

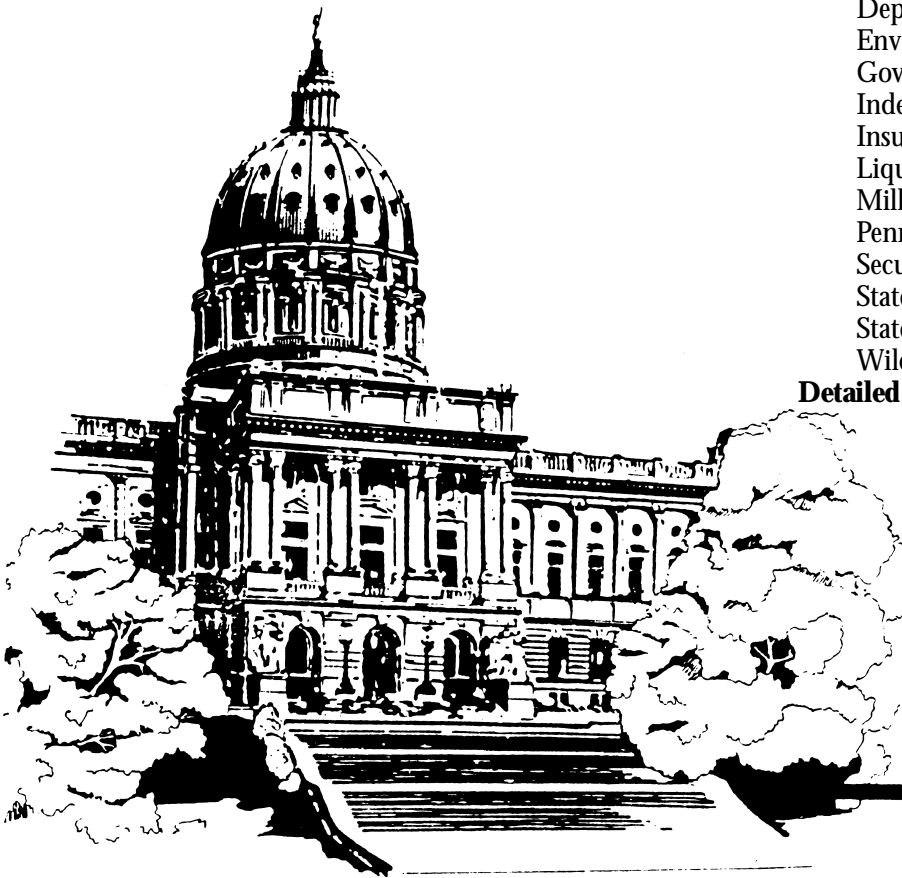
# PENNSYLVANIA BULLETIN

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**Agencies in this issue:**

The Courts  
Department of Agriculture  
Department of Banking  
Department of Environmental Protection  
Department of General Services  
Department of Health  
Department of Public Welfare  
Department of State  
Department of Transportation  
Environmental Quality Board  
Governor's Office  
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Insurance Department  
Liquor Control Board  
Milk Marketing Board  
Pennsylvania Public Utility Commission  
Securities Commission  
State Employees' Retirement Board  
State Ethics Commission  
Wild Resource Conservation Fund

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**No. 321, August 2001**

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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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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2001.

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# THE COURTS

## Title 246—MINOR COURT RULES

### PART I. GENERAL

[246 PA. CODE CHS. 200, 300—500 AND 800]

Order Amending Rules 202, 307, 403—405, 506, 508, 516 and 811 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices; No. 127; Magisterial Doc. No. 1; Book No. 2

*(Editor's Note* The text of the Rules was previously printed at 31 Pa.B. 4055 (July 28, 2001).)

#### Introductory Statement

The Minor Court Rules Committee has prepared a Final Report explaining the amendments to Rules 202, 307, 403, 404, 405, 506, 508, 516, and 811 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices, effective August 1, 2001. These rule changes provide for service of process by certified constables or certified deputy constables and further provide for the use of constables from outside the county in which the issuing magisterial district is situated in cases where the district justice has no certified constables in the county. The changes also provide for several technical or "housekeeping" amendments to these rules. The Final Report follows the Court's Order.

#### Order

*Per Curiam:*

Now, this 16<sup>th</sup> day of July, 2001, upon the recommendation of the Minor Court Rules Committee; the proposal having been published before adoption at 29 Pa.B. 6331 (December 18, 1999), 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 Rules 202, 307, 403, 404, 405, 506, 508, 516, and 811 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices are amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective August 1, 2001.

#### Annex A

### TITLE 246. MINOR COURT CIVIL RULES

#### PART I. GENERAL

### CHAPTER 200. RULES OF CONSTRUCTION; GENERAL PROVISIONS

#### Rule 202. Definitions.

As used in these rules:

\* \* \* \* \*

(3) Constable—[ **Includes a** ] Means a certified constable or a certified deputy constable.

\* \* \* \* \*

#### Official Note

Justices of the peace are now statutorily known as "district justices." [ **See the Judicial Code, § 102,** ] See

42 Pa.C.S. § 102[, and § 3(d) of the Judiciary Act Repealer Act, Act of April 28, 1978, P. L. 202, No. 53, ] and 42 P. S. § 20003(d). As to [ **their** ] district justices' civil jurisdiction, [ **see the Judicial Code, § 1515(a),** ] see 42 Pa.C.S. § 1515(a) [ , as amended by § 10(18) of the Judiciary Act Repealer Act, Act of April 28, 1978, P. L. 202, No. 53 ]. [ **A definition** ] The definitions of "sheriff" and "constable" [ **has been included which will** ] include their deputies. As to deputy sheriffs, [ **see Act of August 9, 1955, P. L. 323, § 1202, 16 P. S. § 1202; Act of July 28, 1953, P. L. 723, Art. XII, § 1202, 16 P. S. 4202** ] see 16 P. S. §§ 1202 and 4202. As to deputy constables, [ **see Act of June 19, 1913, P. L. 534, § 1, 13 P. S. § 21; Act of April 15, 1834, P. L. 537, § 113 and Act of June 8, 1907, P. L. 465, § 1, 13 P. S. § 22; Act of April 15, 1834, P. L. 537, § 114, 13 P. S. § 23** ] see 13 P. S. §§ 21—23. As to certification of constables and deputy constables, see 42 Pa.C.S. § 2942.

Amended April 25, 1979, effective in 30 days, June 30, 1982, effective 30 days after July 17, 1982; amended effective Dec. 1, 1983; amended July 16, 2001, effective August 1, 2001.

#### CHAPTER 300. CIVIL ACTION.

#### Rule 307. Service of the Complaint.

Service shall be made at least ten [ **(10)** ] days before the hearing, in the following manner.

(1) A copy of the complaint for each defendant shall be delivered by the district justice for service to the sheriff of, or any **certified** constable in, the county in which the magisterial district of the district justice is situated. **If this service is not available to the district justice, service may be made by any certified constable of the Commonwealth.** If the complaint is delivered for service to the sheriff and service is to be made in a county other than the one in which the magisterial district of the district justice is situated, the sheriff shall deputize the sheriff of the county in which service is to be made. A **certified** constable may serve the complaint anywhere in the Commonwealth.

(2) If service is to be made in a county other than the one in which [ **his** ] the district justice's magisterial district is situated, the district justice, instead of acting in accordance with **subdivision** (1), [ **above,** ] may:

(a) send the copy of the complaint for service to a district justice in the county in which service is to be made who shall deliver it for service to the sheriff of, or any **certified** constable in, that county [ , or ] . **If this service is not available to the district justice, service may be made by any certified constable of the Commonwealth, or**

\* \* \* \* \*

#### Official Note

This rule provides a number of alternative methods of serving the complaint. Subdivision (1) permits a **certified** constable to serve the complaint anywhere in the Commonwealth and authorizes deputized service by sheriffs. [ **Subdivision** ] **Subparagraph** (2)(a) permits service out of the county through district justices in the county in

which service is to be made, a method of service which might be preferable to service under subdivision (1) by a **certified** constable of the county where the complaint was filed when that county is a considerable distance from the county of service. [Subdivision] **Subparagraph** (2)(b) provides for service in Philadelphia by writ servers of the Philadelphia Municipal Court or by the sheriff of Philadelphia, although service may still be made in accordance with subdivision (1) if the district justice so desires. Subdivision (3) makes service by mail, when permitted, at the option of the plaintiff. This was done because service by mail will ordinarily reduce costs.

Amended effective Feb. 1, 1973; amended Jan. 29, 1976, effective in 30 days; April 25, 1979, effective in 30 days; June 30, 1982, effective 30 days after July 17, 1982; **amended July 16, 2001, effective August 1, 2001.**

**CHAPTER 400. EXECUTION OF JUDGEMENTS FOR THE PAYMENT OF MONEY**

**Rule 403. Issuance and Reissuance of Order of Execution.**

A. Upon the filing of the request form, the district justice shall note on the form the time and date of its filing and shall issue the order of execution thereon. The district justice shall deliver the order of execution for service and execution to the sheriff of, or any **certified** constable in, the county in which the office of the district justice issuing the order is situated. **If this service is not available to the district justice, service may be made by any certified constable of the Commonwealth.**

B. Upon written request by the plaintiff, an order of execution may be reissued at any time and any number of times except that any request for reissuance must be filed within five [ (5) ] years from the date of the judgment.

*Official Note*

Under subdivision A, the order may be executed by the sheriff of the county in which the office of the issuing district justice is situated, as well as by any **certified** constable in that county.

\* \* \* \* \*

Amended Jan. 29, 1976, effective in 30 days; amended effective March 24, 1977; April 25, 1979, effective in 30 days; June 30, 1982, effective 30 days after July 17, 1982; March 27, 1992, effective June 25, 1992 [ **The March 27, 1992, Order provided in part: "In promulgating this Order, the Court recognizes that the District Justice Automation Project will be affected by said Rule changes and that, therefore, those Rules which affect the Project will become effective as the District Justice offices are brought on-line ; amended July 16, 2001, effective August 1, 2001.**

**Rule 404. Notation of Time of Receipt.**

The sheriff or **certified** constable receiving the order shall note upon the form the date and time that [ **he received** ] it was received.

*Official Note*

\* \* \* \* \*

**Amended July 16, 2001, effective August 1, 2001.**

**Rule 405. Service of Order of Execution.**

A. [ **Service of the order of execution shall be made by the sheriff or constable by levy within sixty (60) days of the issuance or reissuance of the**

**order. ] Service of the order of execution shall be made by the sheriff of, or any certified constable in, the county in which the office of the district justice is situated by levy within 60 days of the issuance or reissuance of the order. If this service is not available to the district justice, service may be made by any certified constable of the Commonwealth.**

B. At the time of the levy, the officer executing the order of execution shall give the defendant a copy of the order or leave it at the place of levy, but if the place of levy is not the defendant's residence or usual place of business and [ **he** ] **the defendant** has not been given a copy of the order the copy shall be mailed to [ **his** ] **the last known address of the defendant.** If the levy is made upon property of the defendant in the possession of another person, a copy of the order shall similarly be made available to that person as well as to the defendant.

*Official Note*

The [ **sixty** ] **60** day limitation in subdivision A was considered to allow the executing officer sufficient time in which to make [ **his** ] **the** levy. The executing officer may make as many levies as necessary within the [ **sixty** ] **60** day limitation under an order of execution.

Amended effective March 24, 1977; amended April 25, 1979, effective in 30 days; **amended July 16, 2001, effective August 1, 2001.**

**CHAPTER 500. ACTIONS FOR THE RECOVERY OF POSSESSION OF REAL PROPERTY**

**Rule 506. Service of Complaint**

A. The district justice shall serve the complaint by mailing a copy of it to the defendant by first class mail and by delivering a copy of it for service to the sheriff of, or any **certified** constable in, the county in which the office of the district justice is situated. **If this service is not available to the district justice, service may be made by any certified constable of the Commonwealth.** The officer receiving the copy shall serve it by handing it to the defendant or to an adult person in charge for the time being of the premises possession of which is sought to be recovered or, if none of the above is found, by posting it conspicuously on those premises.

B. The copy shall be served at least five [ (5) ] days before the hearing.

*Official Note*

\* \* \* \* \*

Amended effective July 8, 1975; amended Oct. 17, 1975, effective in 90 days; Jan. 29, 1976, effective in 30 days; April 25, 1979, effective in 30 days; June 30, 1982, effective 30 days after July 17, 1982; **amended July 16, 2001, effective August 1, 2001.**

**Rule 508. Claim by Defendant.**

A. At any time before the hearing, the defendant [ , by **filing his own complaint** ] **may file a cross-complaint** on the form prescribed for [ **trespass and assumpsit** ] **civil complaints, [ may assert in the case ] asserting any claim against the plaintiff which arises out of the occupancy of the premises and which is within the jurisdiction of the district justice.**

B. If the defendant files such a cross-complaint, the district justice shall set a time and date for the hearing of both complaints together, which shall not be less than

[ **seven (7)** ] 7 or more than [ **fifteen (15)** ] 15 days from the filing of the defendant's complaint.

C. The defendant's cross-complaint shall be served on the plaintiff at least five [ **(5)** ] days before the hearing. At the option of the defendant, the district justice shall serve the cross-complaint by mailing a copy of it to the plaintiff. If the defendant does not request service by mail, the district justice shall deliver a copy of the cross-complaint for service to the sheriff of, or any **certified** constable in, the county in which the office of the district justice is located. **If this service is not available to the district justice, service may be made by any certified constable of the Commonwealth.** The officer receiving the copy shall serve it by handing it to the plaintiff or to an adult person in charge for the time being of the plaintiff's residence or usual place of business.

#### *Official Note*

As to subdivision A of this rule, [ **see the second paragraph of the note to** ] **see the Note to Rule 504. [ See also the Judicial Code, § 1515(a)(3), 42 Pa.C.S. § 1515(a)(3), as amended by § 10(18) of the Judiciary Act Repealer Act, Act of April 28, 1978, P. L. 202, No. 53, ] See also 42 Pa.C.S. § 1515(a)(3), as to waiver of jurisdictional limits, the defendant filing a cross-complaint being considered a "plaintiff" as to the cross-complaint within the meaning of this statute.**

\* \* \* \* \*

Amended Oct. 17, 1975, effective in 90 days; Jan. 29, 1976, effective in 30 days; April 25, 1979, effective in 30 days; June 30, 1982, effective 30 days after July 17, 1982; **amended July 16, 2001, effective August 1, 2001.**

#### **Rule 516. Issuance of Order for Possession.**

Upon the filing of the request form, the district justice shall issue the order for possession and shall deliver it for service and execution to the sheriff of, or any **certified** constable in, the county in which the office of the district justice is situated. **If this service is not available to the district justice, service may be made by any certified constable of the Commonwealth.** The order shall direct the officer executing it to deliver actual possession of the real property to the plaintiff.

#### *Official Note*

\* \* \* \* \*

Amended June 30, 1982, effective 30 days after July 17, 1982; **amended July 16, 2001, effective August 1, 2001.**

### **CHAPTER 800. MINORS AND INCOMPETENTS AS PARTIES**

#### **Rule 811. Service of the Complaint.**

Service of the complaint upon a defendant who is an incompetent, or of a cross-complaint upon a plaintiff who is an incompetent, shall be upon his guardian. **This service shall be made in accordance with Rule 307.**

#### *Official Note*

Service is required to be upon the guardian. These rules generally assume the existence of a guardian whose identity is known. Compare Pa.R.C.P. No. [ **2055(a)** ] **421.**

Adopted June 1, 1971; **amended July 16, 2001, effective August 1, 2001.**

### FINAL REPORT<sup>1</sup>

*Amendments to Rules 202, 307, 403, 404, 405, 506, 508, 516, and 811 of the Rules of Conduct, Office Standards and Civil Procedure for District Justices*

On July 16, 2001, effective August 1, 2001, upon the recommendation of the Minor Court Rules Committee, the Supreme Court of Pennsylvania amended Rules 202 (Definitions), 307 (Service of the complaint), 403 (Issuance and reissuance of order of execution), 404 (Notation of time of receipt), 405 (Service of order of execution), 506 (Service of complaint), 508 (Claim by defendant), 516 (Issuance of order for possession), and 811 (Service of the complaint) of the Rules of Conduct, Office Standards and Civil Procedure for District Justices.

#### I. *Background*

The Committee undertook a review of the rules relating to service of process for two reasons. First, Act 44-1994 amended the Judicial Code, 42 Pa.C.S. § 2942, to require that constables and deputy constables be certified by the Constables' Education and Training Board in order to perform judicial duties. Accordingly, the Committee recommended amendments to the rules to require that service be performed only by certified constables or deputy constables. In a related matter, the Committee had also received inquiries from district justices in counties that had no certified constables and therefore could not use any constable for service because the rules required that service be made by a constable in the county in which the district court is located. Accordingly, the Committee recommended amendments to the rules to relax this requirement in cases where the district justice has no certified constables in the county.

In conjunction with the amendments to the service rules, the Committee also recognized the need for several technical or "housekeeping" amendments to the rules.

#### II. *Discussion of Rule Changes*

##### A. *Use of Certified Constables*

Prior to these amendments, the rules for service of district justice court process required service be made by, "the sheriff of, or any constable in, the county in which the magisterial district of the district justice is situated." However, section 2942 of the Judicial Code, 42 Pa.C.S. § 2942, now requires all constables that effect this service to be certified by the Constables' Education and Training Board. Therefore, the Committee recommended that Rules 307, 403, 405, 506, 508, 516, and 811, all relating to service of process, be amended to provide that service shall be made by "the sheriff of, or any certified constable in, the county in which the magisterial district of the district justice is situated."

As a corollary to these changes, the Committee recommended that the definition of "constable" in Rule 202 be amended to mean a certified constable or a certified deputy constable.

##### B. *Use of Constables From Outside the County in Which the Magisterial District is Situated*

In addition, the Committee learned the requirement that only a certified constable can effectuate service has created a problem for some district justices in that their districts are in counties where there are no certified constables and the sheriff is unwilling to perform service. Thus, in order to alleviate this problem, the Committee

<sup>1</sup> The Committee's Final Report should not be confused with the official Committee Notes to the Rules. Also, the Supreme Court of Pennsylvania does not adopt the Committee's Notes or the contents of the Committee's explanatory Final Reports.

recommended that Rules 307, 403, 405, 506, 508, 516, and 811 be amended to provide that service be made by "the sheriff of, or any certified constable in, the county in which the magisterial district of the district justice is situated. If this service is not available to the district justice, service may be made by any certified constable of the Commonwealth." This will permit a district justice to use constables from outside the district justice's county if there are no certified constables in the district justice's county and the sheriff is unwilling to perform the service for the district justice.

*C. Technical and "Housekeeping" Amendments*

In addition to the amendments relating to service by certified constables, the Committee recognized the need for several technical or "housekeeping" amendments. Spe-

cifically, in Rule 202, the Committee recommended several revisions to the Note to correct citation form and eliminate unnecessary statutory references. Also, a reference to section 2942 of the Judicial Code, 42 Pa.C.S. § 2942, relating to certification of constables and deputy constables, was added to this Note.

Also, the Committee recommended minor amendments or revisions to the Notes to Rules 307, 403, 404, 405, 506, 508, and 811 to address gender neutrality in the rules, to correct citation form or outdated cross-references, and to conform to modern drafting style.

[Pa.B. Doc. No. 01-1374. Filed for public inspection July 27, 2001, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 4—ADMINISTRATION

### STATE EMPLOYEES' RETIREMENT BOARD

#### [4 PA. CODE CHS. 243 AND 245]

#### Retirement Contributions

The State Employees' Retirement Board (Board) is amending §§ 243.6, 245.4, 245.5 and 245.6. The amendments are being made to remove restrictions for purchasing retirement credit, thereby allowing the costs of purchase to be deducted from the actuarial value of the retirement account.

#### A. *Effective Date*

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

#### B. *Contact Person*

For further information contact Sean Sanderson, Director of Communications, State Employees' Retirement System, 30 North Third Street, P.O. Box 1147, Harrisburg, PA, (717) 787-9657; or Brian E. McDonough, Deputy Chief Counsel, State Employees' Retirement System, 30 North Third Street, P.O. Box 1147, Harrisburg, PA, 17108-1147, (717) 787-9657.

#### C. *Statutory Authority*

These amendments are authorized under 71 Pa.C.S. § 5907(d) and (h) (relating to State Employees' Retirement Code) (code).

#### D. *Background and Purpose*

The Board is responsible for implementing the purchase of service provisions of the code, and a component of that purchase program is a method of paying for that purchase by eligible members, that is, their contributions. Although the act of May 17, 2001 (P.L. \_\_\_\_\_, No. 9) amended the code to authorize the contributions to be made in a manner that permits the purchase price to be subtracted from the actuarial value of the member's account, the current regulations limit payment methods. Deletion of these regulations will allow the Board to authorize the actuarial debiting of the member's account as an agreed upon way to make these contributions.

The purpose of this final repeal of these restrictions is to permit the Board to allow member contributions for the purchase of service to be made from the value of their retirement account. Members would still have the options of paying by lump sum or payroll deduction but also would have the option to authorize an actuarial reduction in the value of their account to pay for the requested purchase. This would substantially reduce or eliminate out of pocket costs for members to avail themselves of service purchase authorized by the code. A sister agency, the Public School Employees' Retirement System, currently permits the actuarial reduction of school member accounts for service purchases. These regulatory repeals would enable the Board to offer similar opportunities to State employees.

