: 505 North Office Building, Harrisburg, PA 17125
Duration: N/A
Contact: Bob Klemenhagen, Jr., (717) 787-7419

Vehicle, Heavy Equipment—38

122001 Truck mounted Attenuator. Model TMA8290C 100k safe-stop, 90 degree, including cab raising and lowering switch. Manufactured by Energy Absorbeion Systems Inc. or equivalent.

Department: Transportation
Location: 129 Jefferson Road, Waynesburg, PA 15370
Duration: Indeterminate 2000—2001
Contact: Dave Shipman, (724) 627-6131

Miscellaneous—39

CU.757 Contractor to assist Cheyney University in the pursuit of institutional and academic grant funding. Interested bidders should fax their requests to Antonia Williams, (610) 399-2128.

Department: State System of Higher Education
Location: Cheyney University, Cheyney and Creek Roads, Cheyney, PA 19319
Duration: 3 years with renewal options
Contact: Antonia Williams, Contract Administrator, (610) 399-2360

SP 1345001017 SEVC has furniture to be stripped to the bare wood, frames tightened and reglued, sanded, stained to the original color, and finished with sealer and lacquer. Must also be reupholstered in Spirit II Haugahyde, high density foam, and finished with advanced beautygard protective top coat.

Department: Military Affairs

Location: Southeastern Veterans Center, 1 Veterans Drive, Spring City, PA 19475

Duration: October 1, 2000 through June 30, 2001

Contact: Theresa Barthel, P.A., (610) 948-2493

RFA 99-07-07 The Department of Health, Bureau of Chronic Diseases and Injury Prevention is issuing a Request for Application (RFA) 99-07-07 to fund innovative research ideas relating to breast or cervical cancer. Twelve copies of the application must be submitted to the Pennsylvania Department of Health, Division of Contracts, Room 824, Health & Welfare Building, P. O. Box 90, Harrisburg, PA 17108-0090. No pre-proposal conference will be held.

Department: Health

Location: Statewide

Duration: 12 months

Contact: Susan F. George, Cancer Control Program, (717) 787-5251

CU.756 Contractor to assist Cheyney University in conducting its first major capital campaign. Contractor shall possess the ability to provide a fully array of resource development services. Interested bidders should fax their requests to Antonia Williams, (610) 399-2128.

Department: State System of Higher Education

Location: Cheyney University, Cheyney and Creek Roads, Cheyney, PA 19319

Duration: 3 years with renewal options

Contact: Antonia Williams, (610) 399-2360

000028 The Youth Development Center at New Castle, which is a Commonwealth of PA institution operated by the Department of Public Welfare (Office of Children & Youth), is seeking a Muslim minister (Imam) to provide services for adolescent students residing at the institution and at the South West Secure Treatment Unit in Torrance, PA. Individuals interested in obtaining contract specifications or having questions relating to the hours, days and frequency that services may be provided should call the YDC New Castle purchasing department, (724) 656-7310. The anticipated contract period will be January 1, 2001 through December 31, 2003.

Department: Public Welfare

Location: Youth Development Center, Frew Mill Road, R. R. 6, Box 21A, New Castle, PA 16101

Duration: January 1, 2001 to December 31, 2003

Contact: T. E. Mateja, PA, (724) 656-7310

012-9006-07 PennSERVE announces the availability of grant funding for operation of Learn and Serve America Community-based programs by nonprofit organizations. Grant amounts can range from \$12,000 to \$24,000. Cash and/or in-kind match is required. Priority areas are education and public safety. Applications are due 4 p.m., Tuesday, September 19, 2000. Applications available by: calling PennSERVE at (717) 787-1971; faxing to (717) 705-4215; or by e-mail: hkrot@state.pa.us.

Department: Labor and Industry

Location: PennSERVE: The Governor's Office of Citizen Service, 1306 Labor & Industry Bldg., Seventh and Forster Streets, Harrisburg, PA 17120

Duration: 1 year upon award

Contact: Harry Krot, (717) 772-4425

SO-211 The State Correctional Institution at Somerset will be soliciting bids for Security Items to include: Guns, holsters, batons, shields and accessories. Vendors interested in bidding on these items should contact the institution directly for a bid package.

Department: Corrections

Location: State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001

Duration: August 1, 2000 through December 31, 2000

Contact: Theresa Solarczyk, Pur. Agent II, (814) 443-8100 Ext. 311

[Pa.B. Doc. No. 00-1373. Filed for public inspection August 4, 2000, 9:00 a.m.]