#### E. *Benefits, Costs and Compliance*

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

#### *Benefits*

These amendments would benefit State employees eligible for service purchases under the code. By reducing the potential out of pocket costs to members with an offsetting actuarial reduction in the value of their accounts, easier access to statutorily authorized service purchases would ensue without any loss in the fiscal integrity of the State Employees' Retirement System (SERS). Customer service would be improved together with a corresponding reduction in bookkeeping and record keeping to the extent that payroll deductions would be reduced.

#### *Costs*

There are no additional costs to the Commonwealth, its citizens or State employees associated with this final-form rulemaking.

#### *Compliance Costs*

The final-form rulemaking is not expected to impose any additional compliance costs on State employees.

#### F. *Sunset Review*

A sunset date has not been established by the Board for these regulations.

#### G. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on June 15, 2001, the Board submitted a copy of the notice of proposed rulemaking, published at 31 Pa.B. 1587 (March 24, 2001), to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House State Government Committee and the Senate Finance Committee. In addition to submitting the final-form amendments, the Board has provided IRRC and the Committees with 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 5.1(d) of the Regulatory Review Act (71 P.S. § 745.5a(d)), on July 5, 2001, this final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, the final-form rulemaking was deemed approved by IRRC effective July 6, 2001.

#### H. *Public Comments*

There have been no public comments.

#### *Findings*

The Board finds that:

(1) Public notice of intention to delete these regulations herein was given under 1 Pa. Code § 7.1 (relating to notice of proposed rulemaking required) by publication at 31 Pa.B. 1587.

(2) The amendments to the rules and procedures deleted herein are necessary and appropriate for the administration of the code.

#### *Order*

The Board, acting under The Administrative Code of 1929 and the Commonwealth Documents Law, including particularly those sections specified in the several author-

ity citations herein specified with respect to each provision of the rules and procedures of SERS deleted by this order, orders:

(a) The regulations for the Board, 4 Pa. Code Chapters 243 and 245, are amended by amending §§ 243.6, 245.4 and 245.6 and deleting § 245.5 to read as set at 31 Pa.B. 1587.

(b) The amendments shall be submitted to the Office of Attorney General for approval as to legality as required by law.

(c) The Secretary of the Board shall certify this order and 31 Pa.B. 1587 and deposit them with the Legislative Reference Bureau as required by law.

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

NICHOLAS J. MAIALE,  
*Chairperson*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 31 Pa.B. 4136 (July 28, 2001).)*

**Fiscal Note:** Fiscal Note 31-1 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 01-1413. Filed for public inspection August 3, 2001, 9:00 a.m.]

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# Title 25—ENVIRONMENTAL PROTECTION

DEPARTMENT OF ENVIRONMENTAL PROTECTION

[25 PA. CODE CH. 121]

Corrective Amendment to 25 Pa. Code § 121.1

The Department of Environmental Protection has discovered a discrepancy between the agency text of 25 Pa. Code § 121.1 (relating to definitions) as deposited with the Legislative Reference Bureau and the official

text as published at 29 Pa.B. 1879 (April 10, 1999), and as published in the *Pennsylvania Code Reporter* (Master Transmittal Sheet No. 295) and as it currently appears in the *Pennsylvania Code*. When the amendments at 29 Pa.B. 1879 were codified, the definition of the term "commercial fuel oil" was inadvertently omitted.

Therefore, under 45 Pa.C.S. § 901: The Department of Environmental Protection has deposited with the Legislative Reference Bureau a corrective amendment to 25 Pa. Code § 121.1. The corrective amendment to 25 Pa. Code § 121.1 is effective as of April 10, 1999, the date the defective official text was printed in the *Pennsylvania Bulletin*.

The correct version of 25 Pa. Code § 121.1 appears in Annex A, with ellipses referring to the existing text of the regulation.

**Annex A**

**TITLE 25. ENVIRONMENTAL PROTECTION  
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Subpart C. PROTECTION OF NATURAL RESOURCES**

**ARTICLE III. AIR RESOURCES**

**CHAPTER 121. GENERAL PROVISIONS**

**§ 121.1. Definitions.**

The definitions in section 3 of the act (35 P. S. § 4003) apply to this article. In addition, the following words and terms, when used in this article, have the following meanings, unless the context clearly indicates otherwise:

\* \* \* \* \*

*Commercial fuel oil*—Commercial fuel oil and mixtures of commercial fuel oils with other fuels where greater than 50% of the heat content is derived from the commercial fuel oil.

\* \* \* \* \*

[Pa.B. Doc. No. 01-1414. Filed for public inspection August 3, 2001, 9:00 a.m.]

# PROPOSED RULEMAKING

## DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CH. 183]

### Income

The Department of Public Welfare (Department), under the authority of sections 201(2) and 403(b) of the Public Welfare Code (code) (62 P.S. §§ 201(2) and 403(b)), intends to amend the regulations to read as set forth in Annex A. Section 201(2) of the code gives the Department the authority to promulgate regulations. Section 403(b) of the code provides that the Department will establish rules, regulations and standards consistent with the code, and whenever possible, establish rules, regulations and standards for General Assistance (GA) consistent with those established for Aid to Families with Dependent Children (AFDC), now replaced by Temporary Assistance for Needy Families (TANF). The incorporation of this proposed rulemaking is predicated upon provisions in the act of May 16, 1996 (P.L. 175, No. 35) (Act 35), which govern eligibility for cash benefits and provisions in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) (Pub. L. 104-193), which permit states to design their own TANF programs consistent with Federal requirements. The proposed rulemaking affects the TANF program and the Commonwealth's GA program.

#### *Purpose*

The purpose of this proposed rulemaking is to promulgate the provision in section VI(A)(6) in the TANF State Plan as published at 27 Pa.B. 342 (January 18, 1997) and at section VI(A)(7) in the current TANF State Plan as published at 29 Pa.B. 5658 (October 30, 1999). This provision counts lump sum payments as income in the month of receipt and as a resource in subsequent months.

#### *Background*

Act 35 provided the framework for the Commonwealth's welfare reform plan which included changes to both the State-funded GA program and the Federal AFDC program. On August 22, 1996, the President signed into law PRWORA, which eliminated the open-ended entitlement program known as AFDC and created a block grant program, TANF, that allows states to provide time-limited cash assistance to needy families under programs that are state-designed. While PRWORA sets forth specific requirements for states to follow, such as establishing work requirements and time limits on the receipt of cash assistance, states have the unprecedented opportunity to design and operate cash assistance programs that are tailored to meet the needs of the people they serve.

The incorporation of this proposed rulemaking is predicated upon provisions in Act 35 which govern eligibility for cash benefits and provisions in PRWORA, which permit states to design their own TANF programs consistent with Federal requirements. The flexibility provided by PRWORA allows the Department to proceed with the lump sum change in this proposed rulemaking.

#### *Need for Proposed Rulemaking*

This proposed rulemaking is needed to incorporate into Chapter 183 (relating to income) the provision in section

VI(A)(6) in the TANF State Plan as published at 27 Pa.B. 342 and at section VI(A)(7) in the current TANF State Plan as published at 29 Pa.B. 5658. The proposed rulemaking is being prepared for promulgation as proposed rulemaking to ensure sufficient opportunity for public review and comment prior to implementation.

#### *Summary of Requirements*

The proposed amendment to § 183.105(4) (relating to increases in income) specifies that lump sum payments are counted as income only in the month of receipt and as a resource in subsequent months. Under current policy, the effects of lump sum payments on cash assistance benefits are calculated using a formula that often results in ineligibility for cash assistance for entire budget groups over an extended period of time. The formula assumes that the lump sum will be available to meet basic living needs and does not take into account that a family, that is, budget group, may need to use the funds for other valid purposes. For example, a family may need to purchase a vehicle for employment or move into better housing. Allowing for the expenditure permits a family to strengthen its financial situation and improve its general standard of living, which can help propel the family to greater self-sufficiency. To this extent, the proposed change in lump sum policy is consistent with the Department's overall goal of welfare reform, which is to design programs that promote and encourage self-sufficiency.

#### *Affected Individuals and Organizations*

This proposed rulemaking affects applicants/recipients of TANF and GA cash benefits who receive lump sum payments such as insurance settlements, delayed wages, lottery winnings and the like. Lump sum payments are no longer calculated in a manner that establishes a defined period of ineligibility. Lump sum payments are considered income in the month of receipt. If the lump sum income (after allowable deductions) exceeds the monthly assistance grant, the budget group is ineligible for assistance in that month. The budget group must verify that any funds remaining in subsequent months do not exceed the appropriate resource level for the category of assistance.

#### *Fiscal Impact*

*Commonwealth:* The State will incur an estimated annual cost of \$346,000. This estimate represents an additional 12 months of eligibility for 136 GA clients at an average monthly cost of \$205 per client. The estimate assumes that clients will spend down the resource limit in 1 month.

*Public Sector:* No other government entity will incur any costs or realize any savings.

*Private Sector:* No private sector entity will incur any costs or realize any savings.

#### *Paperwork Requirements*

This proposed rulemaking will moderately decrease the paperwork requirements associated with the eligibility process. Eligibility calculations associated with the receipt of lump sum payments will no longer require the determination of a defined period of ineligibility.

#### *Effective Date*

The proposed rulemaking is effective upon publication in the *Pennsylvania Bulletin* as final-form rulemaking.



Sunset Date

There is no sunset date. The Department conducts periodic reviews of the GA program in accordance with section 403(e) of the code. TANF regulations are also reviewed through the Department's Quality Control and Corrective Action review process.

Public Comment Period

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking to the Department of Public Welfare, Edward Zogby, Director, Bureau of Policy, Room 431, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-4081 within 30 days after the date of publication of this proposed rulemaking in the Pennsylvania Bulletin. All comments received within 30 calendar days will be reviewed and considered in the preparation of the final-form rulemaking. Comments received after the 30-day comment period will be considered for any subsequent revisions of this proposed rulemaking.

Persons with a disability may use the AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (Voice users).

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 23, 2001, the Department submitted a copy of this 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 any objections to any portion of the proposed rulemaking, it will notify the Department within 10 days of the close of the Committee's review period. The notification shall specify the regulatory review criteria which have not been met by that portion of the proposed rulemaking. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor of objections raised.

FEATHER O. HOUSTOUN, Secretary

Fiscal Note: 14-471. (1) General Fund; (2) Implementing Year 2000-01 is \$346,000; (3) 1st Succeeding Year 2001-02 is \$346,000; 2nd Succeeding Year 2002-03 is \$346,000; 3rd Succeeding Year 2003-04 is \$346,000; 4th Succeeding Year 2004-05 is \$346,000; 5th Succeeding Year 2005-06 is \$346,000; (4) 1999-00 Program—\$311,394,000; 1998-99 Program—\$259,688,000; 1997-98—\$323,388,000; (7) Cash Grants; (8) recommends adoption. Funds are included in the budget for this purpose.

Annex A

TITLE 55. PUBLIC WELFARE

PART II. PUBLIC ASSISTANCE MANUAL

Subpart D: DETERMINATION OF NEED AND AMOUNT OF ASSISTANCE

CHAPTER 183. INCOME

\* \* \* \* \*

MONTHLY ASSISTANCE PAYMENT DETERMINATION

§ 183.105. Increases in income.

An increase in actual, deemed or estimated income of the budget group in a calendar month affects eligibility and the amount of the monthly assistance payment as follows:

\* \* \* \* \*

(4) If the increase in income is due to receipt of a lump sum [ income ], the following applies:

(i) [ If the increase in lump sum income of the budget group or LRR other than the parent of an AFDC minor parent living with the budget group results in ineligibility, assistance is terminated no later than the payment month corresponding with the budget month in which the income was received. The budget group is ineligible for the number of full months for which the lump sum and other countable net income will meet the needs of the budget group and LRR whose lump sum income is counted. The standard of need—Appendix B, Table 1—used to determine the period of ineligibility is the one applicable to the county in which the budget group resides and is based on the number of persons in the budget group plus the LRR whose lump sum income is counted. ] The amount of lump sum is counted as income in the month of receipt, if received by a member of the budget group or certain other household members such as an LRR, a parent of a TANF minor parent, a stepparent or a sponsor of an alien. The lump sum income deductions are applied, as specified in §§ 183.91, 183.93, 183.94, 183.95 and 183.98(1)—(3).

[ (A) If the income calculated as remaining after the period of ineligibility is less than the monthly assistance payment, it is considered income only in the first month following the period of ineligibility.

(B) If the income calculated as remaining after the period of ineligibility is equal to or exceeds the monthly assistance payment, the budget group is ineligible for 1 additional month. The remainder is a resource, if available, in the month of reapplication.

(C) The period of ineligibility applies to an individual whose lump sum income is counted and those individuals who were receiving or applied for assistance during the month the lump sum income was received. Other individuals who did not receive or apply for assistance during the month the lump sum income was received and who subsequently apply may be eligible for a monthly assistance benefit.

(D) Advance notification of ineligibility includes the computation upon which the period of ineligibility is based. If the exact amount of the lump sum income received is unknown due to the refusal to provide this information, the budget group is determined to be ineligible due to failure to cooperate. ]

(ii) [ Recalculation of the period of ineligibility following the initial application of this subparagraph is required under certain circumstances. The recalculation may only shorten the period of ineligibility, not lengthen it. The grant may be restored at the end of the recalculated period of ineligibility upon reapplication, if the budget group is other-

wise eligible for a grant. No retroactive benefits may be granted for any period of time prior to the date of the reapplication. Recalculations are made only under the following conditions: ] If the lump sum income does not result in ineligibility, the increase in actual or deemed lump sum income in the month of receipt affects the assistance payment in the corresponding payment month.

[ (A) When a member of the budget group leaves the family taking the remaining funds from the lump sum income and refuses to make the lump sum available to the rest of the family. The period of ineligibility for the remaining members is recalculated beginning with the month of the loss of these funds by the remaining members as follows:

(I) If funds which should be remaining are removed, the remaining members are eligible. If only part of those funds which should be remaining from the initial lump sum calculation are removed, the period of ineligibility is recalculated by dividing the funds which should be remaining, less the amount of funds removed, by the standard of need for the number of persons covered under the original lump sum calculation remaining in the household. The amount remaining is considered income under subparagraphs (i) and (iii).

(II) The original period of ineligibility is applied to the persons who left the household. The amount remaining is considered income under subparagraphs (i) and (iii). The period of ineligibility is applied whether or not the members later return to the household.

(B) When a natural disaster or other life or health threatening event over which the budget group has no control necessitates expenditure of the balance of the lump sum income. This clause applies only when, prior to the event, the budget group was using the lump sum income to meet 2 essential needs and there are no other income or resources sufficient to meet the needs resulting from the event.

(C) When medical expenses are incurred and paid for a member of the budget group, which are for medically necessary surgery or medical care to treat a congenital condition, serious illness or traumatic injury, if medical needs were not taken into account in determining the initial period of ineligibility; the needs cannot be met by other income or resources; and, the lump sum income was being used to meet the essential needs of the budget group.

(D) If the budget group is unable to verify the cost of essential needs, such as shelter, clothing and food, allow for basic living needs under the standard of need levels for the size of the budget group in recalculating the period of ineligibility. ]

(iii) [ The amount of lump sum income received by the nonassistance stepparent, parent of an AFDC minor parent or sponsor of an alien remaining after disregards as defined in §§ 183.91, 183.93 and 183.98(1)—(3) (relating to LRR, parent of an AFDC minor parent and stepparent deductions; sponsor deductions; and unearned income and lump sum income deductions) is considered only in the month of receipt under § 183.71(b) (relating to gross income test) and paragraphs (2) and (3). A portion

retained by the stepparent or parent of an AFDC minor parent subsequent to the month of receipt is a resource to that person and is not to be considered in determining eligibility for a budget group unless actually made available to them. A portion retained by the sponsor subsequent to the month of receipt is a resource to the alien in subsequent months. ] When the lump sum is received by a budget group member or LRR living in the household, other than a parent of a TANF minor parent, any portion of the lump sum that remains after the month of receipt is considered a resource under § 177.11 (relating to identification and verification of resources).

(iv) [ An individual who receives GA and who is determined to be ineligible for a specified period due to receipt of lump sum income may apply for and receive AFDC during this period if otherwise eligible. Remaining lump sum income is considered a resource under Chapter 177 (relating to resources). ] Any portion of the lump sum retained by the stepparent or parent of a TANF minor parent subsequent to the month of receipt is a resource to the stepparent or parent of the TANF minor parent and is not to be considered in determining eligibility for the budget group unless it is actually made available to the budget group.

(v) Any portion of the lump sum retained by the sponsor of an alien subsequent to the month of receipt is a resource to the alien in subsequent months, providing the alien's entry into the United States is within 3 years.

(vi) If the lump sum makes the budget group ineligible in the month of receipt, and the ineligibility is expected to last more than 1 month, assistance is terminated for the first payment date that can be reached either in the month of receipt or the following month after proper notice is provided as described in § 133.4 (relating to procedures). An overpayment occurs for cash assistance received during the months of ineligibility.

(vii) If the exact amount of the lump sum received is unknown because of a refusal to provide this information, the budget group is ineligible due to failure to cooperate under § 125.21(a) (relating to policy).

[Pa.B. Doc. No. 01-1415. Filed for public inspection August 3, 2001, 9:00 a.m.]

## SECURITIES COMMISSION

[64 PA. CODE CHS. 202, 203, 301—304 AND 606]

National Securities Markets Improvement Act of 1996 Amendments

### *Statutory Authority*

The Securities Commission (Commission), under the authority contained in sections 202(i), 203(r), 301(b), 302(f), 303(a), (c) and (d), 304(a), (d) and (e), 606(d) and 609(a) of the Pennsylvania Securities Act of 1972 (act) (70 P. S. §§ 1-202(i), 1-203(r), 1-301(b), 1-302(f), 1-303(a), (c) and (d), 1-304(a), (d) and (e), 1-606(d) and 1-609(a)) proposes to amend and adopt rulemakings concerning the subject matter of the act as set forth in Annex A.

*Summary and Purpose of Regulations*

- § 202.093 It is proposed to amend this section to permit persons to receive compensation for soliciting contributions or transfer of assets to pooled income funds if they are registered with the Commission under section 301 of the act and to permit Federally covered advisers to advise the fund.
- § 202.095 It is proposed to amend this section to permit persons to receive compensation for soliciting the sale of charitable gift annuities if they are registered with the Commission under section 301 of the act.
- § 203.202 This new section would exempt transactions effected by broker-dealers exempt from registration under § 302.065 (relating to Canadian broker-dealer exempt).
- § 301.020 This section was adopted when the Central Registration Depository (CRD) first began an agent transfer program in 1984. The program has been incorporated into Form U-4 and it is proposed that the section now reference that transfers must be done in compliance with the terms and conditions of Item 15 of Form U-4.
- § 302.061 This section is proposed to be amended by deleting the requirement to file and post Forms 302-F1, AU-1 and AU-2 to claim the exemption and reducing the number of requirements for the exemption to be available.
- § 302.062 It is proposed that this section be deleted as section 102(j)(iv) of the act (70 P.S. § 1-102(j)(iv)) was amended in 1998 to make this section a statutory exclusion from the definition of investment adviser.
- § 302.064 It is proposed that this section be broadened to include any agent of a broker-dealer registered with the Commission who is a member of a National securities exchange where the agent's only customers are other registered broker-dealers.
- § 303.011 It is proposed to conform this section with the State preemption provisions of the National Securities Markets Improvement Act of 1996 (NSMIA).
- § 303.013 It is proposed to delete the requirement to file a fingerprint card as part of the registration process for an agent of an issuer and the requirement for a broker-dealer to keep certain information on file for agents since that information is readily available to the Commission through CRD.
- § 303.031 It is proposed that this section incorporate changes made to the Series 66 exam.
- § 303.041 It is proposed to conform this section with NSMIA.
- § 304.011 It is proposed to conform this section with NSMIA.
- § 304.021 It is proposed to revise this section to conform with the state preemption provisions of NSMIA and provide that any financial information to be submitted to the Commission be prepared by an independent certified public accountant.
- § 304.041 It is proposed to adopt a new section to make clear that representatives of the Commission who conduct examinations in accordance with section 304(d) of the act have the ability to view and have access to the physical location where files are kept in the registrant's office which is the subject of an examination.
- § 304.051 It is proposed to delete references in the section to charges established by stock exchanges and the United States Securities and Exchange Commission (SEC), since the SEC structure was deregulated in the '70s.
- § 606.031 It is proposed to amend this section and make it the sole section governing use of advertising in the connection with the offer and sale of securities under the act and would incorporate by reference advice given by the SEC on publication of advertisements by use of electronic media.
- § 606.032 It is proposed that this section be deleted since its provisions have been superceded by specific provisions in the Takeover Disclosure Law (70 P.S. §§ 71—85) concerning filing of advertisements and solicitation materials in tender offers.
- § 606.033 It is proposed this section be deleted because its provisions have been preempted by NSMIA except for governmental issuers located in this Commonwealth whose provisions relating thereto have been incorporated into the proposed revisions to § 606.031 (relating to advertising literature).
- § 606.034 It is proposed this section be deleted because its provisions have been preempted by NSMIA.
- § 606.041 It is proposed that this section be amended to reflect a recent Commission reorganization, update references in the section to acknowledge interim changes in relevant statutes and rules and to grant additional authority to the Director of Corporation Finance to register certain nonprofit debt offerings.

*Persons Affected by this Rulemaking*

Nonprofit organizations are affected by the proposed changes to sections relating to pooled income funds and charitable gift annuities. Another regulatory proposal affects Canadian issuers who issue securities to persons covered by certain tax advantaged plans which transactions are effected by Canadian broker-dealers eligible to rely on a registration exemption. Auctioneers licensed by the State Auctioneer Board are affected by the section exempting them from broker-dealer and agent registration. Broker-dealers and agents are affected by the proposed regulatory actions impacting on registration requirements, examination requirements, required books and records retention and net capital requirements. The regulatory proposal on advertising affects issuers of securities which may publish an advertisement in this Commonwealth in connection with an offer or sale of securities.

*Fiscal Impact*

The proposed regulatory actions impose no new compliance costs and actually reduce compliance costs by ex-

panding exemptions, eliminating required filings with the Commission and reducing the amount of information which was be maintained by registrants.

#### *Paperwork*

The Commission proposes to eliminate Forms 302-F1, AU-1 and AU-2 required for auctioneers to claim an exemption form broker-dealer and agent registration for the occasional auctioning of securities. As previously indicated, paperwork will be reduced further by elimination of filing of currently mandated reports and information with the Commission.

#### *Effective Date*

The proposed amendments and regulations will become effective upon publication in the *Pennsylvania Bulletin* as a final-form rulemaking.

#### *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 13, 2001, the Commission submitted a copy of this proposed rulemaking to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House Committee on Commerce and Economic Development and the Senate Committee on Banking and Insurance for comment and review. In addition to submitting the proposed rulemaking, the Commission has provided IRRC and the Committees with a copy of a detailed Regulatory Analysis form prepared by the Commission in compliance with Executive Order 1996-1, "Regulatory Review and Promulgation." A copy of this material is available 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 Commission within 10 days of the close of the Committee's review period. The notification shall specify the regulatory review criteria which have not been met by the portion of the proposed rulemaking to which an objection is made. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking by the Commission, the General Assembly and the Governor of objections raised.

#### *Availability in Alternative Formats*

This proposed rulemaking may be made available in alternative formats upon request. The Commission also will receive comments on this proposed rulemaking in alternative formats. TDD users should use the AT&T Relay Center (800) 854-5984. To make arrangements for alternative formats, contact Joseph Shepherd, ADA Coordinator, at (717) 787-6828.

#### *Contact Person*

Interested persons are invited to send comments concerning the proposed rulemaking within 30 days of publication of this notice to G. Philip Rutledge, Chief Counsel, Securities Commission, Eastgate Building, 1010 N. Seventh Street, 2nd Floor, Harrisburg, PA 17102-1410, (717) 783-5130. G. Philip Rutledge also is the contact person for an explanation of the proposed rulemaking.

M. JOANNA CUMMINGS,  
*Secretary*

**Fiscal Note:** 50-116. No fiscal impact; (8) recommends adoption.

## Annex A

### TITLE 64. SECURITIES

#### PART I. SECURITIES COMMISSION

#### Subpart B. REGISTRATION OF SECURITIES

#### CHAPTER 202. EXEMPT SECURITIES

#### § 202.093. Charitable contributions to pooled income funds exempt.

(a) Under the authority contained in section 202(i) of the act (70 P. S. § 1-202(i)), the Commission finds that it is not in the public interest nor necessary for the protection of investors to require registration under section 201 of the act (70 P. S. § 1-201) of any securities issued or created in connection with contributions or transfers of property to, or certificates of interest or participation in, pooled income funds if the following conditions are met:

\* \* \* \* \*

(5) None of those persons responsible for solicitation of contributions to the Fund will receive commissions or other special compensation based upon the amount of property transferred **except that this prohibition does not apply if the person receiving the commissions or special compensation is registered with the Commission as a broker-dealer under section 301 of the act (70 P. S. § 1-301) or is registered with the Commission under section 301 as an agent of the broker-dealer.**

(6) Any person who, for compensation, advises the charitable organization as to the advisability of investing in, purchasing or selling securities, including interests in the Fund, or otherwise performs as [ in ] an investment adviser [ in connection with securities purchased or sold by the charitable organization ] is [ in compliance with the registration requirements of section 301 of the act (70 P. S. § 1-301), if applicable ] either an investment adviser registered with the Commission under section 301 of the act or is a Federally covered adviser that is in compliance with section 303(a) of the act (70 P. S. § 1-303(a)).

(b) [ Advertising literature as defined in ] If permitted by § 606.031 (relating to advertising literature), advertising literature may be used by the Fund in connection with the solicitation of contributions but is subject to the antifraud provisions of sections 401—409 of the act (70 P. S. §§ 1-401—1-409) and Subpart D (relating to fraudulent and prohibited practices).

#### § 202.095. Charitable gift annuities.

(a) Under the authority contained in section 202(i) of the act (70 P. S. § 1-202(i)), the Commission finds that it is not in the public interest nor necessary for the protection of investors to require registration under section 201 of the act (70 P. S. § 1-201) of securities issued or created in connection with the offer or sale of charitable gift annuities if the following conditions are met:

\* \* \* \* \*

(3) None of the persons responsible for solicitation of purchasers of annuities will receive commissions or other special compensation based upon the amount of the annuity purchased **except that this prohibition does not apply if the person receiving the commissions or special compensation is registered with the Commission as a broker-dealer under section 301 of the**

act (70 P. S. § 1-301) or is registered with the Commission under section 301 as an agent of the broker-dealer.

\* \* \* \* \*

(b) [Advertising literature, as defined in ] If permitted by § 606.031(a) (relating to advertising literature), **advertising literature** may be used by the qualified charity in connection with the solicitation of contributions but is subject to the antifraud provisions of sections 401—409 of the act (70 P. S. §§ 1-401—1-409) and Subpart D (relating to fraudulent and prohibited practices).

**CHAPTER 203. EXEMPT TRANSACTIONS**

**§ 203.202. Certain transactions with persons from Canada exempt.**

Under section 203(r) of the act (70 P. S. § 1-203(r)), the Commission finds it neither necessary nor appropriate for the protection of investors to require registration under section 201 of the act (70 P. S. § 1-201) for the offer or sale of a security if the following requirements are met:

(1) The security is offered or sold in this Commonwealth only to a person described in § 302.065(1) (relating to Canadian broker-dealer exempt).

(2) The transaction is effected in this Commonwealth solely by a Canadian broker-dealer or agent of a Canadian broker-dealer described in § 302.065(2).

**Subpart C. REGISTRATION OF  
BROKER-DEALERS, AGENTS, INVESTMENT  
ADVISERS AND INVESTMENT ADVISER  
REPRESENTATIVES AND NOTICE FILINGS BY  
FEDERALLY-COVERED ADVISERS**

**CHAPTER 301. REGISTRATION REQUIREMENT**

**§ 301.020. Agent transfers.**

[ (a) ] An agent who wishes to terminate [ his ] employment with one registered broker-dealer and thereafter commence employment with another registered broker-dealer may do so without causing a suspension in the agent's registration with the Commission if all of the following conditions are met:

\* \* \* \* \*

(2) The transfer is effected in accordance with the [ terms and conditions of the NASAA/CRD Temporary Agent Transfer Program as established under an agreement between and operated under guidelines established by NASDAQ, Inc., a wholly-owned subsidiary of the National Association of Securities Dealers, Inc., and the North Association, Inc. ] terms, conditions and execution of Item 15 of the Uniform Application for Securities Industry Registration or Transfer (Form U-4).

[ (3) The employing broker-dealer has executed and filed an Undertaking for Participation in the NASAA/CRD TAT Program.

(4) The employing broker-dealer currently is not subject to an order of the Commission which would otherwise make this section unavailable.

(b) For purposes of this section, the term Undertaking for Participation in the NASAA/CRD Temporary Agent Transfer Program shall mean the docu-

ment entitled "Broker-Dealer Undertaking for Participation in the NASAA/CRD Temporary Agent Transfer Program" which the employing broker-dealer has executed and filed with the NASAA/NASD Central Registration Depository, 1735 "K" Street, N.W., Washington, DC 20006. ]

**CHAPTER 302. EXEMPTIONS**

**§ 302.061. Auctioneers exemption from broker-dealer and agent registration.**

(a) Under the authority contained in section 302(f) of the act (70 P. S. § 1-302(f)), the Commission deems it appropriate and in the public interest to exempt [ broker-dealers and agents ] persons from the broker-dealer and agent registration provisions of section 301 of the act (70 P. S. § 1-301) if [ the persons fulfill the requirements of this section ] all of the following conditions are met:

(1) The person [ is licensed ] meets one of the following conditions:

(i) Is licensed as an auctioneer [ or ], apprentice auctioneer, auction company or auction house under [ section 707 of ] the Auctioneers License Act [ (63 P. S. § 707) ] (AALA) (63 P. S. §§ 734.1—734.34).

(ii) Is exempt from registration under section 3(h) of the AALA (63 P. S. § 734.3(h)).

(iii) Holds a special license to conduct an auction under section 3(i) of the AALA.

(2) The person [ offers and sells ] effects transactions in securities solely at an "auction" or at a "sale at auction" as these terms are defined in [ section 702(5) of the Auctioneers License Act (63 P. S. § 702(5)) ] the AALA.

(3) [ The person does not sell in a period of 12 consecutive months, securities at auction of a dollar amount in excess of the lesser of \$250,000 or 5% of the total dollar amount of all "goods" as that term is defined in section 702(1) of the Auctioneers License Act (63 P. S. § 702(1)) sold by the person during that period.

(4) The person has filed an executed Commission's Form 302-F1 with the Commission at least 10 business days prior to the offer and sale of securities.

(5) The person has not been convicted of a crime or made the subject of any sanction described in section 305(a)(ii)—(ix) of the act (70 P. S. § 1-305(a)(ii)—(ix)).

(6) The person undertakes as a condition of the exemption only to offer and sell securities at auction if:

(i) No later than 24 hours prior to the auction of a security Forms AU-1 and AU-2 are completed.

(ii) No later than 24 hours prior to the auction of any security Forms AU-1 and AU-2 (except for Part C) are conspicuously posted at the place of the auction.

(iii) Immediately prior to the auction of any security, the information appearing on the responses to questions on Form AU-1 are publicly announced at the auction.

(iv) Immediately prior to the auction of any security, the information appearing on the response to questions on Form AU-2, Part B, items 3(a)—(f) are publicly announced at the auction.

(7) The person undertakes to comply with the provisions of the act, including the anti-fraud provisions contained in Part IV of the act (70 P. S. §§ 1-410—1-407) and the advertising provisions contained in section 606(c) of the act (70 P. S. § 1-606(c)).

(8) The person offers and sells at auction only securities in a ] The person engages only in effecting transactions in securities at an auction or for sale at auction which constitute a "nonissuer transaction" as that term is defined in section 102(m) of the act (70 P. S. § 1-102(m)).

[ (9) The person shall at all times maintain a complete set of books, records, and accounts of such sales of securities including copies of Forms AU-1 and AU-2 utilized in any offers or sales of securities, for a period of 3 years.

(10) The person shall take such steps as may be necessary to ensure that all material information contained in its Form 302-F1 remains current and accurate. In the event that any material statement made in such forms, or in any attachments thereto becomes incorrect or inaccurate, the applicant shall file with the Commission an amendment on Form AM within 10 business days of the occurrence of the event which required the filing of such amendment.

(11) The person is not the subject of an order issued by the Commission denying, suspending or revoking the exemption claimed under this section. ]

(4) The person does not effect transactions in securities at an auction or for sale at auction more than three times in any consecutive period of 24 months.

(5) The person and any affiliate of the person currently is not subject or, within the past 10 years, was not subject to any of the following:

(i) An order described in section 305(a)(iv) of the act (70 P. S. § 1-305(a)(iv)).

(ii) An injunction described in section 305(a)(iii) of the act.

(iii) A criminal conviction described in section 305(a)(ii) of the act.

(iv) An order of the Commission issued under section 512 of the act (70 P. S. § 1-512).

(v) A court order finding civil contempt under section 509(c) of the act (70 P. S. § 1-509(c)).

(vi) An order of the Commission imposing an administrative assessment under section 602.1 of the act (70 P. S. § 1-602.1) which has not been paid in full.

(b) [ For purposes of all items other than subsection (a)(5) and (11), "person" means all affiliated auctioneers and apprentice auctioneers working with and for the same auctioneer.

(c) ] Solely for purposes of subsection [ (a)(8) ] (a)(3), a transaction where a bank, as that term is defined in section 102(d) of the act (70 P. S. § 1-102(d)), acting as a

fiduciary under a trust agreement, estate administration or other similar relationship, causes [ its ] the bank's securities to be offered and sold at auction from such [ persons' ] accounts shall be deemed to be a nonissuer transaction.

[ (d) The following forms are part of this section: ]

*(Editor's Note.* As part of this proposed rulemaking, the Commission is proposing to delete the text of Forms 302-F1, AU-1 and AU-2, which currently appear at 64 Pa. Code pages 302-4—302-12, serial pages (234918)—(234926).)

§ 302.062. [ Publishers exemption from investment adviser registration ] (Reserved).

[ (a) Under section 302(f) of the act (70 P. S. § 1-302(f)), the Commission deems it appropriate in the public interest to exempt investment advisers from the registration provisions of section 301 of the act (70 P. S. § 1-301) if the investment advisers fulfill the requirements of this subsection:

(1) The person's investment advisory activities in this Commonwealth are limited solely to being a publisher of a bona fide newspaper, news column, news magazine or business or financial publication with a general, regular and paid circulation or being a publisher of a securities advisory newsletter with a regular and paid circulation which does not provide advice to subscribers on their specific investment situation.

(2) The person, or an affiliate thereof, whether prior or subsequent to becoming associated with the person, has not been subject to any of the following:

(i) Conviction within the past 10 years of a crime described in section 305(a)(ii)(A) of the act (70 P. S. § 1-305(a)(ii)(A)).

(ii) Sanctions described in section 305(a)(iii) of the act (70 P. S. § 1-305(a)(iii)).

(iii) A finding within the past 5 years that the person has met any of the criteria described in section 305(a)(iv) of the act (70 P. S. § 1-305(a)(iv)).

(b) The Commission may deny, suspend or revoke the exemption contained in this section for a person or an affiliate thereof, whether prior or subsequent to becoming associated with the person, if it finds the person or affiliate to meet the criteria set forth in any of the following clauses of section 305(a) of the act: (i), (ii)(B), (ii)—(xiii) (70 P. S. §§ 1-305(a)(i), (ii)(B), (iii)—(xiii)). ]

§ 302.064. [ Philadelphia ] Stock Exchange exemption from agent registration.

Under the authority contained in section 302(f) of the act (70 P. S. § 1-302(f)), the Commission deems it appropriate in the public interest to exempt agents from the registration provisions of section 301 of the act (70 P. S. § 1-301), if [ the individuals fulfill the ] all the following requirements [ of this section. ] are met:

(1) The agent is representing a broker-dealer which [ is ] meets the following requirements:

\* \* \* \* \*

(ii) A member of [the Philadelphia Stock Exchange] a National securities exchange registered with the United States Securities and Exchange Commission under the Securities Exchange Act of 1934 (15 U.S.C.A. §§ 78a—78kk).

(2) The agent's only customers are broker-dealers [which are] registered with the United States Securities and Exchange Commission under the Securities Exchange Act of 1934 [(15 U.S.C.A. §§ 78a—78kk)] or section 301 of the act.

(3) The agent is not subject to a currently effective order under section 305 of the act (70 P.S. § 1-305) denying, suspending, conditioning or revoking registration or [another] an order of the Commission [baring the individual from any form of relationship with a person registered under section 301 of the act] issued under section 512 of the act (70 P.S. § 1-512).

**CHAPTER 303. REGISTRATION PROCEDURE**

**§ 303.011. Broker-dealer registration procedures.**

(a) An application for initial registration as a broker-dealer shall contain the information requested in and shall be made on Uniform Application for Broker-Dealer Registration (Form BD), or a successor form, and shall be made in the following manner[.]:

(1) [The] An applicant which is not a member of the National Association of Securities Dealers, Inc. (NASD) or a member of a National securities exchange registered with the United States Securities and Exchange Commission (SEC) under the Securities Exchange Act of 1934 (15 U.S.C.A. §§ 78a—78kk) shall complete and file one copy of Form BD with the Commission accompanied by the requisite filing fee required by section 602(d.1) of the act (70 P.S. § 1-602(d.1)), the compliance assessment required by section 602.1(a)(3) of the act (70 P.S. § 1-602.1(a)(3)), and financial statements in the form required by subsections (b) and (c).

(2) An applicant which is not a member of the NASD but is a member of a National securities exchange registered with the SEC under the Securities Exchange Act of 1934 shall complete and file one copy of Form BD with the Commission accompanied by the requisite filing fee required by section 602(d.1) of the act and the compliance assessment required by section 602.1(a)(3) of the act.

(3) An applicant which is a member of NASD shall file Form BD in the manner set forth in § 606.011(f) (relating to filing requirements) accompanied by the filing fee required by section 602(d.1) of the act and the compliance assessment required by section 602.1(a)(3) of the act.

(b) [Except as set forth in subsection (d)] Except for applicants described in subsections (a)(2) and (3), every application shall be accompanied by a statement of the financial condition of the applicant prepared in accordance with generally accepted accounting principles and accompanied by an auditor's report containing an unqualified opinion of an independent certified public accountant [or independent public accountant]. The audited statement of financial condition shall be as of the end of the applicant's most recent fiscal year, or the preceding fiscal year if the statement of financial condition for the most recently ended fiscal year is unavailable and if the application is filed within 14 months of the end

of the preceding fiscal year. If the date of the most recent audited statement of financial condition is more than 45 days prior to the date of filing, the applicant also shall file an unaudited statement of financial condition as of a date within 45 days of the date of filing. As a part of the statement, the Commission may require the filing of separate schedules:

\* \* \* \* \*

(c) [For] Except for applicants described in subsections (a)(2) and (3), an applicant that has commenced to act as a broker-dealer, the audited statement of financial condition shall be accompanied by an audited statement of income as of the end of the applicant's most recent fiscal year, or the preceding fiscal year if the statement of income for the most recently ended fiscal year is unavailable and if the application is filed within 14 months of the end of the preceding fiscal year.

(d) [As an alternative to subsections (b) and (c), an application filed by a member organization of the Philadelphia Stock Exchange (PHLX) that does not conduct business with customers as defined in Rule 17a-5 promulgated under the Securities and Exchange Act of 1934 (15 U.S.C.A. §§ 78a—78kk), and is designated to PHLX for financial responsibility under Rule 17d-1 promulgated under the Securities Exchange Act of 1934 and is exempt from Rule 15c3-1 or excluded under Rule 17a-5(d)(iii) promulgated under the Securities Exchange Act of 1934 may be accompanied by an unaudited statement financial condition, dated as of the end of the applicant's most recent fiscal year prepared in accordance with generally accepted accounting principles. The statement financial condition of shall be supplemented by a schedule of minimum net capital or minimum net liquid assets as defined in PHLX Rule 703] An applicant described in subsection (a)(2) or (3) shall provide the Commission, within 5 days of receipt of a written or electronic request, a copy of any financial statement or financial information required by SEC rules or the rules of a National securities association or National securities exchange registered with the SEC of which the applicant is a member.

(e) A broker-dealer registered under the act shall take [the] steps necessary to ensure that [the] material information contained in its Form BD remains current and accurate. If a material statement made in Form BD becomes incorrect or inaccurate, the broker-dealer shall file with the Commission [amended pages of] an amendment on Form BD [in accordance with General Instruction to Form BD] within 30 days of the occurrence of the event which required the filing of the amendment.

**§ 303.013. Agent registration procedures.**

(a) An application for initial registration as an agent of a broker-dealer or issuer shall contain the information requested in and shall be made on Uniform Application for Securities [Futures] Industry Registration or Transfer (Form U-4) or a successor form. [The] Except as provided in subsection (b), the agent and the broker-dealer or issuer shall complete and file with the Commission one copy of Form U-4 and exhibits thereto accompanied by the [requisite] filing fee [and exhibits, to include fingerprints. However, fingerprints are not required to be filed by an agent or a

member firm of the National Association of Securities Dealers, Inc. which firm's agents are exempt under Securities and Exchange Commission Rule 17f-2 (17 CFR 240.17f-2) (relating to fingerprinting of securities industry personnel) from the fingerprinting requirements of section 17(f)(2) of the Securities Exchange Act of 1934 (15 U.S.C.A. § 78q) ] required by section 602(d.1) of the act (70 P.S. § 1-602(d.1)), the compliance assessment required by section 602.1(a)(1) of the act (70 P.S. § 1-602.1(a)(1)) and evidence of passage of the examinations required by § 303.031 (relating to examination requirements for agents).

(b) [ Every broker-dealer or issuer for whom agents are to be registered shall obtain from the agent and preserve the information described in paragraphs (1)—(4) with respect to each agent. While this information is required to be maintained by the broker-dealer or issuer, it otherwise is not required to be filed with the Commission on Form U-4.