DESCRIPTION OF LEGEND

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| <p>1 Advertising, Public Relations, Promotional Materials</p> <p>2 Agricultural Services, Livestock, Equipment, Supplies & Repairs: Farming Equipment Rental & Repair, Crop Harvesting & Dusting, Animal Feed, etc.</p> <p>3 Auctioneer Services</p> <p>4 Audio/Video, Telecommunications Services, Equipment Rental & Repair</p> <p>5 Barber/Cosmetology Services & Equipment</p> <p>6 Cartography Services</p> <p>7 Child Care</p> <p>8 Computer Related Services & Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p>9 Construction & Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p>10 Court Reporting & Stenography Services</p> <p>11 Demolition—Structural Only</p> <p>12 Drafting & Design Services</p> <p>13 Elevator Maintenance</p> <p>14 Engineering Services & Consultation: Geologic, Civil, Mechanical, Electrical, Solar & Surveying</p> <p>15 Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core & Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p>16 Extermination Services</p> <p>17 Financial & Insurance Consulting & Services</p> <p>18 Firefighting Services</p> <p>19 Food</p> <p>20 Fuel Related Services, Equipment & Maintenance to Include Weighing Station Equipment, Underground & Above Storage Tanks</p> <p>21 Hazardous Material Services: Abatement, Disposal, Removal, Transportation & Consultation</p> | <p>22 Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental & Repair</p> <p>23 Janitorial Services & Supply Rental: Interior</p> <p>24 Laboratory Services, Maintenance & Consulting</p> <p>25 Laundry/Dry Cleaning & Linen/Uniform Rental</p> <p>26 Legal Services & Consultation</p> <p>27 Lodging/Meeting Facilities</p> <p>28 Mailing Services</p> <p>29 Medical Services, Equipment Rental and Repairs & Consultation</p> <p>30 Moving Services</p> <p>31 Personnel, Temporary</p> <p>32 Photography Services (includes aerial)</p> <p>33 Property Maintenance & Renovation—Interior & Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning & Planting, etc.)</p> <p>34 Railroad/Airline Related Services, Equipment & Repair</p> <p>35 Real Estate Services—Appraisals & Rentals</p> <p>36 Sanitation—Non-Hazardous Removal, Disposal & Transportation (Includes Chemical Toilets)</p> <p>37 Security Services & Equipment—Armed Guards, Investigative Services & Security Systems</p> <p>38 Vehicle, Heavy Equipment & Powered Machinery Services, Maintenance, Rental, Repair & Renovation (Includes ADA Improvements)</p> <p>39 Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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GARY E. CROWELL,
Secretary

Contract Awards

The following awards have been made by the Department of General Services, Bureau of Purchases:

Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of	Requisition or Contract No.	PR Award Date or Contract Effective Date	To	In the Amount Of
0015-05	07/01/00	Digital Ink	257,550.00	9985-15	07/26/00	Home Paramount Pest Control Co.	50,000.00
0022-04	08/01/00	Badzik Printing Service, Inc.	14,326.00	1005150-01	07/25/00	Modern Equipment Sales & Rental Co.	54,185.00
5680-08	08/01/00	MacCafferri Gabions, Inc.	50,905.45	1010350-01	07/25/00	Weisenbach Specialty Printing, Inc.	47,700.00
6505-08 sup #1	07/26/00	Mead Johnson & Co. d/b/a Mead Johnson Nutritional	161,592.00	1017200-01	07/25/00	KN-AN d/b/a Davis Country Living	27,261.00
6505-08 sup #1	07/26/00	Scientific Hospital Supplies d/b/a SHS North America	109,625.00	1017200-02	07/25/00	William Shellenhamer—Hay/Straw	72,066.00
6505-08 sup #1	07/26/00	UUM United UNICEF Medical CC, Inc.	44,780.00	1018110-01	07/25/00	Starr Uniform	91,120.00
6810-03	08/01/00	Flor-Dri Supply Co., Inc.	97,240.00	1040350-01	07/25/00	W. W. Grainger, Inc.	19,561.80
6810-03	08/01/00	General Chemical Industrial Products	335,104.00	8141470-01	07/25/00	Russell Standard Corp.	941,465.10
6810-03	08/01/00	Manley-Regan Chemicals	25,696.00	8252040-01	07/25/00	Mack Trucks, Inc.	599,702.00
9985-15	07/26/00	The Terminix International Co. Limited Partnership	50,000.00	8252050-01	07/25/00	Five Star International LLC	161,397.96
9985-15	07/26/00	A Pest Services d/b/a Delaware Valley Pest Control	50,000.00	8252210-01	07/25/00	Furnival Machinery Co.	103,895.00
9985-15	07/26/00	Angel Systems, Inc.	50,000.00	8252240-01	07/25/00	Stephenson Equipment, Inc.	352,440.00
9985-15	07/26/00	JC Ehrlich Company, Inc.	50,000.00	8252360-01	07/25/00	Groff Tractor & Equipment	31,980.00
				8252380-01	07/25/00	MGS, Inc.	9,430.00
				8252400-01	07/25/00	M-B Companies, Inc.	29,625.00
				8505300-01	07/25/00	Rhomar Industries, Inc.	53,408.00

GARY E. CROWELL,
Secretary

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