(1) The name, address, date of birth, social security number and the starting date of employment or other association with the broker-dealer or issuer.

(2) The complete educational background and a complete statement of the agent's principal business or occupation for the preceding 10 years, including the reason for leaving each prior employment.

(3) A record of a denial of registration, disciplinary action taken or sanction imposed by a Federal or state agency, or by a National securities exchange or National securities association, including a finding that the agent was a cause of disciplinary action or had violated a statute.

(4) A record of convictions for a felony or misdemeanor except minor traffic offenses, of which the agent has been the subject ]

An applicant for registration as an agent of a broker-dealer which is a member firm of the National Association of Securities Dealers (NASD) shall file the following items in the manner set forth in § 603.011(f) (relating to filing requirements):

(1) A completed and executed Form U-4 and exhibits thereto.

(2) The filing fee required by section 602(d.1) of the act.

(3) The compliance assessment required by section 602.1(a)(1) of the act.

(4) Evidence of passage of the examinations required by § 303.031.

(c) An agent and broker-dealer or issuer shall take necessary steps to ensure that material information contained in Form U-4 remains current and accurate. If a material statement made in the Form U-4 becomes incorrect or inaccurate, the agent and broker-dealer or issuer shall file with the Commission an amendment to Form U-4 within 30 days of the occurrence of the event which requires the filing of the amendment.

§ 303.031. Examination requirement for agents.

[ Prior to an individual becoming registered as an agent for a broker-dealer or issuer, the individual shall receive a passing grade on the following examinations: ]

(a) An individual may not be registered as an agent under the act unless the individual has met the requirements of subsections (b) and (c).

[ (1) The ] (b) The applicant has received a passing grade on the securities examination for principals or registered representatives administered by the National Association of Securities Dealers, Inc. (NASD), the New York Stock Exchange or the United States Securities and Exchange Commission within 2 years prior to the date of filing an application for registration [ or ]. An applicant will be deemed to have met the requirements of this subsection if any of the following apply:

(i) The applicant previously has passed the examination and has not had a lapse in employment with a broker-dealer for a period exceeding 2 years.

(ii) The applicant has received a waiver of the examination requirement by the NASD.

(iii) The applicant has received a Commission order waiving the examination requirement.

[ (2) The ] (c) The applicant has received a passing grade on the Uniform Securities Agent State Law Examination (Series 63) or, alternatively, the Uniform Combined State Law Examination (Series 66) and the General Securities Representative Examination (Series 7) or successor examination administered by the [ National Association of Securities Dealers, Inc. ] NASD within 2 years prior to the date of filing an application for registration [ , or, ]. An applicant will be deemed to have met the requirements of this subsection if any of the following apply:

(i) The applicant previously has passed the Series 63 or, alternatively, the Series 66 and Series 7, and has not had a lapse in employment with a broker-dealer for a period exceeding 2 years.

(ii) The applicant has received a Commission order waiving the requirement to take the Series 63 or, alternatively, the Series 66 and Series 7.

§ 303.041. Broker-dealer capital requirements.

(a) Except as set forth in [ subsections (e) and (f) ] subsection (e), every broker-dealer registered [ or required to be registered ] under section 301 of the act (70 P.S. § 1-301) shall maintain net capital of \$25,000. The aggregate indebtedness of a registered broker-dealer may not exceed 1500% of its net capital. For purposes of this section, the terms "net capital" and "aggregated indebtedness" have the meanings set forth in Rule 15c3-1 (17 CFR 240.15c3-1) (relating to net capital requirements for brokers and dealers) promulgated under the Securities Exchange Act of 1934 (15 U.S.C.A. §§ 78a—78kk).

(b) As a condition of the right to continue to transact business, every broker-dealer [ shall ] registered under the act that is not registered as a broker-dealer with the United States Securities and Exchange Commission (SEC) under the Securities Exchange Act (15 U.S.C.A. §§ 78a—78kk) immediately shall notify the Commission if the broker-dealer's aggregate indebtedness exceeds 1500% of its net capital or [ that ] if its total net capital is less than the minimum required. [ Broker-dealers complying with subsection (e) shall immediately notify the Commission if the broker-dealer's net capital or net liquid assets are



**less than the minimum required.** ] Within 24 hours after transmitting the notice, **[ each ]** the broker-dealer shall file a report of its financial condition **with the Commission** including the following:

\* \* \* \* \*

(d) The Commission may by order permit an applicant for registration **as a broker-dealer under section 301 of the act which is not registered or has not applied for registration as a broker or dealer with the SEC** to file, execute and maintain a surety bond **[ in the form required by section 303(e) of the act (70 P. S. § 1-303(e)) and this chapter in the amount of \$10,000 where it deems the surety bond to be necessary or appropriate in the public interest or for the protection of customers and the bond may be deemed a part of the \$25,000 minimum net capital of the applicant as required by this section ]** in compliance with § 303.051 (relating to surety bonds).

(e) Every broker-dealer registered **[ or required to be registered ]** under section 301 of the act **[ and ]** that is registered **as a broker or dealer with the [ Securities and Exchange Commission or a member of the National Association of Securities Dealers, Inc. ]** SEC shall maintain minimum net capital and comply with the aggregate indebtedness requirements as set forth in Rule 15c3-1 (17 CFR 240.15c3-1)(relating to net capital requirements for brokers and dealers) promulgated under the Securities Exchange Act of 1934.

**[ (f) As an alternative to subsection (a), every broker-dealer registered or required to be registered under the act that is a member organization of the Philadelphia Stock Exchange (PHLX) shall maintain minimum net capital or minimum net liquid assets in accordance with PHLX Rule 703. ]**

**CHAPTER 304. POSTREGISTRATION PROVISIONS**  
**§ 304.011. Broker-dealer required records.**

(a) Every broker-dealer registered **[ or required to be registered ]** under section 301 of the act (70 P. S. § 1-301) shall make and keep the **[ following books, ledgers and ]** records required to be maintained as described in **[ Rules ]** Rule 17a-3 **[ and 17a-4 ]** (17 CFR 240.17a-3 **[ and 240.17a-4 ]**) (relating to records to be made by certain exchange members, brokers and dealers **[ ; and records to be preserved by certain exchange members, brokers and dealers ]**) adopted under the Securities Exchange Act of 1934 (15 U.S.C.A. §§ 78a—78kk).

(b) **[ As a condition of the right to continue to transact business in this Commonwealth, a registered broker-dealer shall ]** A broker-dealer registered under the act that is not registered as a broker or dealer with the United States Securities and Exchange Commission (SEC) immediately shall notify the Commission if the broker-dealer fails to make and keep current the books and records required by this section. Within 24 hours after filing the notice with the Commission, the broker-dealer shall file with the Commission a report stating what steps have been taken and are being taken to fully comply with this section. **[ The report may be made by filing with the Commission copies of the analogous report required by the National Association of Securities Dealers, Inc., or the Securities and Exchange Commission. ]**

(c) Every broker-dealer registered **[ or required to be registered ]** under the act shall make, keep and preserve either a separate file of written complaints of customers and actions taken by the broker-dealer in response thereto, or a separate record of the complaints and a clear reference to the files containing the correspondence connected with the complaint maintained by the broker-dealer. A “complaint” shall be deemed to include a written statement of a customer or a person acting on behalf of a customer or a written notation of verbal communication alleging a grievance involving the purchase or sale of securities, the solicitation or execution of a transaction or the disposition of securities or funds of the customer. A registered broker-dealer that also is registered as a broker or dealer with the SEC shall be deemed to be in compliance with the requirements of this subsection if it maintains records of customer complaints as prescribed by applicable SEC rules.

(d) **[ The term “customer” of the broker-dealer as used in this section includes every person except the broker-dealer.**

(e) **[ The records required to be maintained under this section shall be retained and preserved for [ inspection by the Commission for a period of 5 years, the period to be measured from the date of the last entry therein or from the date of receipt of the communication or other information contained therein ] the period of time designated in Rule 17a-4 (17 CFR 240.17a-4) (relating to records to be preserved by certain exchange members, brokers and dealers) promulgated under the Securities Exchange Act of 1934 (15 U.S.C.A. §§ 78a—78kk) and made easily accessible for inspection by the Commission or its representatives. The retention and preservation of records as required in this section may be upon microfilm, microfiche, or any similar medium; electronic or digital storage medium; computer disks or tapes or other similar recording process if adequate facilities are maintained for the examination of the facsimiles and if enlargements or paper copies of the facsimiles can be provided promptly upon reasonable request of the Commission or its representatives.**

**§ 304.021. Broker-dealer required financial reports.**

(a) Every **[ registered ]** broker-dealer registered under the act which is not registered as a broker or dealer with the United States Securities and Exchange Commission (SEC) under the Securities Exchange Act of 1934 (15 U.S.C.A. §§ 78a—78kk) shall file annually with the Commission a report consisting of a statement of financial condition as of the end of its fiscal year and an income statement for the year then ended.

(b) **[ Except as set forth in subsections (c) and (d), the ]** The annual report of financial condition filed under this section shall be prepared in accordance with generally accepted accounting principles and accompanied by an auditor’s report containing an unqualified opinion of an independent certified public accountant **[ or independent public accountant ]**. The accountant shall submit as a supplementary opinion comments, based upon the audit, as to material inadequacies found to exist in the accounting system, the internal accounting controls and procedures taken for safeguarding securities and shall indicate corrective action taken or proposed.

(c) **[ For purposes of this section, if the subject broker-dealer is registered with the Securities and**

Exchange Commission, the filing with the Commission of the information required by Form X-17A-5 promulgated under section 17 of the Securities Exchange Act of 1934 (15 U.S.C.A. § 78g), by the Securities and Exchange Commission, 17 CFR 249.617 shall be deemed to be in compliance with this section ] A broker-dealer registered under the act which also is registered as a broker or dealer with the SEC shall provide the Commission, within 5 days of receipt of a written or electronic request, a copy of any financial statement, financial report or other financial information required by SEC rules or the rules of a National securities association or National securities exchange registered with the SEC of which the applicant is a member.

(d) [ As an alternative to subsection (b), a member organization of the Philadelphia Stock Exchange (PHLX) that complies with the following may file annually with the Commission the reports required by PHLX Rule 703(c):

(1) Does not conduct business with customers as defined in Rule 17a-5 promulgated under the Securities and Exchange Act of 1934 (15 U.S.C.A. §§ 78a—78kk).

(2) Is designated to PHLX for financial responsibility under Rule 17d-1 promulgated under the Securities Exchange Act of 1934.

(3) Is exempt from Rule 15c3-1 or excluded under Rule 17a-5(d)(iii) promulgated under the Securities Exchange Act of 1934.

(e) ] The report required by this section shall be filed within 120 days following the end of the broker-dealer's fiscal year.

[ (f) A broker-dealer that receives a Securities and Exchange Commission no-action letter waiving the filing of the initial annual audited financial report required by Rule 17a-5 (17 CFR 240.17a-5) promulgated under the Securities Exchange Act of 1934, is not required to file the initial annual audited financial report required by this section, if the next annual audited financial report of the broker-dealer covers the entire period from the date of registration of the broker-dealer with the Commission. ]

§ 304.041. Examinations of broker-dealers and investment advisers.

In the conduct of an examination authorized under section 304(d) of the act (70 P. S. § 1-304(d)), every broker-dealer and investment adviser registered under the act shall honor all requests by representatives of the Commission to have physical access to all areas of the office which is the subject of the examination and, upon request, shall permit them to review and examine files in the physical place where the files routinely are maintained. In complying with a request, a representative of the broker-dealer or investment adviser may accompany the representatives of the Commission.

§ 304.051. Broker-dealer compensation.

No broker-dealer registered [ or required to be registered ] under the act may charge or receive commissions or other compensation in connection with the purchase or sale of securities unless the compensation is fair and reasonable and is determined on an equitable basis,

adequately disclosed to each customer in writing at or prior to final confirmation[ , provided that the charges, commissions or other compensation consistent with rates set by a national securities exchange, when applied to transactions on that exchange, or with the rules of the Securities and Exchange Commission or national securities association registered under the Securities Exchange Act of 1934 (15 U.S.C.A. §§ 78a—78kk), or compensation ]. Compensation which complies with the Conduct Rules [ of Fair Practice ] of the National Association of Securities Dealers, Inc. [ , may not be deemed unreasonable ] shall be deemed fair and reasonable and, unless otherwise required to be disclosed in writing by [ such ] the Conduct Rules [ of Fair Practice ], need not be disclosed in writing.

#### Subpart F. ADMINISTRATION

#### CHAPTER 606. MISCELLANEOUS POWERS OF COMMISSION

##### § 606.031. Advertising literature.

(a) [ In connection with a registration statement filed under the Securities Act of 1933 (15 U.S.C.A. §§ 77a—77aa), or exempt under section 3(b) of the Securities Act of 1933 (15 U.S.C.A. § 77c(b)), prior to effectiveness with the Commission, no person shall publicly disseminate an advertisement, display, pamphlet, brochure, letter or other communication used or to be used or circulated in connection with a primary or secondary offering of securities (referred to in this section as “advertising literature”) except:

(1) Tombstone advertisements permitted under the Securities Act of 1933 (15 U.S.C.A. §§ 77a—77aa) and the Investment Company Act of 1940 (15 U.S.C.A. §§ 80a-1—80a-52) and the rules and regulations promulgated thereunder.

(2) A preliminary prospectus or offering circular filed under section 203(h) of the act (70 P. S. § 1-203(h)).

(3) Advertising literature which has been prepared, submitted and cleared in conformity with the applicable regulations or procedures adopted by the Securities and Exchange Commission or the National Association of Securities Dealers, Inc. ] *Advertisements.* Except as permitted by section 606(c) of the act (70 P. S. § 1-606(c)), a person may not publish any advertisement concerning any security in this Commonwealth unless all of the following are met:

(1) The advertisement is either :

(i) Permitted by this section and complies with any requirements imposed by this section.

(ii) Specifically excluded from application of this section by subsection (f).

(2) The character and composition of the statements and graphics contained in the advertisement are not such as to exaggerate the investment opportunity, overemphasize any aspect of the offering, minimize the risks of the enterprise or predict revenues, profits or payment of dividends (including financial projections or forecasts).

(3) The advertisement does not contain any statement that is false or misleading in any material

respect or omits to make any material statement necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading.

(b) [No formal filing with or approval by the Commission with respect to the advertising literature enumerated under subsection (a)(1) and (3) will be required; however, the advertising literature shall be subject to the antifraud provisions of the act (70 P. S. §§ 1-401—1-407) and Subpart D (relating to fraudulent and prohibited practices) and all regulations adopted thereunder.] *Registered offerings; Permitted advertisements after filing but prior to effectiveness.* The following apply with respect to publication of advertisements in this Commonwealth in connection with an offering of securities in this Commonwealth for which a registration statement has been filed with the Commission under section 205 or 206 of the act (70 P. S. § 1-205 or § 1-206) that has not yet become effective.

(1) In connection with a registration statement filed with the Commission under section 205 or 206 of the act (70 P. S. § 1-205 or § 1-206) for the sale of securities in this Commonwealth which also are the subject of a registration statement filed under section 5 of the Securities Act of 1933 (15 U.S.C.A. § 77e), a person may publish any of the following in this Commonwealth prior to effectiveness of the registration statement under the act:

(i) Advertisements which comply with section 2(a)(10)(b) of the Securities Act of 1933 (15 U.S.C.A. § 77b(a)(10)(b)).

(ii) Advertisements which comply with Rule 134 (17 CFR 230.134) (relating to communications not deemed a prospectus) promulgated by the United States Securities and Exchange Commission (SEC).

(iii) A preliminary prospectus which is part of a registration statement that has been filed with the SEC pursuant to section 5 of the Securities Act of 1933 (15 U.S.C.A. § 77e) which complies with Rule 430 (17 CFR 230.430) (relating to prospectus for use prior to effective date) promulgated by the SEC.

(iv) A summary prospectus which is part of a registration statement that has been filed with the SEC pursuant to section 5 of the Securities Act of 1933 which complies with Rule 431 (17 CFR 230.431) (relating to summary prospectus) promulgated by the SEC.

(2) In connection with an offering circular for the offer and sale of securities in this Commonwealth filed with the SEC pursuant to Regulation A (17 CFR 230.251—230.263) (relating to conditional small issues exemption) promulgated under section 3(b) of the Securities Act of 1933 (15 U.S.C.A. § 77c(b)) and with the Commission under section 205 or 206 of the act, a person may publish an advertisement in this Commonwealth that complies with Rule 251(d)(1)(ii)(C) (17 CFR 230.251(d)(1)(ii)(C) (relating to scope of exemption) promulgated by the SEC prior to effectiveness of the offering circular under the act if the advertisement is filed with the Commission 10 days before publication in this Commonwealth and, prior to the expiration of the 10-day period, the Commission does not issue a letter disallowing its publication in this Commonwealth.

(3) In connection with a registration statement filed with the Commission under section 206 of the act for the offer and sale of securities in this Commonwealth for which no registration statement has been filed with the SEC in reliance on section 3(a)(4) or (11) of the Securities Act of 1933 and regulations promulgated thereunder or Rule 504 (17 CFR 230.504) (relating to exemption for limited offerings and sales of securities not exceeding \$1,000,000) promulgated by the SEC under section 3(b) of the Securities Act of 1933, a person may publish an advertisement in this Commonwealth prior to effectiveness of the registration statement under the act if all of the following are met:

(i) The advertisement contains no more than the following:

(A) The name and address of the issuer of the security.

(B) The title of the security, the number of securities being offered, the total dollar amount of securities being offered, yield, and the per unit offering price to the public.

(C) A brief, generic description of the issuer's business.

(D) A statement, if applicable, that completion of the offering is subject to receipt of subscriptions meeting a stated minimum offering amount.

(E) A statement providing the name and address of the underwriter or where a prospectus may be obtained.

(F) A statement in the following form: "A registration statement has been filed with the Pennsylvania Securities Commission but has not yet become effective. These securities may not be sold nor may offers to buy be accepted prior to the time the registration statement becomes effective. This advertisement does not constitute an offer to sell or the solicitation of an offer to buy nor shall there be any sale of these securities in the Commonwealth of Pennsylvania prior to registration of the securities under the Pennsylvania Securities Act of 1972."

(ii) The advertisement is filed with the Commission 10 days before publication in this Commonwealth and, prior to the expiration of the 10 day period, the Commission does not issue a letter disallowing its publication in this Commonwealth.

(c) [In connection with a registration statement filed under the Securities Act of 1933 (15 U.S.C.A. §§ 77a—77aa), or exempt under section 3(b) of the Securities Act of 1933 (15 U.S.C.A. § 77c(b)), where the security or securities transaction is exempt under section 202 or 203 of the act (70 P. S. § 1-202 or § 1-203), the advertising literature may be publicly disseminated if it is not otherwise prohibited by section 202 or 203 of the act (70 P. S. § 1-202 or § 1-203). No additional formal filing with or approval by the Commission with respect to the advertising literature shall be required, however, the advertising literature shall be subject to the antifraud provisions of the act (70 P. S. §§ 1-401—1-407) and Subpart D.] *Registered offerings; Permitted advertisements after effectiveness.* The following apply with respect to publication of advertisements in this Commonwealth in connection with an offering of securities in this Commonwealth for which a

registration statement has become effective under section 205 or 206 of the act.

(1) In connection with a registration statement filed with the Commission under section 205 or 206 of the act for the offer and sale of securities in this Commonwealth which also are the subject of a registration statement filed under section 5 of the Securities Act of 1933 which has become effective, a person may publish an advertisement in this Commonwealth if it is preceded or accompanied by a copy of the final prospectus.

(2) In connection with an offering circular for the offer and sale of securities in this Commonwealth that has been filed with the SEC pursuant to Regulation A (17 CFR 230.251—230.263) promulgated under section 3(b) of the Securities Act of 1933 and with the Commission under section 205 or 206 of the act and has been qualified by the SEC under Regulation A and has become effective under section 205 or 206 of the act, a person may publish an advertisement in this Commonwealth if the advertisement is accompanied or preceded by a copy of the final offering circular.

(3) In connection with a registration statement filed with the Commission under section 206 of the act for the offer and sale of securities in this Commonwealth for which no registration statement has been filed with the SEC in reliance on section 3(a)(4) or (11) of the Securities Act of 1933 and regulations promulgated thereunder or Rule 504 (17 CFR 230.504) promulgated by the SEC under section 3(b) of the Securities Act of 1933 that has become effective under the act, a person may publish in this Commonwealth an advertisement if all of the following are met:

(i) The advertisement contains no more than the following:

(A) The name and address of the issuer of the security.

(B) The title of the security, the number of securities being offered, the total dollar amount of securities being offered, yield, and the per unit offering price to the public.

(C) A brief, generic description of the issuer's business.

(D) A statement, if applicable, that completion of the offering is subject to receipt of subscriptions meeting a stated minimum offering amount.

(E) A statement, if applicable, that funds accompanying the subscription agreement are subject to escrow and the terms of the escrow.

(F) The name and address where the final prospectus may be obtained if delivery of the final prospectus does not precede or accompany the advertisement.

(G) A statement in the following form: "The securities being offered have been registered with the Pennsylvania Securities Commission. The fact that the securities have been registered does not mean that the Pennsylvania Securities Commission approves or disapproves of the offering or has found the prospectus to be true, accurate or not misleading. Any representation to the contrary is a criminal offense."

(ii) The advertisement is filed with the Commission 5 days before publication in this Commonwealth and, prior to the expiration of the 5-day period, the Commission does not issue a letter disallowing publication in this Commonwealth.

(4) A person may not publish an advertisement in this Commonwealth in connection with the offer and sale of any security registered under section 205 or 206 of the act at any time after the expiration of the effective period of the registration statement relating to that security as determined by section 207 of the act (70 P. S. § 1-207).

(d) [ In connection with a registration statement filed under section 206 of the act (70 P. S. § 1-206) in reliance on section 3(a)(11) or (a)(4) of the Securities Act of 1933 (15 U.S.C.A. § 77c(a)(11) or (a)(4)), and the rules and regulations promulgated thereunder prior to effectiveness with the Commission, no person may publicly disseminate advertising literature including a tombstone advertisement. ] *Exempt securities.* The following apply:

(1) *Exempt securities other than sections 202(a) and 202(i).* Except as provided in paragraphs (2) and (3), a person may publish an advertisement in this Commonwealth in connection with the offer or sale of a security in this Commonwealth which is exempt under section 202 of the act.

(2) *Section 202(a).* In connection with the offer or sale of any security in this Commonwealth made in reliance on section 202(a) of the act which is issued by the Commonwealth, any political subdivision, or any agency or corporate or instrumentality thereof and which security represents less than a general obligation of the issuer, a legend adequately describing the limited nature of the obligation shall appear prominently in bold face type of at least 12 points in size on the face page of any preliminary offering statement, official offering statement or advertisement published in this Commonwealth.

(3) *Section 202(i).* A person may publish an advertisement in this Commonwealth in connection with the offer or sale of a security in this Commonwealth which is exempt under section 202(i) of the act except where the Commission, by rule or order, has prohibited use of advertisements as a condition of the availability of the exemption.

(e) [ In connection with a registration statement filed under section 206 of the act (70 P. S. § 1-206) in reliance on section 3(a)(11) or (a)(4) of the Securities Act of 1933 (15 U.S.C.A. § 77c(a)(11) or (a)(4)), and the rules and regulations promulgated thereunder which registration statement has become effective with the Commission, advertising literature containing no more than the following information may be publicly disseminated:

(1) Name and address of issuer.

(2) Identity of title or security.

(3) Per unit offering price, yield, number of shares and amount of offering.

(4) Brief, generic description of business.

(5) Name and address of underwriter or address where offering circular or prospectus can be obtained.

(6) Date of issuance.

(7) Statement, based upon opinion of counsel, as to the status of the security for property tax purposes.

(8) Statement that the advertisement is neither an offer to sell nor a solicitation of an offer to buy and that the offer is made only by the prospectus. ] *Exempt transactions.* The following apply:

(1) *Advertisements permitted.* Except as provided in paragraph (2), a person may publish any advertisement in this Commonwealth in connection with a securities transaction in this Commonwealth which is exempt from registration under section 203 of the act.

(2) *Advertisements prohibited.* A person may not publish any advertisement in this Commonwealth in connection with the following securities transactions which are effected in this Commonwealth:

(i) A sale of a security made in reliance on section 203(d) of the act.

(ii) An offer of a security made in reliance on section 203(e) of the act which results in a sale under section 203(d) of the act.

(iii) An offer or sale of a security made in reliance on section 203(j) of the act.

(iv) An offer or sale of a security made in reliance on section 203(s) of the act.

(v) An offer or sale of a security made in reliance on § 203.187 (relating to small issuer exemption).

(vi) An offer or sale of a security made in reliance on § 203.189 (relating to isolated transaction exemption).

(vii) An offer or sale of a security which is exempt under section 203(r) of the act when the Commission, by rule or order, has prohibited use of advertisements as a condition of the availability of the exemption.

(f) [ The character and composition of information listed in subsection (e) shall be such as to accurately inform without misleading or overemphasizing particular aspects of the offering. ] *Excluded advertisements.* The following apply:

(1) This section does not apply to advertisements described in paragraph (2) if all of the following are met:

(i) The character and composition of the statements and graphics contained in the advertisement are not such as to exaggerate the investment opportunity, overemphasize any aspect of the offering, minimize the risks of the enterprise or predict revenues, profits or payment of dividends (including financial projections or forecasts).

(ii) The advertisement does not contain any statement that is false or misleading in any material respect or omits to make any material statement necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading.

(2) The following advertisements are excluded from the provisions of this section if the requirements of paragraph (1) have been met:

(i) Use of general solicitation in connection with the offer or sale of a security in reliance on section 203(t) of the act.

(ii) Advertisements which comply with Rule 135 promulgated by the SEC (17 CFR 230.135) (relating to notice of proposed registered offering).

(iii) Advertisements which comply with Rule 135c promulgated by the SEC (17 CFR 230.135c) (relating to notice of certain proposed unregistered offerings).

(iv) Advertisements in connection with an offer of a security in reliance on § 203.190 (relating to certain Internet offers exempt) which comply with the legend requirement of § 203.190(a)(1).

(g) [ For purposes of this section, an advertisement, display, pamphlet, brochure, letter or other communication shall be deemed "publicly disseminated" if communicated to 50 or more persons or otherwise communicated, used or circulated in a public manner. ] *Definitions.* For purposes of this chapter, the following terms have the following meanings:

*Advertisement*—The meaning in section 102(a) of the act (70 P.S. § 1-102(a)). The term "communication" as used in that definition includes, without limitation, letters, brochures, pamphlets, displays, sales literature and any form of electronic communication, including e-mail, which is used in connection with a sale or purchase or an offer to sell or purchase a security. The term "publicly disseminated" as used in that definition means that the communication has been directed to or, in fact, communicated to more than 50 persons in this Commonwealth.

*Publish*—The meaning in section 102(p) of the act and includes any form of electronic communication, including Internet and e-mail.

(h) *SEC interpretive advice on use of electronic media.* A person who uses electronic media to publish an advertisement in this Commonwealth in connection with a security which is the subject of a registration statement filed with the Commission under section 205 or 206 of the act and with the SEC under section 5 of the Securities Act of 1933 may rely on the interpretive advice of the SEC in SEC Release No. 33-7856 (April 28, 2000) and subsequent advice given pursuant to that Release. To the extent that the interpretive advice contradicts any requirement in subsection (a)(1) or (b)(1), the Commission will not take any enforcement action if the person complies with the interpretive advice.

§ 606.032. [ Cash tender offers ] (Reserved).

[ (a) A person who proposes to make a cash tender offer for all or part of a class or classes of equity securities of an issuer or who requests an invitation for the tenders and who proposes to publicly disseminate advertisement, pamphlet, brochure, letter or other communication in connection therewith shall, prior to commencing the offer or request, file with the Commission a copy of the advertisement, pamphlet, brochure, letter or other communication; provided that, the provisions of this section do not apply to:

(1) An acquisition of securities by the issuer of the securities.

(2) An acquisition of a class of securities where less than 25% of the security holders of record of that class of the issuer's securities are residents of this Commonwealth.

(3) A purchase on a national securities exchange.

(4) An acquisition of the securities of a "reporting company" as that term is defined in section 102(q) of the act (70 P. S. § 1-102(q)) and the regulations thereunder.

No formal approval with respect to the advertisement, pamphlet, brochure, letter or other communications shall be subject to the antifraud provisions of the act and the regulations adopted thereunder.

(b) For the purpose of this section, when two or more persons act as a partnership, limited partnership, syndicate or other group for the purpose of acquiring, holding or disposing of securities of an issuer, the syndicate or group shall be deemed a "person."

(c) For the purpose of this section, the term "equity securities" shall include securities convertible into common or preferred stock or its equivalent and warrants or options to purchase the securities.

(d) For the purpose of this section, an advertisement, pamphlet, brochure, letter or other communication shall be deemed "publicly disseminated" if communicated to 50 or more persons or otherwise communicated, used or circulated in a public manner. ]

§ 606.033. [ Advertising of securities issued by governments, governmental agencies and political subdivisions ] (Reserved).

[ (a) Sales literature, sales presentations including prepared presentations to prospective investors and advertising published or distributed in connection with the offer and sale of securities issued by governments, governmental agencies, political subdivisions and other entities as enumerated in section 202(a) of the act (70 P. S. § 1-202(a)) complies with § 606.031(e) (relating to advertising literature).

(b) For purposes of this section: the term "advertising" does not include a prospectus, offering circular or official statement published or distributed in connection with the offer and sale of securities issued by governments, governmental agencies, political subdivisions and other entities enumerated in section 202(a) of the act (70 P. S. § 1-202(a)).

(c) A prospectus, offering circular or official statement published or distributed in connection with the offer and sale of securities issued by governments, governmental agencies, political subdivisions and other entities enumerated in section 202(a) of the act (70 P. S. § 1-202(a)) need not be filed with the Commission; however, a prospectus, offering circular or official statement shall be subject to the antifraud provisions of the act and the Subpart D (relating to fraudulent and prohibited practices).

(d) Where securities issued by governments, governmental agencies, political subdivisions and other entities as set forth in section 202(a) of the act (70 P. S. § 1-202(a)) constitute less than a general obligation of the issuer of the securities; appropriate language denoting the issuer's limited obligation shall prominently appear in bold face type on the face page of a prospectus, offering circular

or official statement; sales literature; and advertising published or distributed in connection with the offer and sale of the securities. ]

§ 606.034. [ Advertising of securities issued or guaranteed by banks or credit unions ] (Reserved).

[ (a) Sales literature; sales presentations, including prepared presentations to prospective investors; and advertising published or distributed in connection with the offer and sale of securities issued or guaranteed by banks under 202(b) of the act (70 P. S. § 1-202(b)) or credit unions under section 202(d) of the act (70 P. S. § 1-202(d)), except as set forth in subsection (b), may be publicly disseminated. No formal filing with or approval by the Commission with respect to advertising may be required; however, the advertising shall be subject to the antifraud provisions of the act (70 P. S. §§ 1-401—1-407) and Subpart D (relating to fraudulent and prohibited practices).

(b) Advertising published or distributed in connection with the offer and sale of equity securities or debt securities—other than evidences of indebtedness arising from a transfer of direct obligations of, or direction obligations that are fully guaranteed as to principal and interest by, the United States or an agency thereof that a bank or credit union is obligated to purchase—issued or guaranteed by banks under section 202(b) of the act (70 P. S. § 1-202(b)) or credit unions under section 202(d) of the act (70 P. S. § 1-202(d)) which are not insured by the Federal Deposit Insurance Corporation, the Federal Savings and Loan Insurance Corporation or the National Credit Union Administration and advertising which has not been prepared, submitted and cleared in conformity with the applicable regulations or procedures adopted by the Department of Banking or a similar agency of a foreign jurisdiction which regulates financial institutions, the Comptroller of Currency, the Federal Home Loan Bank Board or the National Credit Union Administration shall comply with the requirements of § 606.031(e) (relating to advertising literature).

(c) For purposes of this section, advertising does not include a prospectus, offering circular or written disclosure document prepared to satisfy the antifraud provisions of section 401(b) of the act (70 P. S. § 1-401(b)) which is used in connection with the offer and sale of securities issued or guaranteed by banks under section 202(b) of the act (70 P. S. § 1-202(b)) or credit unions under section 202(d) of the act (70 P. S. § 1-202(d)). The prospectus, offering circular or written disclosure document need not be filed with or approved by the Commission prior to its use; however, a prospectus, offering circular or written disclosure document shall be subject to the antifraud provisions of the act (70 P. S. §§ 1-401—1-407) and Subpart D. ]

§ 606.041. Delegation and substitution.

(a) The Commission delegates to the Director and Assistant Directors of the Division of Enforcement [ and ], Litigation and Compliance:

\* \* \* \* \*

(4) The power exercisable under section 606(c.1) of the act to issue a cease and desist order against

a registered broker-dealer or investment adviser when the registrant is engaging in an act or practice which constitutes a violation of § 304.011(e) or § 304.012(e) (relating to broker-dealer required records; and investment adviser required records) by refusing to make available for inspection by Commission staff acting under the examination authority in section 304(d) of the act (70 P.S. § 1-304(d)), the records specified in §§ 304.011 or 304.012.

(b) The Commission delegates to the Director of the Division of Licensing [ and Compliance, the Assistant Director of the Division of Licensing and Compliance and the Chief of the Licensing Section of the Division of Licensing and Compliance ]:

(1) The power exercisable under section 303(a)(ii) of the act (70 P.S. § 1-303(a)(ii)) to order applications for registration filed under section 303 of the act to become effective on any day earlier than the [ 30th ] 45th day after the filing of the application or material amendment thereto as the Director [ or Chief ] may determine. For purposes of this paragraph, the term "application" means an application for either an initial or renewal license.

(2) The power exercisable under section 609(a) of the act (70 P.S. § 1-609(a)) to waive the provisions of §§ 303.031 and 303.032 (relating to examination requirement for agents; and [ qualification of and ] examination [ requirement ] requirements for investment advisers and [ associated persons ] investment adviser representatives).

(3) The power exercisable under section 305(f) of the act (70 P.S. § 1-305(f)) to order applications to withdraw from the status of a registered broker-dealer, agent, investment adviser or [ associated person ] investment adviser representative to become effective on any day earlier than the 30th day after filing of the application.

\* \* \* \* \*

(5) [ In case of applications for registration under section 303 of the act, the ] The power exercisable under [ § 602.022 (relating to denial for abandonment) ] section 609(f) of the act (70 P.S. § 1-609(f)) with respect to applications for registration of a broker-dealer, agent, investment adviser or investment adviser representative. For purposes of this paragraph, the term "application" means an application for either an initial or renewal license.

\* \* \* \* \*

[ (c) The Commission delegates to the Director of the Division of Licensing and Compliance and the Assistant Director of the Division of Licensing and Compliance:

(1) ] (7) The power exercisable under section 603(c) of the act (70 P.S. § 1-603(c)) and § 606.031(c) (relating to public inspection of records) to treat documents filed with the Division of Licensing [ and Compliance ] as temporarily confidential until the close of the Commission meeting at which the request for confidentiality is acted upon by the Commission.

[ (2) ] (8) The power exercisable under section 609(a) of the act to order a broker-dealer, agent, investment adviser or [ associated person ] investment adviser

representative registered under section 301 of the act (70 P.S. § 1-301) to furnish material information reasonably related to the registration.

[ (3) ] (9) The power exercisable [ by the Commission ] under sections 303(a)(i) and 609(a) of the act to order an applicant for registration as a broker-dealer, agent, investment adviser or [ associated person ] investment adviser representative under section 301 of the act to furnish material information [ relevant ] reasonably related to the application.

[ (4) ] (10) The power exercisable under § 303.051(a) and (b) (relating to surety bonds).

[ (5) The power to commence an administrative proceeding against a broker-dealer, investment adviser, agent or associated person applicant or registrant under 1 Pa. Code §§ 35.14 and 35.37 (relating to order to show cause; and answers to an order to show cause) and the authority to vacate, modify or amend an order to show cause issued under this paragraph. A hearing will not be held, nor will a remedial or disciplinary order be issued following institution of the proceedings, except upon the express order of the Commission.

[ (6) ] (11) The power exercisable under section 305(d) of the act to [ summarily deny or postpone ] issue a summary order with respect to an application for registration [ pending final determination of a proceeding under that section ].

[ (7) The power exercisable under section 606(c.1) of the act to issue a cease and desist order against a registered broker-dealer or investment adviser when the registrant is engaging in an act or practice which constitutes a violation of § 304.011(e) or § 304.012(e) (relating to broker-dealer required records; and investment adviser required records) by refusing to make available for inspection by the staff of the Division of Licensing and Compliance, acting under the examination authority in section 304(d) of the act, the records specified in §§ 304.011 and 304.012.

(8) The powers in section 510(a)(i)—(iii), (b), except for hearings, and (c) of the act (70 P.S. § 1-510(a)(i)—(iii), (b) and (c)) and the authority to close, vacate, modify or amend an action authorized under this paragraph with respect to a broker-dealer, investment adviser, agent or associated person applicant or registrant.

[ (d) ] (c) The Commission delegates to the Director of the Division of Corporation Finance:

\* \* \* \* \*

(3) [ In the case of registration statements filed under section 205 or 206 of the act (70 P.S. § 1-205 or § 1-206), the ] The power exercisable under [ § 602.022 (relating to denial for abandonment) ] section 609(f) of the act (70 P.S. 1-609(f)) with respect to applications for registration of securities. [ For purposes of this subparagraph, the term "application" means an application for either an initial or renewal license. ]

\* \* \* \* \*

(5) The power exercisable [ under section 205(d) of the act to waive the conditions of section 205(c)(1)

of the act in the case of registration statements filed under section 205 of the act for securities of an open-end or closed-end investment company, face amount certificate company or unit investment trust as these persons are classified in the Investment Company Act of 1940 (15 U.S.C.A. §§ 80a-1—80a-52).

(6) The power, exercisable ] under section 206(c) of the act to order effective a registration statement filed under section 206 of the act for securities of [ an open-end or closed-end investment company, face amount certificate company or unit investment trust as these persons are classified in the Investment Company Act of 1940. ] an issuer which meets all of the following:

(i) The issuer is an entity described in section 202(e)(i) of the act (70 P. S. § 1-202(e)(i)).

(ii) The issuer has not registered the securities with the United States Securities and Exchange Commission under section 5 of the Securities Exchange Act of 1933 (15 U.S.C.A. § 77e) in good faith reliance on section 3(a)(4) thereof (15 U.S.C.A. § 77c(4)).

(iii) The issuer, within the immediately preceding 18 months, had an effective registration statement with the Commission for similar securities.

(iv) The registration statement complies with the Statement of Policy Regarding General Obligation Financing by Religious Denominations adopted by the North American Securities Administrators Association (April 17, 1994) or any successor statement of policy.

(v) The issuer has not requested a waiver of any provision of the act or rule or order thereunder that otherwise would apply to the registration statement.

(vi) The issuer or any affiliate of the person currently is not subject or, within the past 10 years, was not subject to any of the following:

(A) An order described in section 305(a)(iv) of the act.

(B) An injunction described in section 305(a)(iii) of the act.

(C) A criminal conviction described in section 305(a)(ii) of the act.

(D) An order of the Commission issued under section 512 of the act (70 P. S. § 1-512).

(E) A court order finding civil contempt under section 509(c) of the act (70 P. S. § 1-509(c)).

(F) An order of the Commission imposing an administrative assessment under section 602.1 of the act (70 P. S. § 1-602.1) which has not been paid in full.

[ (7) ] (6) \* \* \*

[ (8) ] The power exercisable under § 204.010(f)(2) (relating to increasing number of purchasers and offerees) to issue a denial order, vacate the denial order or waive the 5-business-day filing requirement. ]

[ (9) ] (7) \* \* \*

[ (10) ] (8) \* \* \*

[ (11) ] (9) The power exercisable under section 206(c) of the act to order effective a registration statement filed with the Commission under section 206 of the act by an issuer which also has a currently effective registration statement for the same securities on file with the [ United States Securities and Exchange Commission (SEC) and, in the case of an issuer which has filed a registration statement designated as Form F-7, F-8, F-9 or F-10 by the SEC to waive, under section 609(a) of the act, the requirement of § 206.010(c) (relating to registration by qualification), if applicable with respect to the registration statements ] SEC.

[ (12) ] (10) The power exercisable under section 211[ c ] of the act (70 P. S. § 1-211[ (c) ]) to:

\* \* \* \* \*

[ (13) ] (11) The power exercisable under section 207(l)[ (1) ] of the act (70 P. S. § 1-207(l)[ (1) ]) to declare effective an amendment to any currently effective registration statement relating to the increase in the specified amount of securities proposed to be offered in this Commonwealth, if the applicable filing fee, if any, required by section 602(b.1) of the act (70 P. S. § 1-602(b.1)) has been paid.

[ (14) ] (12) The power, exercisable under [ section 609(a) of the act, to waive, upon good cause shown, compliance with Item 8 or a successor item thereto of Form U-1 (Uniform Application to Register Securities) ] by:

(i) A person required to file Form U-1 with the Commission under § 205.021 (relating to registration by coordination).

(ii) A person required to file Form U-1 with the Commission under § 206.010 (relating to registration by qualification) which has filed a registration statement with the Commission designated by the SEC as Form F-7, F-8, F-9 or F-10 ] § 606.031(b)(2), (3)(ii) and (c)(3)(ii) (relating to advertising literature) to issue a letter disallowing publication of an advertisement in this Commonwealth in connection with the offer or sale of a security this Commonwealth.

[ (e) ] (d) \* \* \*

[ (f) ] (e) The Commission authorizes the [ Assistant Director of the Division of Corporation Finance, the Assistant Director of the Division of Enforcement and Litigation and the Assistant Director of the Division of Licensing and Compliance ] Chief Counsel or Deputy Chief Counsel to exercise the delegations given in this section in the absence of the Director of the Division of Corporation Finance [ , the Director of the Division of Enforcement and Litigation ] or the Director of the Division of Licensing [ and Compliance, respectively ].

[Pa.B. Doc. No. 01-1416. Filed for public inspection August 3, 2001, 9:00 a.m.]



# STATEMENTS OF POLICY

## Title 49—PROFESSIONAL AND VOCATIONAL STANDARDS

DEPARTMENT OF STATE

[49 PA. CODE CH. 63]

### Returned Check Fee Policy

The Department of State (Department) adopts the statement of policy to read as set forth in Annex A announcing the policy regarding the processing fee to which an individual or entity will be subject when issuing a check that is not honored by the institution on which it is drawn.

The purpose of the statement of policy is to provide notice of and implement a uniform policy regarding the processing fee that will be assessed against an individual or entity that issues a check that is returned for insufficient funds by the institution on which it is drawn.

An individual or entity that issues a check to the Department or to a bureau, commission or board under its jurisdiction would benefit from a more uniform returned check fee policy, as well as notice of the policy. The Department would also benefit in that assessment of the returned check fee would help to offset the costs that the Department regularly incurs to ensure collection of checks that are returned for insufficient funds. According to the Department's Budget and Financial Management Office, the estimated average number of checks that are returned for insufficient funds each year for the Bureau of Professional and Occupational Affairs is approximately 850, an estimated 47 returned checks for the Bureau of Commissions, Elections and Legislation and approximately 15 returned checks for the Bureau of Charitable Organizations.

This statement of policy is not intended to circumscribe any administrative discretion given to the Department under any law or rule or regulation.

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

KIM PIZZINGRILLI,  
*Secretary of the Commonwealth*

**Fiscal Note:** 16-28. No fiscal impact; (8) recommends adoption.

(*Editor's Note* Title 49 of the *Pennsylvania Code* is amended by adding a statement of policy in § 63.1 (relating to returned checks) to read as set forth in Annex A.)

### Annex A

#### TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

##### PART I. DEPARTMENT OF STATE

##### Subpart C. SECRETARY OF THE COMMONWEALTH

##### CHAPTER 63. RETURNED CHECK FEE—STATEMENT OF POLICY

Sec.

63.1. Returned checks.

#### § 63.1. Returned checks.

Unless otherwise indicated in statute or regulation, an individual or entity that issues a check to the Department or any bureau, commission or board under its jurisdiction that is not honored by the institution on which it is drawn will be charged a \$20 processing fee.

[Pa.B. Doc. No. 01-1417. Filed for public inspection August 3, 2001, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF AGRICULTURE

### FY 2001-2002 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 (act), hereby announces that the Secretary of Agriculture, with the advice and assistance of the Agricultural Fair Advisory Committee (Advisory Committee) at its meeting of July 17, 2001, adopted the FY 2001-2002 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 maxi-

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

6. For actual expenses incurred for activities which contribute to the advancement of agriculture or agribusiness by 4-H youth groups, a payment which will be calculated according to the following formula will pay for 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 agribusiness by FFA youth groups, a payment which will be calculated according to the following formula:

Tier I: County FFA Organizations with 100 members or less will receive base funding of \$1,000 with an additional \$2 per member.

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

Tier III: County FFA Organizations 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 previous 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, 2002, for payment under paragraphs 1—7.

(b) By October 30, 2002, for payment approved and authorized in FY2001-2002 under paragraph 8.

SAMUEL E. HAYES, Jr.,  
*Secretary*

[Pa.B. Doc. No. 01-1418. Filed for public inspection August 3, 2001, 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 24, 2001.

**BANKING INSTITUTIONS****Branch Application**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-7-00	Wilmington Trust of Pennsylvania Villanova Delaware County	2 West Market St. West Chester Chester County	Opened
8-18-00	Wilmington Trust of Pennsylvania Villanova Delaware County	116 East Court St. Doylestown Bucks County	Opened
7-20-01	Farmers First Bank Lititz Lancaster County	24 North Cedar St. Lititz Lancaster County	Filed

**Branch Relocations**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-16-01	Farmers First Bank Lititz Lancaster County	<i>To:</i> 338 Park City Ctr. Lancaster Lancaster County  <i>From:</i> 735 Park City Center Lancaster Lancaster County	Effective

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-4-00	Wilmington Trust of Pennsylvania Villanova Delaware County	Villanova	Effective
Effective August 4, 2000, the following four branch offices of Wilmington Trust of Pennsylvania discontinued as offices of that institution and became branch offices of Roxborough-Manayunk Bank, FSB, Philadelphia:			
	1522 McDaniel Drive West Chester Chester County	50 Uwchlan Avenue Lionville Chester County	
	102 East Market Street West Chester Chester County	119 West State Street Media Chester County	

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
7-24-01	Pennview Savings Bank Souderton Montgomery County	Amendment to Article II provides for the change in the principal place of business <i>from</i> 15 Washington Avenue <i>to</i> 10 West Broad Street, both addresses in Souderton, Montgomery County	Approved and Effective

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

JAMES B. KAUFFMAN, Jr.,  
*Secretary*

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

## APPLICATIONS

### NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS

#### NPDES APPLICATIONS

##### PART I PERMITS

Under the Federal Clean Water Act and The Clean Streams Law, the following parties have applied for an NPDES permit or to renew their current permit to discharge controlled wastewaters into the waters of this Commonwealth or to conduct other activities required by the NPDES permit. For renewal applications listed in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements. For all new permit applications, renewal application with major changes or applications for permits not waived by EPA, the Department, based upon preliminary reviews, also made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications listed in Section II. These determinations are published as proposed actions for comments prior to taking final actions.

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

Persons wishing to comment on the proposed permit are invited to submit a statement, to the office noted before 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. The comments 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 comment period, the Department's Water Management Program Manager will make a final determination regarding these applications. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The renewal application, including proposed effluent limitations and special conditions, is available on file. For new permit applications, information submitted with the applications is available on file. The information may be inspected and arrangements made for copying at the office indicated before the application.

Persons with a disability, who require an auxiliary aid service, including TDD users or other accommodations to seek additional information, should contact the Department through the Pennsylvania AT&T Relay service at (800) 654-5984.

#### I. NPDES Renewal Applications

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0083062	Williams Valley School District 10330 Route 209 Tower City, PA 17980-9611	Dauphin County Williams Township	Wiconisco Creek/6C	Y

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0114979 Sewerage Public	Borough of Knoxville P. O. Box 191 Knoxville, PA 16928-0191	Tioga Knoxville Borough	Cowanesque River 4A	Y
PA0112704	Clyde E. Yohey 560 Montour Blvd. Bloomsburg, PA 17815	Montour Township Columbia County	Montour Run 5C	Y

#### II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**PA0024422**, Sewage, **Lower Salford Township Authority**, P. O. Box 243, Harleysville, PA 19438.

This application is for revoke and reissue of an NPDES permit to discharge treated sewage from Harleysville STP in Lower Salford Township, **Montgomery County**. This is an existing discharge to an unnamed tributary to Indian Creek.

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

The proposed effluent limits for Outfall 001, based on an average flow of 0.59 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>
CBOD <sub>5</sub>			
(5-1 to 10-31)	20	30	40
(11-1 to 4-30)	25	40	50
Suspended Solids	30	45	60
Ammonia (as N)			
(5-1 to 10-31)	1.5		3.0
(11-1 to 4-30)	3.0		6.0
Phosphorus (as PO <sub>4</sub> )			
(4-1 to 10-31)			
(issuance through plant upgrade)	0.5		1.0
Phosphorus (as P)			
(4-1 to 10-31)			
(plant upgrade through expiration)	0.16		0.32
Fecal Coliform	200 colonies/100 ml as a geometric average		
Dissolved Oxygen	minimum of 5.0 mg/l at all times		
pH	Within limits of 6.0—9.0 Standard Units at all times		
Total Residual Chlorine			
(issuance through plant upgrade)	0.01		0.03
Aluminum, Total	Monitor/Report		

Other Conditions:

The EPA Waiver is in effect.

Conditions for future permit modification.

Effective disinfection.

**No. PA0056898**, Industrial Waste, **To-Jo Mushrooms, Inc.**, 974 Penn Green Road, P. O. Box 285, Avondale, PA 19311.

This application is for renewal of an NPDES permit to discharge treated process wastewater in New Garden Township, **Chester County**. This is an existing discharge to an unnamed tributary to Trout Run.

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

The proposed effluent limits for Outfall 001, based on an average flow of 30,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Total Residual Chlorine	0.5		1.2
Ammonia-Nitrogen	3.5		7.0
pH	Within limits of 6.0—9.0 Standard Units at all times		
Fecal Coliform	200 # Col/100 ml		
Dissolved Oxygen	5.0	Monitor/Report	

The proposed effluent limits for Outfall 002 based on average flow of 35,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD <sub>5</sub>	25	40	50
Total Residual Chlorine	0.5		1.2
Temperature			110°F
Ammonia-Nitrogen	3.5		7.0
Fecal Coliform	200 # Col/100 ml		
Dissolved Oxygen	5.0	Monitor/Report	
pH	Within limits of 6.0—9.0 Standard Units at all times		

The EPA Waiver is in effect.

**No. PA0055026**, Industrial Waste, **Livingston-King Properties, Inc.**, 650 Durham Road, Wrightstown, PA 18940.

This application is for renewal of an NPDES permit to discharge treated groundwater from Livingston-King Properties in Wrightstown Township, **Bucks County**. This is an existing discharge to an unnamed tributary to Mill Creek.

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

The proposed effluent limits for Outfalls 001 and 002, based on an average flow of 57,000 gpd are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Tetrachloroethylene	Not Detectable using EPA Method 624-GC/MS		
Trichloroethylene	0.005	0.010	
Temperature	110°F		
pH	Within limits of 6.0—9.0 Standard Units at all times		

The EPA Waiver is in effect.

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**PA # 0029777**, Sewage, **Westgate Water and Sewer Municipal Authority**, 184 Keiserville Road, Tunkhannock, PA 18657.

This proposed facility is located in Washington Township, **Wyoming County**.

Description of Proposed Activity: Renew an existing NPDES Permit.

The receiving stream, an unnamed tributary to North Branch Susquehanna River, is in the State Water Plan watershed #04G and is classified for: Aquatic life, cold water fishery, water supply and recreation. The nearest downstream public water supply intake for Danville Borough Water Authority is located on the Susquehanna River is 50 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .0125 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	14		28
Total Suspended Solids	25		50
NH <sub>3</sub> -N			
(5-1 to 10-31)			1.5
(11-1 to 4-30)			4.5
Phosphorus as "P"			
Dissolved Oxygen	A minimum of 6.0 mg/l at all times.		
Fecal Coliform	200/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	Monitor and Report		

**PA # 0037052**, Sewage, **Pen Argyl Municipal Authority**, 11-13 N. Robinson Road, Pen Argyl, PA 18072.

This proposed facility is located in Pen Argyl Borough, **Northampton County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge treated sewage from existing treatment plant.

The receiving stream, Waltz Creek, is in the State Water Plan watershed # 01F and is classified for: cold water fishery, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the City of Easton Water Authority is located on the Delaware River is 20 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of .95.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD <sub>5</sub>			
(5-1 to 10-31)	25	37.5	50
(11-1 to 4-30)	30	45	60
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	1.5	2.25	3.0
(11-1 to 4-30)	4.5	6.75	9.0
Phosphorus as "P"			
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform	200/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	.2		.3
Copper	.028		.056
Zinc	.1		.2
Cyanide, Free	Monitor and Report		
Color	Maximum of 117 units on the Platinum—Cobalt scale, or 100 units on the true color scale.		

**PA # 0061204**, Sewage, **Kidder Township**, P. O. Box 576, Lake Harmony, PA 18624.

This proposed facility is located in Kidder Township, **Carbon County**.

Description of Proposed Activity: Proposed wastewater treatment plant expansion increasing the permitted discharge from 0.167 MGD up to 0.400 MGD.

The receiving stream, Shingle Mill Run, is in the State Water Plan watershed #2A and is classified for: High Quality, Cold Water Fishery. The nearest downstream public water supply intake for Hazleton Water Authority is located on Lehigh River, 22 miles below the point of discharge.

The proposed effluent limits for New Outfall 001 based on a design flow of 0.400 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>	15.0		30.0
Total Suspended Solids	18.0		36.0
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.1		4.2
(11-1 to 4-30)	6.3		12.6
Phosphorus as "P"	1.0		2.0
Dissolved Oxygen	A minimum of 7.0 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	0.05		0.10

The effluent limits for Existing Outfall 001 based on a design flow of 0.167 MGD remain the same.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>
CBOD <sub>5</sub>			
(5-1 to 10-31)	10.0		20.0
(11-1 to 4-30)	20.0		40.0
Total Suspended Solids	30.0		60.0
NH <sub>3</sub> -N			
(5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)	9.0		18.0
Phosphorus as "P"	1.0		2.0
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 standard units at all times.		
Total Residual Chlorine	0.2		0.4

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.*

**PA # 0024040**, Sewage, **Borough of Highspire**, 640 Eshelman Street, Highspire, PA 17034-1698.

This facility is located in Highspire Borough, **Dauphin County**.

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

The receiving stream, Susquehanna River is in Watershed 7-C and classified for warm water fishery, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Columbia Borough is located on the Susquehanna River, approximately 11.6 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 2.0 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Total Phosphorus	2.0		4.0
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)	100,000/100 ml as a geometric average		

Individuals may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is not in effect.

**Application No. PA 0026484**, Sewage, **Derry Township Municipal Authority** (Clearwater Road WWTP), 670 Clearwater Road, Hershey, PA 17033-2453.

This facility is located in Derry Township, **Dauphin County**.

Description of activity: SIC Code 4952. The application is for renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream (Swatara Creek) is in Watershed 7-D and classified for warm water fishery. The nearest downstream public water supply intake for United Water Pennsylvania is located on Swatara Creek, approximately 2.7 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 5.0 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	XXX
Total Suspended Solids	30	45	84
NH <sub>3</sub> -N			
(5-1 to 10-31)	7.5	XXX	21
(11-1 to 4-30)	22.5	XXX	63
Total Phosphorus	2.0	XXX	5.6
Total Nitrogen	Monitor & Report	XXX	XXX
Whole Effluent Toxicity	XXX	XXX	XXX
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)		10,000/100 ml as a geometric average	

In addition to the effluent limits, the permit contains the following major special conditions:

1. Acute Whole Effluent Toxicity Testing Requirements.
2. Industrial Waste Pretreatment Program Requirements.

Individuals may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is not in effect.

**Application No. PA 0027316**, Sewage, **City of Lebanon**, (Lebanon Wastewater Treatment Plant), 400 South Eighth Street, Lebanon, PA 17042.

This facility is located in North Cornwall Township, **Lebanon County**.

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

The receiving stream, Quittapahilla Creek, is in Watershed 7-D and classified for trout stocking fishery, water supply and recreation and fish consumption. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on Swatara Creek, approximately 17 miles downstream. The discharge is not expected to affect the 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 <sub>5</sub>			
(5-1 to 10-31)	10	15	20
(11-1 to 4-30)	20	30	40
Suspended Solids	30	40	45
NH <sub>3</sub> -N			
(5-1 to 10-31)	2.5	XXX	5.0
(11-1 to 4-30)	20	30	40
Total Phosphorus	2.0	XXX	4.0
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)		2,300/100 ml as a geometric average	

In addition to the effluent limits, the permit contains the following major special condition:

- Industrial Waste Treatment Program Language.

Individuals may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is not in effect.



**Application No. PA 0022047**, SIC Code 2865, Industrial Waste, **Crompton & Knowles Colors, Inc.**, P. O. Box 341, Reading, PA 19603.

This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Schuylkill River in Watershed 3-C, in Robeson 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, NO<sub>2</sub>-NO<sub>3</sub>, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Pottstown Water Supply 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 0.20 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (S.U.)		From 6.0 to 9.0 inclusive	
Total Suspended Solids	57	183	183
Total Dissolved Solids			
(7-1 to 10-30)	5,000	10,000	12,500
(11-1 to 6-30)	9,000	10,000	12,500
Color (P.C.)	600	875	875
BOD <sub>5</sub>	45	120	120
Temperature	110°F	Monitor and Report	XXX
Osmotic Pressure	Monitor and Report	Monitor and Report	XXX
NH <sub>3</sub> -N			
(5-1 to 10-30)	16	32	40
(11-1 to 4-30)	20	40	40
Total Copper	Monitor and Report	Monitor and Report	2.50
Total Lead	Monitor and Report	Monitor and Report	0.25
Total Chromium	Monitor and Report	Monitor and Report	2.78
Total Nickel	Monitor and Report	Monitor and Report	1.07
Total Zinc	Monitor and Report	Monitor and Report	1.50
Total Cyanide	Monitor and Report	Monitor and Report	1.05
2-Chlorophenol	Monitor and Report	Monitor and Report	0.08
2,4-Dichlorophenol	Monitor and Report	Monitor and Report	0.10
2,4-Dimethylphenol	Monitor and Report	Monitor and Report	0.05
4,6-Dinitro-o-cresol	Monitor and Report	Monitor and Report	0.20
2,4-Dinitrophenol	Monitor and Report	Monitor and Report	0.18
2-Nitrophenol	Monitor and Report	Monitor and Report	0.10
4-Nitrophenol	Monitor and Report	Monitor and Report	0.18
Phenol	Monitor and Report	Monitor and Report	0.04
Acrylonitrile	Monitor and Report	Monitor and Report	0.24
Benzene	Monitor and Report	Monitor and Report	0.09
Carbon Tetrachloride	Monitor and Report	Monitor and Report	0.05
Chlorobenzene	Monitor and Report	Monitor and Report	0.04
Chloroethane	Monitor and Report	Monitor and Report	0.26
Chloroform	Monitor and Report	Monitor and Report	0.05
1,1-Dichloroethane	Monitor and Report	Monitor and Report	0.06
1,2-Dichloroethane	Monitor and Report	Monitor and Report	0.17
1,1-Dichloroethylene	Monitor and Report	Monitor and Report	0.04
1,2-Dichlorophenol	Monitor and Report	Monitor and Report	0.10
1,3-Dichloropropylene	Monitor and Report	Monitor and Report	0.05
Ethylbenzene	Monitor and Report	Monitor and Report	0.08
Methyl Chloride	Monitor and Report	Monitor and Report	0.22
Methylene Chloride	Monitor and Report	Monitor and Report	0.10
Tetrachloroethylene	Monitor and Report	Monitor and Report	0.06
Toluene	Monitor and Report	Monitor and Report	0.07
1,1,1-Trichloroethane	Monitor and Report	Monitor and Report	0.05
1,1,2-Trichloroethane	Monitor and Report	Monitor and Report	0.05
Trichloroethylene	Monitor and Report	Monitor and Report	0.05
Vinyl Chloride	Monitor and Report	Monitor and Report	0.26
Acenaphthene	Monitor and Report	Monitor and Report	0.06
Acenaphthylene	Monitor and Report	Monitor and Report	0.06
Anthracene	Monitor and Report	Monitor and Report	0.06
Benzo (a)anthracene	Monitor and Report	Monitor and Report	0.03
Benzo (a)pyrene	Monitor and Report	Monitor and Report	0.03
3,4-Benzofluoranthene	Monitor and Report	Monitor and Report	0.03
Benzo (k)fluoranthene	Monitor and Report	Monitor and Report	0.03
Bis(2-Ethylhexyl)phthalate	Monitor and Report	Monitor and Report	0.26
Chrysene	Monitor and Report	Monitor and Report	0.03
1,2-Dichlorobenzene	Monitor and Report	Monitor and Report	0.19

## NOTICES

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
1,3-Dichlorobenzene	Monitor and Report	Monitor and Report	0.08
1,4-Dichlorobenzene	Monitor and Report	Monitor and Report	0.04
Diethyl Phthalate	Monitor and Report	Monitor and Report	0.20
Dimethyl Phthalate	0.02	0.05	0.05
Di-n-butyl Phthalate	Monitor and Report	Monitor and Report	0.07
2,4-Dinitrotoluene	Monitor and Report	Monitor and Report	0.28
2,6-Dinitrotoluene	Monitor and Report	Monitor and Report	0.35
Fluoranthene	Monitor and Report	Monitor and Report	0.06
Fluorene	Monitor and Report	Monitor and Report	0.06
Hexachlorobenzene	Monitor and Report	Monitor and Report	0.01
Hexachlorobutadiene	Monitor and Report	Monitor and Report	0.05
Hexachloroethane	Monitor and Report	Monitor and Report	0.05
Naphthalene	Monitor and Report	Monitor and Report	0.06
Nitrobenzene	Monitor and Report	Monitor and Report	0.07
Phenanthrene	Monitor and Report	Monitor and Report	0.06
Pyrene	Monitor and Report	Monitor and Report	0.06
1,2,4-Trichlorobenzene	Monitor and Report	Monitor and Report	0.17

The proposed effluent limits for Outfall 002 are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	Monitor and Report	Monitor and Report	Quarterly
Chemical Oxygen Demand	Monitor and Report	Monitor and Report	Quarterly
Total Suspended Solids	Monitor and Report	Monitor and Report	Quarterly
Total Phosphorus	Monitor and Report	Monitor and Report	Quarterly
Total Kjeldahl Nitrogen	Monitor and Report	Monitor and Report	Quarterly
Oil and Grease	XXX	Monitor and Report	Quarterly
pH (S.U.)	XXX	Monitor and Report	Quarterly
Total Copper	Monitor and Report	Monitor and Report	Quarterly
Total Iron	Monitor and Report	Monitor and Report	Quarterly
Total Lead	Monitor and Report	Monitor and Report	Quarterly
Total Zinc	Monitor and Report	Monitor and Report	Quarterly
Color (P.C.)	Monitor and Report	Monitor and Report	Quarterly
Total Cobalt	Monitor and Report	Monitor and Report	Quarterly
P-Cresidine	Monitor and Report	Monitor and Report	Quarterly
3,3 Dimethoxybenzidine Hydrochloride	Monitor and Report	Monitor and Report	Quarterly
Diethanolamine	Monitor and Report	Monitor and Report	Quarterly
Dimethyl Sulfate	Monitor and Report	Monitor and Report	Quarterly
Ethylene Glycol	Monitor and Report	Monitor and Report	Quarterly
Phenol	Monitor and Report	Monitor and Report	Quarterly
Methanol	Monitor and Report	Monitor and Report	Quarterly
Chromium, VI	Monitor and Report	Monitor and Report	Quarterly

The proposed effluent limits for Outfall 003 for a design flow of 0.006 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH (S.U.)		From 6.0 to 9.0 inclusive	
Total Suspended Solids	Monitor and Report	Monitor and Report	XXX
Temperature	Monitor and Report	Monitor and Report	XXX

In addition to these effluent limits, this permit contains monitoring and reporting of groundwater from monitoring wells number 1, 2, 4, 5, 7, 13, 16 and well number 3.

Individuals may make an appointment to review the DEP files on this case by calling Mary DiSanto, File Review Coordinator, at (717) 705-4732.

The EPA waiver is not in effect.

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

**PA0095702**, Sewage, **Thomas E. Ward**, 855 South Bridge Road, Prosperity, PA 15329.

This application is for Renewal of an NPDES permit to discharge treated sewage from Rosewood Farm STP in South Franklin Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Tenmile 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: TRI County Joint Municipal Authority.

*Outfall 001*: existing discharge, design flow of 0.02 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 <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	3,500/100 ml as a geometric mean			
Total Residual Chlorine	0.5			1.2
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0218782**, Sewage, **Menallen Township Sewage Authority**, P. O. Box 576, New Salem, PA 15468.

This application is for issuance of an NPDES permit to discharge treated sewage from the Rock Works STP in Menallen Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as 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: Washington Township Municipal Authority.

*Outfall 001*: new discharge, design flow of 0.175 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 <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2.4	3.6		4.8
(11-1 to 4-30)	7.2	10.8		14.4
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0218821**, Sewage, **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701.

This application is for issuance of an NPDES permit to discharge treated sewage from Penn Run Sewage Treatment Plant in Cherryhill Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Penn Run, which are classified as a cold 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: Pennsylvania-American Water Company located on Two Lick Creek Reservoir.

*Outfall 001*: new discharge, design flow of 0.03 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 <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0			10.0
(11-1 to 4-30)	15.0			30.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	3,000/100 ml as a geometric mean			
Dissolved Oxygen	not less than 4 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**WATER QUALITY MANAGEMENT PERMITS  
CONTROLLED INDUSTRIAL WASTE AND SEWAGE  
WASTEWATER  
APPLICATIONS UNDER THE CLEAN STREAMS  
LAW**

**PART II PERMITS**

The following permit applications or requests for plan approval have been received by the Department of Environmental Protection (Department). The applications are listed in two categories. Section I lists all municipal and industrial permits and Section II lists oil and gas related permit applications.

Persons wishing to comment on any of the applications are invited to submit a statement to the office noted before the application within 15 days from the date of this public notice. Comments received within this 15-day comment period will be considered in making the final decision regarding the application. The comments 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.

The Department reserves the right to hold a public hearing if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation of the area. If no hearing is held, the Department's Water Management Program Manager will make a final determination regarding the applications after a complete review. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

A copy of the permit application or proposed plan is on file in the office indicated and is open to public inspection. Appointments to review the application may be made by contacting Records Management at the indicated telephone number.

**I. Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)**

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**WQM Permit No. 6600401**, Sewerage, **Benton-Nicholson Joint Sewer Authority**, R. R. 2, Box 2272, Nicholson, PA 18446.

This proposed facility is located in Nicholson Township, **Wyoming County**.

Description of Proposed Action/Activity: This project includes the construction of a wastewater treatment plant that will treat domestic sewage from Benton Township in Lackawanna County and Nicholson Township in Wyoming County. The plant will have a permit capacity of 140,000 gallons per day with treated effluent being discharged to an unnamed tributary to the South Branch of the Tunkhannock Creek. The project also includes the construction of a pressure sanitary sewer collection system designed to service the Lake Sheridan, Lake Kewanee and Baylors Lake sections of the Townships.

*Southcentral Region: Water Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.*

**WQM Permit No. 0101406**, Sewerage, **Abbottstown-Paradise Joint Sewer Authority**, P. O. Box 505, Abbottstown, PA 17301.

This proposed facility is located in Hamilton Township, **Adams County**.

Description of Proposed Action/Activity: Construction/operation of a sewage treatment plant.

**WQM Permit No. 6701409**, Sewerage, **Stewartstown Borough Authority**, 6 North Main Street, Stewartstown, PA 17363-4132.

This proposed facility is located in Stewartstown Borough, **York County**.

Description of Proposed Action/Activity: Approval to upgrade two sanitary sewer pumping stations.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Application No. 9084-S-A3**, Sewerage, **City of Jeannette Municipal Authority**, P. O. Box 294, Penn, PA 15675. Application for the replacement and operation of sewers and appurtenances and upgrade of the sewage pumping station to serve the Jeannette Sewage Treatment Plant located in Penn Borough, **Westmoreland County**.

**Application No. 5601404**, Sewerage, **Sam A. Mostoller**, 138 Esposita Road, Stoystown, PA 15563. Application for the construction and operation of a small flow sewage treatment plant to serve the Mostoller Residence located in Jenner Township, **Somerset County**.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**WQM Permit No. 4301404**, Sewerage, **Ronald K. Southard and Gisele M. Lemon**, 21202 Florek Road, Edinboro, PA 16412-5026.

This proposed facility is located in Norwich Township, **McKean County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

**WQM Permit No. 4301418**, Sewerage, **John G. Wasko**, Box 464, Wheatland, PA 16161.

This proposed facility is located in Otter Creek Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a Single Residence Sewage Treatment Plant.

**NPDES Stormwater Individual Permit**

The following parties have applied for an NPDES permit to discharge stormwater associated with a construction activity into 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 conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices (BMPs) which restrict the rate and quantity of sediment discharged.

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

Persons wishing to comment on the proposed permit are invited to submit a statement to the appropriate Department Regional Office noted before the application within 30 days from the date of this public notice. 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 Department of the exact basis of a comment and relevant facts upon which it is based. A public hearing may be held after consideration of comments received by the appropriate DEP Regional Office during the 30-day public comment period.

Following the 30-day comment period, the appropriate Regional Office 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 sediment control plan for the earth disturbance activity, are on file and may be inspected at the office identified in this notice.

Persons with a disability that require an auxiliary aid, service or other accommodation to participate during the 30-day public comment period should contact the specified Regional Office. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**NPDES Permit PAS10 G477**, Stormwater. **Heritage Building Group, Inc.**, 3326 Old York Road, Suite A100,

Furlong, PA 18925, has applied to discharge stormwater associated with a construction activity located in East Coventry Township, **Chester County** to Pigeon Creek (HQ-TSF).

**NPDES Permit PAS10 G478**, Stormwater. **Wilkinson Heritage, LLC**, 1020 Broad Run Road, Landenberg, PA 19350, has applied to discharge stormwater associated with a construction activity located in Franklin Township, **Chester County** to Branch of Big Elk Creek (HQ-TSF).

**NPDES Permit PAS10 G479**, Stormwater. **CEL Properties, Inc.**, 555 Country Club Drive, Suite 200, Downingtown, PA 19335-3062, has applied to discharge stormwater associated with a construction activity located in East and West Nantmeal and Warwick Townships, **Chester County** to French Creek (EV).

**NPDES Permit PAS10 G480**, Stormwater. **Sacred Heart Parish**, 203 Church Road, Oxford, PA, has applied to discharge stormwater associated with a construction activity located in Lower Oxford Borough, **Chester County** to Leech Run and West Branch Big Elk Creek (HQ-TSF).

**NPDES Permit PAS10 G481**, Stormwater. **PA Army National Guard**, 1119 Utility Road, Annville, PA 17003-5002, has applied to discharge stormwater associated with a construction activity located in East Vincent Township, **Chester County** to Schuylkill River (HQ-TSF-WWF).

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

*Lehigh County Conservation District: Lehigh Ag. Ctr., Ste. 102, 4184 Dorney Park Rd., Allentown, PA 18104, (610) 391-9583.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q225	Locke Property Co. 46 Central St. Manchester-by-the-Sea, MA 01944	Lehigh County Upper Macungie Township	Little Lehigh Creek HQ-CWF

*Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10S105	The Highlands at Rob Roy Price Township Development Corp. One Empire Plaza State Rt. 611 Stroudsburg, PA 18360	Monroe County Price and Smithfield Townships	Michael Creek HQ-CWF

*Pike County Conservation District: HC6, Box 6770, Hawley, PA 18428, (570) 226-8220.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10V038	The Home Depot USA, Inc. 15 Dan Road Canton, MA 02021	Pike County Westfall Township	Delaware River WWF-MF

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

*Lancaster Conservation District: 1383 Arcadia Road, Rm. 6, Lancaster, PA 17601, (717) 299-5361.*

**NPDES Permit PAS10 O-083**, Stormwater.

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10O083	Carl G. Troop 496 Solanco Road Quarryville, PA 17566	East Drumore Town- ship Lancaster County	UNT W. Branch of Octoraro Creek (HQ)

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**NPDES Permit PAS10W083**, Stormwater. **Metz Development**, 524 Waterdam Road, McMurray, PA 15317 has applied to discharge stormwater associated with a construction activity located in North Strabane Township, **Washington County** to UNT to Little Chartiers Creek/HQ-WWF.

*Washington County Conservation District: 100 West Beau Street, Suite 602, Washington, PA 15301-4402, (724) 228-6774.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10W083	Metz Development 524 Waterdam Road McMurray, PA 15317	Washington County North Strabane Township	UNT to Little Chartiers Creek/HQ-WWF

**NPDES Permit PAS10X098**, Stormwater. **PA Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106 has applied to discharge stormwater associated with a construction activity located in Donegal Borough, Donegal Township, Mt. Pleasant Township, **Westmoreland County** to Indian Creek/HQ-CWF; Jacobs Creek/CWF; Champion Creek/CWF; Fourmile Run/TSF; Jacobs Creek/TSF; Indian Creek/TSF.

*Westmoreland County Conservation District: R. D. # 2, P. O. Box 202-B, Donohoe Center, Greensburg, PA 15601, (724) 837-5271.*

<i>NPDES No.</i>	<i>Applicant Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Receiving Water/Use</i>
PAS10S10X098	PA Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106	Westmoreland County Donegal Borough Donegal Township Mt. Pleasant Township	Indian Creek/HQ-CWF Jacobs Creek/CWF Champion Creek/CWF Fourmile Run/TSF Jacobs Creek/TSF Indian Creek/TSF

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**NPDES Permit PAS102705**, Stormwater. **Pennsylvania General Energy Corp.**, 208 Liberty Street, Warren, PA 16365 has applied to discharge stormwater associated with a construction activity located in Kingsley Township, **Forest County** to Salmon Creek (HQ-CWF).

**SAFE DRINKING WATER**

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

*Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit No. 3701501.** Public Water Supply.

Applicant	<b>Pa-American Water</b> 800 Hershey Park Dr. Hershey, PA 17033.
Township or Borough	Wayne Township <b>Lawrence County</b>
Responsible Official	Cynthia Hitz, Water Quality Superintendent
Type of Facility	Public Water Supply
Consulting Engineer	Jerry Hankey, Engineer PA-American Water 1789 Route 286 S Indiana, PA 15701
Application Received Date	July 16, 2001
Description of Action	Operation of the sedimentation basins in series as well as parallel flow patterns; use of alternate chemical feed points, use of caustic and addition of a polymer feed system.

**MINOR AMENDMENT**

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

*Southeast Region: Water Supply Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**Application No. 0901513,** Minor Amendment.

Applicant Borough	<b>Richlandtown Borough</b> Richlandtown
Responsible Official	Stanley C. Weikle 123 S. Main Street Richlandtown, PA 18955
Type of Facility	Public Water Supply System
Consulting Engineer	Philip W. Bear Engineering Company 834 Keystone Avenue Emmaus, PA 18049
Application Received Date	July 11, 2001
Description of Action	Installation of 140 linear feet of ductile iron pipe to provide chlorine contact time for water discharged from Wells No. 1 and No. 2.

**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)(1)(ii) and 305(c)(2) of the Act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the sites identified, 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 of Environmental Protection Regional Office under which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

*Southeast Region: Environmental Cleanup Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**The William Penn Charter School**, City of Philadelphia, **Philadelphia County**. J. Anthony Sauder, P.E., P.G., Pennoni Associates, Inc., 3001 Market St., Suite 200, Philadelphia PA 19104-2897, on behalf of The William Penn Charter School, 3000 Schoolhouse Lane, Philadelphia PA, has submitted a Notice of Intent to Remediate site soil contaminated with arsenic. The applicant proposes to remediate the site to meet the Statewide Health

and Site-specific standards. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Daily News* on July 6, 2001.

*Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Capital City Airport Harrisburg Jet Center**, Fairview Township, **York County**. Marshall Miller and Associates, 3913 Hartzdale Drive, Camp Hill, PA 17011 (on behalf of Harrisburg International Airport, 113 Airport Drive, New Cumberland, PA 17070) has submitted a Notice of Intent to Remediate site soils contaminated with BTEX and PAHs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Harrisburg Patriot News* on May 17, 2001.

**Former Powell Property**, Logan and Antis Townships, **Blair County**. Mountain Research, Inc., 825 25th Street, Altoona, PA 16601 (on behalf of Altoona-Blair County Development Corporation, 4500 Sixth Avenue, Altoona, PA 16602 ) has submitted a Notice of Intent to Remediate site soils contaminated with lead, heavy metals, solvents, BTEX and PAHs and groundwater contaminated with heavy metals. The applicant proposes to remediate the site to meet the special industrial area requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *Altoona Mirror* on July 6, 2001.

**Nabisco Site (formerly)**, City of York, **York County**. York County Economic Development Corporation, 144 Roosevelt Avenue, Suite 100, York, PA 17404 (on behalf of Redevelopment Authority of the City of York, 14 West Market Street, York, PA 17401) has submitted a Notice of Intent to Remediate site soils and groundwater contaminated with heavy metals, solvents, BTEX and PAHs. The applicant proposes to remediate the site to meet the Statewide Health standard requirements. A summary of the Notice of Intent to Remediate was reported to have been published in the *York Daily Record* on April 13, 2001.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Latrobe Plastics, Division of Pace Industries, Inc.**, Derry Township, **Westmoreland County**. David R. Perry, American Geosciences, Inc., 3925 Reed Blvd., Suite 400, Murrysville, PA 15668 (on behalf of Latrobe Plastics, Division of Pace Industries, Inc., Loyalhanna Industrial Park, New Latrobe/Derry Road, Loyalhanna, PA 15661) has submitted a Notice of Intent to Remediate groundwater contaminated with solvents. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Latrobe Bulletin* on June 29, 2001.

**LEMA Partners Property**, Lawrenceville, **Allegheny County**. Mark B. Miller, Moody and Associates, Inc., 11548 Cotton Road, Meadville, PA 16335 and LEMA Partners & Commonwealth Lawrenceville I, LLC—Commonwealth Warehouse Building, 123 36th Street, Pittsburgh, PA 15201 (on behalf of LEMA Partners c/o Lawrence F. Leventon, P.C., 36th Floor, Grant Building, Pittsburgh, PA 15219) has submitted a Notice of Intent to Remediate soil and groundwater contaminated with lead, heavy metals, BTEX, PHCs, PAHs and solvents. The applicant proposes to remediate the site to meet the special industrial area requirements. A summary of the

Notice of Intent to Remediate was reported to have been published in the *Post Gazette* on July 11, 2001.

**INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES**

**Applications received or withdrawn 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 to transport infectious and chemotherapeutic waste.**

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

**RENEWAL APPLICATIONS RECEIVED**

**American Waste Industries, Inc.**, 508 E. Indian River Road, Norfolk, VA 23523. License No. **PA-HC 0210**. Received on July 20, 2001.

**Abington Memorial Hospital**, 1200 Old York Road, Abington, PA 19001. License No. **PA-HC 0095**. Received on July 24, 2001.

**RESIDUAL WASTE GENERAL PERMITS**

**Application Received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit Application No. WMGR051. Summit Anthracite, Inc.**, R. D. # 1, Box 12-A, Klingerstown, PA 17941.

General Permit Number WMGR051 for the beneficial use of Gilford Mills waste sludge and filter cake as soil additive and soil conditioner on a permitted mine reclamation site. The Department has received a permit modification application from Summit Anthracite, Inc. requesting the Department's approval to accept a new filter cake sludge, generated by GEO Specialty Chemicals, Inc.'s TRIMET Products Group, for beneficial use as soil additive and soil conditioner at the permitted mine reclamation site under the general permit.

The application was received in Central Office on May 4, 2001.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division at (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

**Applications Received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste**

**Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.*

**General Permit Application No. WMGR076. Jerart, Inc.**, 3701 Duss Avenue, Baden, PA 15005. The application for processing BOP slag fines, BOP classifier sludge and BOP filter cake prior to beneficial use as a construction material. The application was received by Central Office on July 19, 2001.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472. Persons interested in obtaining more information about the general permit application may contact the Division of Municipal and Residual Waste, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to and approval or denial of the application.

**AIR QUALITY**

**NOTICE OF PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS**

**NEW SOURCES AND MODIFICATIONS**

The Department of Environmental Protection (DEP) has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for DEP, the regulated community and the 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.

Notice is hereby given that DEP has received applications for plan approvals and/or operating permits from the following facilities.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the Regional Office identified in this notice. Persons interested in reviewing the application files should contact the appropriate Regional Office to schedule an appointment.

Persons wishing to receive a copy of the proposed Plan Approval or Operating Permit must indicate their interest to the DEP Regional Office within 30 days of the date of this notice and must file protests or comments on a Proposed Plan Approval or Operating Permit within 30 days of the DEP providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Any comments or protests filed with DEP 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 DEP schedules a hearing, a notice will



be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the Regional Office identified. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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 through 143, the Federal Clean Air Act and regulations adopted under the Act.

### PLAN APPROVALS

**Plan Approval Applications Received under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B that may have special public interest. These applications are in review and no decision on disposition has been reached.**

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**46-0212: Metropolitan Fiber Systems of Philadelphia, Inc.** (630 Clark Street, King of Prussia, PA 19406) for installation of a 2,000-kilowatt (kW) Caterpillar emergency generator at its King of Prussia Facility in Upper Merion Township, **Montgomery County**. The facility operates a telecommunications central switching operation and is a non-Title V (State only) facility for any of air pollutant. This installation will result in maximum NOx emissions of 15.2 tons per year. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**36-05027A: R. R. Donnelley and Sons Co.** (216 Greenfield Road, Lancaster, PA 17601) for construction of three heatset offset printing presses and one thermal oxidizer at the Lancaster East Facility in the City of Lancaster, **Lancaster County**.

**36-05067H: C&D Technologies, Inc.** (82 East Main Street, Leola, PA 17540) for installation of a fabric filter emission control system at the existing lead-acid battery manufacturing facility in Upper Leacock Township, **Lancaster County**. The installation is subject to the provisions of 40 CFR 60, Subpart KK—Standards of Performance for Lead-Acid Battery Manufacturing Plants.

**67-03030A: Bickel's Snack Foods, Inc.** (1120 Zinns Quarry Road, West Manchester, PA 17405) for construction of a potato snack stick and ring fryer line controlled by a mist eliminator in Manchester Township, **York County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: David Aldenderfer, Program Manager, (570) 327-3637.*

**41-00005A: Textron Lycoming** (652 Oliver Street, Williamsport, PA 17701) for construction of a replacement aerospace manufacturing and rework surface coating spray booth (ES-2) in the City of Williamsport, **Lycoming County**.

**41-318-045A: High Steel Structures, Inc.** (3501 West Fourth Street, Williamsport, PA 17701) for modification of a structural steel surface coating operation by increasing the allowable emission of a single hazardous air pollutant from a maximum of 10 tons in any 12 consecutive month period to 15 tons and the allowable emission of all combined hazardous air pollutants from a maximum of 25 tons in any 12 consecutive month period to 35 tons in the City of Williamsport, **Lycoming County**.

**08-317-003C: Taylor By-Products, Inc.** (P. O. Box 849, Wyalusing, PA 18853) for construction of a replacement rendering cooker, the air contaminants from which are to be controlled by an existing scrubber system and a boiler combustion chamber, as well as for the installation of air cleaning devices (three wet electrostatic precipitators) on three presses in Wyalusing Township, **Bradford County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: William Charlton, New Source Review Chief, (412) 442-4174.*

**63-00014E: Orion Power Midwest, LP,** (2000 Cliff Mine Road, Suite 200, Pittsburgh, PA 15275) for construction of SNCR System at Elrama Station in Union Township, **Washington County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**10-001F: AK Steel—Butler Works** (P. O. Box 832, 210 Pittsburgh Road, Butler, PA 16003) to convert the # 4 AP line from hydrofluoric/nitric/sulfuric acid pickling operation to a sulfuric/hydrofluoric/hydrogen peroxide pickling operation in Butler, **Butler County**.

**10-001E: AK Steel—Butler Works** (P. O. Box 832, 210 Pittsburgh Road, Butler, PA 16003) for installation of a natural gas fired boiler (14.3 MMBTU/hr) to replace Boilers # 19 and # 20 in Butler, **Butler County**.

**24-123C: Superior Greentree Landfill, LLC** (635 Toby Road, Kersey, PA 15846) for construction of temporary candlestick flare in Fox Township, **Elk County**.

**16-127A: Piney Creek Limited Partnership** (428 Power Lane, Clarion, PA 16214) to incorporate fuel blends from previous Request for Determinations in Piney Township, **Clarion County**. This is a Title V facility.

**10-027A: Penreco** (138 Petrolia Street, Karns City, PA 16041) to replace an existing tank that is used to store spent acid (acid sludge) in Karns City Borough, **Butler County**. This is a Title V facility.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: James Parette, New Source Review Chief, (570) 826-2531.*

**40-399-046: Bemis Co., Inc.** (Valmont Industrial Park, 20 Jaycee Drive, West Hazleton, PA 18201) for construction and operation of a photopolymer plate making system in West Hazleton Borough, **Luzerne County**. An existing catalytic incinerator will be used as an air pollution control equipment to control VOC (Volatile Organic Compound) emissions from this system. This installation will emit VOCs at a maximum rate of 0.106

pound per hour. The Department will place a condition to limit the VOC emissions from this source to less than 0.5 ton per year on a 12-month rolling sum. Under the Best Available Technology provision of 25 Pa. Code, Chapter 127, the catalytic incinerator must meet 98% destruction efficiency for VOCs with 100% capture efficiency. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Permit 40-00007. This Plan Approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

**40-399-047: Bemis Co., Inc.** (Valmont Industrial Park, 20 Jaycee Drive, West Hazleton, PA 18201) for construction and operation of two Laser Engraved Rubber Plate Making Systems (FlexoMaster DDF laser) with a cyclone and thermal incinerator as an air pollution control equipment to control VOC (Volatile Organic Compound) and particulate emissions in West Hazleton Borough, **Luzerne County**. This installation will emit VOCs at a maximum rate of 0.074 pound per hour and particulate at a rate less than 0.0114 pound per hour (0.004 gr/dscf). The Department will place a condition to limit the VOC emissions from these sources to less than 0.033 ton per year on a 12-month rolling sum and particulate at a rate less than 0.04 grains/dscf. Under the Best Available Technology provision of 25 Pa. Code, Chapter 127, the incinerator must meet 98% destruction efficiency for VOCs with 100% capture efficiency. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Permit 40-00007. This Plan Approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

**48-328-005A: Reliant Energy Portland, LLC** (River Road, P. O. Box 38, Portland, PA 18351) for construction of two combined-cycle combustion turbines with duct burners and a cooling tower in Upper Mount Bethel Township, **Northampton County**.

The following table summarizes the potential emissions from maximum operation of the facility according to the application submitted for the Department's own analysis:

<i>Pollutant</i>	<i>Emission Rate (tons/year)</i>
Nitrogen Oxides (NO <sub>x</sub> )	239.0
Carbon Monoxide	451.0
Volatile Organic Compounds	79.0
Sulfur Dioxide	166.0
Particulate Matter (TSP/PM <sub>10</sub> )	280.0
Sulfuric Acid Mist	70.0

The emissions will consume the following portion of the available Prevention of Significant Deterioration (PSD) air quality increments:

<i>Pollutant</i>	<i>Emission Rate (tons/year)</i>
Nitrogen Oxides	0.1 ug/m <sup>3</sup> (annual)
Sulfur Dioxide	35.6 ug/m <sup>3</sup> (3-hr average)
Sulfur Dioxide	5.5 ug/m <sup>3</sup> (24-hr average)
Sulfur Dioxide	0.06 ug/m <sup>3</sup> (annual average)
Particulate Matter (PM <sub>10</sub> )	6.5 ug/m <sup>3</sup> (24-hr average)
Particulate Matter (PM <sub>10</sub> )	0.12 ug/m <sup>3</sup> (annual average)

In order to show compliance with the applicable standards, the Department will place the following conditions in the Plan Approval:

(1) The sources are to be constructed in accordance with the plans submitted with the application (as approved herein).

(2) Nothing in this permit shall be construed to supersede, amend or authorize violation of the provisions of any valid and applicable local law, ordinance or regulation, provided that said local law, ordinance or regulation is not preempted by the Air Pollution Control Act (35 P. S. §§ 4001—4015).

(3) The permittee shall comply with the Air Pollution Control Act and Title 25, Rules and Regulations, Article III, Air Resources promulgated thereunder.

(4) This Plan Approval authorizes temporary operation of the sources covered by this Plan Approval provided the following conditions are met.

(a) The Department must receive written notice from the Owner/Operator of the completion of construction and the Operator's intent to commence operation at least 5 working days prior to the completion of construction. The notice should state when construction will be completed and when Operator expects to commence operation.

(b) Operation is authorized only to facilitate the start-up and shakedown of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit or to permit the evaluation of the sources for compliance with all applicable regulations and requirements.

(c) This condition authorizes temporary operation of the sources for a period of 180 days from the date of commencement of operation, provided the Department receives notice from the Owner/Operator under subpart (a).

(d) The Owner/Operator may request an extension if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of this period of temporary operation and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance and the reason's compliance has not been established.

(e) The notice submitted by the Owner/Operator under subpart (a), prior to the expiration of this Plan approval shall modify the plan approval expiration date. The new plan approval expiration date shall be 180 days from the date of the written notice.

(5) This Plan Approval is issued for the construction of a nominal 560 MW combined cycle combustion turbine electric generating plant including the following:

(a) Two Siemens-Westinghouse natural gas/distillate oil fired combustion turbines (Model 501FD) each rated at a nominal 163 MW and controlled by lean dry, low NO<sub>x</sub> combustors (when firing natural gas), water injection (when firing distillate oil), selective catalytic reduction (SCR) and an oxidation catalyst.

(b) Two heat recovery steam generators, with supplemental duct burners, each rated at 365 MMBTU/hr.

(c) One steam turbine generator rated at a nominal 232 MW.

(d) One 39.9 MMBTU/hr Natural gas fired Auxiliary boiler with low NOx burners.

(e) One 10-cell cooling tower with drift eliminators.

(f) One 1350 HP diesel-fired emergency generator, which will not operate more than 500 hrs/year.

(g) One 300 HP diesel driven emergency fire pump.

(h) Two 10,000-gallon aboveground Aqueous Ammonia storage tanks.

(i) Two 500-gallon aboveground Distillate oil storage tanks.

(j) One 6,000,000 gallon aboveground Distillate oil storage tank.

(6) This approval to construct shall become invalid if:

(a) Construction (as defined in 40 CFR 52.21 (b)(8)) has not commenced within 18 months of the issue date of this approval; or

(b) Construction is discontinued for a period of 18 months or more.

(7) The supplemental duct burners for the two heat recovery steam generators shall only fire natural gas and fire no more than 1,205,000 MMBTU (HHV) of natural gas per year per duct burner in a consecutive 12-month period.

(8) The Auxiliary boiler shall only fire natural gas and fire no more than 119,000 MMBTU (HHV) in a consecutive 12-month period.

(9) The two Siemens Westinghouse combined-cycle combustion turbines shall primarily fire natural gas with distillate oil (#2) capability (oil firing not to exceed 6,088,000 MMBTU (HHV) in a consecutive 12 month period).

(10) The permittee shall notify the Department, prior to construction, the make and model number of the heat recovery steam generators and the auxiliary boiler.

(11) The permittee shall construct, operate and maintain the two combustion turbines, two heat recovery steam generators with duct firing, one steam turbine generator, one auxiliary natural gas boiler, one cooling tower and air pollution control equipment in accordance with manufacturers' specifications as well as good air pollution control practices to ensure compliance with all air quality emission limitations.

(12) The permittee shall limit the total amount of natural gas combusted in each duct burner to 1,296 million cubic feet, or less, in a 12-month rolling period.

(13) The steam generators and associated duct burners are subject to Subpart Da of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this Subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both EPA and the Department. The EPA copies shall be forwarded to Director, Air, Toxics and Radiation Division, US EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

(14) The auxiliary boiler is subject to Subpart Dc of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this Subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both EPA and the Department. The EPA

copies shall be forwarded to Director, Air, Toxics and Radiation Division, US EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

(15) The combustion turbines are subject to Subpart GG of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this Subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both EPA and the Department. The EPA copies shall be forwarded to Director, Air, Toxics and Radiation Division, US EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

(16) The 6 million gallon distillate oil storage tank is subject to Subpart Kb of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements of this Subpart. 40 CFR 60.4 requires submission of copies of all requests, reports, applications, submittals and other communications to both EPA and the Department. The EPA copies shall be forwarded to Director, Air, Toxics and Radiation Division, US EPA, Region III, 1650 Arch Street, Philadelphia, PA 19103-2029.

(17) The combined-cycle electric generating combustion turbines and duct burners are subject to the Title IV Acid Rain Program of the Clean Air Act Amendments of 1990 and shall comply with all applicable provisions of that Title, to include the following:

40 CFR Part 72	Permits Regulation
40 CFR Part 73	Sulfur Dioxide Allowance System
40 CFR Part 75	Continuous Emission Monitoring
40 CFR Part 77	Excess Emissions

(18) The combined-cycle electric generating combustion turbines and duct burners are subject to the NOx Budget Program established in 25 Pa. Code §§ 123.102—123.120 and shall comply with all applicable requirements.

§ 123.112. Source operating permit provisions requirements.

The permittee shall comply with the requirements 25 Pa. Code §§ 123.101—123.120 (relating to NOx allowance requirements).

§ 123.102. Source NO<sub>x</sub> allowance requirements and NO<sub>x</sub> allowance control period.

(a) For each NO<sub>x</sub> affected source identified in this permit, the permittee shall hold a quantity of NO<sub>x</sub> allowances meeting the requirements of § 123.110(a) (relating to source compliance requirements) in the source's current year NATS account by December 31 of each calendar year. The NO<sub>x</sub> allowances shall be equal to or greater than the total NO<sub>x</sub> emitted from the source during that year's NO<sub>x</sub> allowance control period.

(b) The initial NO<sub>x</sub> allowance control period begins on May 1, 2000.

#### *Monitoring Requirements*

§ 123.108. Source emissions monitoring requirements.

(a) The NO<sub>x</sub> emissions from each NO<sub>x</sub> affected source at this facility shall be monitored as specified in 25 Pa. Code § 123.108 and in accordance with the procedures contained in the document titled, "Guidance for Implementation of Emission Monitoring Requirements for the NO<sub>x</sub> Budget Program."

(b) As referenced in § 123.108(2), the permittee shall submit to the Department and the NO<sub>x</sub> Budget Administrator a monitoring plan in accordance with the procedures outlined in the document titled, "Guidance for Implementation of Emission Monitoring Requirements for the NO<sub>x</sub> Budget Program."

(c) New and existing unit emission monitoring systems, as required and specified by 25 Pa. Code § 123.108(4) and the NO<sub>x</sub> affected source's monitoring plan approved by the Department, shall be installed and operational. The installed emissions monitoring systems shall have met all of the certification testing requirements in accordance with the procedures and deadlines specified in the document titled, "Guidance for Implementation of Emission Monitoring Requirements for the NO<sub>x</sub> Budget Program" in a manner consistent with Chapter 139 (relating to sampling and testing).

(d) Sources subject to 40 CFR Part 75 shall demonstrate compliance with § 123.108 by using a certified Part 75 monitoring system.

(e) During a period when valid data is not being recorded by devices approved for use to demonstrate compliance with the NO<sub>x</sub> Allowance Requirement subchapter, the permittee shall replace missing or invalid data with representative default data in accordance with 40 CFR Part 75 (relating to continuous emission monitoring) and the document titled, "Guidance for Implementation of Emission Monitoring Requirements for the NO<sub>x</sub> Budget Program." For non-Part 75 sources that have Department approved NO<sub>x</sub> CEMS reporting of NO<sub>x</sub> emissions in pounds of NO<sub>x</sub> per hour as required under 25 Pa. Code § 139.101, the data shall be reported to the NETS. The permittee shall continue to report submissions as required under 25 Pa. Code Chapter 139 to the Department.

#### *Testing Requirements*

##### § 123.108. Source emissions monitoring requirements.

Monitoring systems for each NO<sub>x</sub> affected source shall comply with the initial performance testing and periodic calibration, accuracy testing and quality assurance/quality control testing as specified in the document titled "Guidance for Implementation of Emission Monitoring Requirements for the NO<sub>x</sub> Budget Program."

Notwithstanding this permit condition, Non-Part 75 Sources which have Department approved NO<sub>x</sub> CEMS reporting in units of pounds of NO<sub>x</sub> per hour as required under 25 Pa. Code § 139.101 (relating to general requirements) shall complete the periodic self-audits listed in the quality assurance section of § 139.102(3) (relating to references) at least annually and no sooner than 6 months following the previous periodic self-audit. If practicable, the audit shall be conducted between April 1 and May 31.

#### *Reporting Requirements*

##### § 123.109. Source emissions reporting requirements.

(a) The authorized account representative shall submit to the NO<sub>x</sub> Budget Administrator, electronically, emissions and operations information for each calendar quarter of each year in accordance with the document titled, "Guidance for Implementation of Emission Monitoring Requirements for the NO<sub>x</sub> Budget Program." The emissions and operations information shall be submitted in a format that meets the requirements of EPA's Electronic Data Reporting convention.

#### *Compliance Requirements*

##### § 123.110. Source compliance requirements.

(a) Each year from November 1 through December 31, inclusive, the authorized account representative shall request the NO<sub>x</sub> Budget Administrator to deduct, consistent with § 123.107 (relating to NO<sub>x</sub> allowance transfer procedures) a designated amount of NO<sub>x</sub> allowances by serial number, from the NO<sub>x</sub> affected source's compliance account in an amount equivalent to the NO<sub>x</sub> emitted from the NO<sub>x</sub> affected source during that year's NO<sub>x</sub> allowance control period. The designated NO<sub>x</sub> allowances shall be used in accordance with the requirements specified in 25 Pa. Code § 123.110.

(b) For each NO<sub>x</sub> allowance control period, the authorized account representative for the NO<sub>x</sub> affected source shall submit an annual compliance certification to the Department no later than the NO<sub>x</sub> allowance transfer deadline (December 31) of each year.

(c) At a minimum, the compliance certification shall contain the information and statements required under 25 Pa. Code § 123.110(e)(1)–(6).

#### *Recordkeeping Requirements*

##### § 123.113. Source recordkeeping requirements.

The owner or operator shall maintain for each NO<sub>x</sub> affected source at this facility, the measurements, data, reports and other information required by 25 Pa. Code §§ 123.101–123.120. The records shall be maintained for 5 years or any other period consistent with the terms of the NO<sub>x</sub> affected source's operating permit.

##### (19) § 123.121. NO<sub>x</sub> Allowance Program Transition.

The emission limitations and monitoring requirements established in §§ 123.101–123.120 (relating to NO<sub>x</sub> allowance requirements) are replaced by the requirements in Chapter 145 beginning with the May 1, 2003, control period. If a source has failed to demonstrate compliance with § 123.111 (relating to failure to meet source compliance requirements), the provisions in § 145.54(d) (relating to compliance) shall be used to withhold NO<sub>x</sub> allowances in calendar year 2003 and beyond. If no NO<sub>x</sub> allowances are provided to the source under § 145.52 (relating to NO<sub>x</sub> allowance allocations), the source will be obligated to acquire and retire a number of NO<sub>x</sub> allowances as specified in § 145.54.

##### §§ 145.1–145.90. NO<sub>x</sub> Budget Trading Program Incorporation.

The emission limitations, monitoring and all other requirements of the NO<sub>x</sub> Budget Trading Program established in 25 Pa. Code §§ 145.1–145.90 are hereby incorporated by reference.

##### § 145.10. Authorization and responsibilities of the NO<sub>x</sub> authorized account representative.

(a) **§ 145.10(a).** Except as provided under § 145.11 (relating to alternate NO<sub>x</sub> authorized account representative), each NO<sub>x</sub> budget source, including all NO<sub>x</sub> budget units at the source, shall have one and only one, NO<sub>x</sub> authorized account representative, with regard to all matters under the NO<sub>x</sub> Budget Trading Program concerning the source or any NO<sub>x</sub> budget unit at the source.

(b) **§ 145.10(e).** Each submission under the NO<sub>x</sub> Budget Trading Program shall be submitted, signed and certified by the NO<sub>x</sub> authorized account representative for each NO<sub>x</sub> budget source on behalf of which the submission is made.

§ 145.6(a). Standard requirements—Monitoring requirements.

(a) The owners and operators and the NO<sub>x</sub> authorized account representative of each NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall comply with the monitoring requirements of §§ 145.70—145.76 (relating to recordkeeping and recording requirements) by May 1, 2002.

(b) The emissions measurements recorded and reported in accordance with §§ 145.70—145.76 shall be used to determine compliance by the unit with the NO<sub>x</sub> budget emissions limitation under § 145.6(c).

§ 145.6(b). Standard requirements—NO<sub>x</sub> Requirements.

(a) The owners and operators of each NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall hold NO<sub>x</sub> allowances available for compliance deductions under § 145.54 (relating to compliance), as of the NO<sub>x</sub> allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NO<sub>x</sub> emissions for the control period from the unit, as determined in accordance with §§ 145.70—145.76 (relating to recordkeeping and reporting requirements) plus any amount necessary to account for actual heat input under § 145.42(e) (relating to NO<sub>x</sub> allowance allocation) for the control period or to account for excess emissions for a prior control period under § 145.54(d) or to account for withdrawal from the NO<sub>x</sub> budget trading program, or a change in regulatory status, of a NO<sub>x</sub> budget opt-in unit under §§ 145.86 and 145.87 (relating to withdrawal from NO<sub>x</sub> Budget Trading Program; and opt-in source change in regulatory status).

(b) An NO<sub>x</sub> budget unit shall be subject to the requirements under Paragraph (a) starting on May 1, 2003, or the date on which the unit commences operation, whichever is later.

§ 145.6(c). Standard requirements—Excess Emissions.

The owners and operators of a NO<sub>x</sub> budget unit that has excess emissions in any control period shall do the following:

Surrender the NO<sub>x</sub> allowances required for deduction under § 145.54(d)(1) (relating to compliance).

§ 145.6(d). Standard requirements—Recordkeeping and reporting requirements.

Unless otherwise provided, the owners and operators of the NO<sub>x</sub> budget source and each NO<sub>x</sub> budget unit at the source shall maintain at a central location and provided upon request by the Department or the NO<sub>x</sub> budget administrator all documents required under § 145.6(d) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of the 5 years, in writing by the Department or the Administrator.

§ 145.74(b). Standard requirements—Monitoring plans.

(a) The owner or operator of a unit subject to an acid rain emissions limitation shall comply with requirements of 40 CFR 75.62 (relating to monitoring plan), except that the monitoring plan shall also include all of the information required by 40 CFR Part 75, Subpart H.

(b) The owner or operator of a unit that is not subject to an acid rain emissions limitation shall comply with requirements of 40 CFR 75.62, except that the monitoring plan is only required to include the information required by 40 CFR Part 75, Subpart H.

§ 145.74(c). Certification applications.

The NO<sub>x</sub> authorized account representative shall submit an application to the Department within 45 days after completing all initial certification or recertification tests required under § 145.71 (relating to initial certification and recertification procedures) including the information required under 40 CFR Part 75, Subpart H.

§ 145.74. Source emissions reporting requirements.

(a) The authorized account representative shall submit to the Department and to the NO<sub>x</sub> Budget Administrator a quarterly emissions report in accordance with the requirements of § 145.74(d).

(b) The NO<sub>x</sub> authorized account representative shall submit to the Department and the NO<sub>x</sub> Budget Administrator a compliance certification in support of each quarterly report required under § 145.74(d) based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the units emissions are correctly and fully monitored.

§ 145.30. Compliance certification report.

For each control period in which one or more NO<sub>x</sub> budget units at a source are subject to the NO<sub>x</sub> budget emissions limitation, the NO<sub>x</sub> authorized account representative of the source shall submit to the Department and the NO<sub>x</sub> Budget Administrator by November 30 of that year, a compliance certification report for the source covering all of the units.

§ 145.90. Emission reduction credit provisions.

NO<sub>x</sub> budget units may create, transfer and use emission reduction credits (ERCs) in accordance with Chapter 127 and § 145.90. ERCs may not be used to satisfy NO<sub>x</sub> allowance requirements.

(20) Under the provisions of 25 Pa. Code Chapter 127, Subchapter E, New Source Review, the permittee shall secure Department-approved NO<sub>x</sub> Emission Reduction Credits (ERCs) in the amount of 275 tons per year and volatile organic compounds (VOCs) ERCs in the amount of 91 tons per year *prior* to the commencement of operation of the combustion turbines and duct burners.

(21) The permittee shall limit the combined-cycle electric generating plant emissions of NO<sub>x</sub> to 239 tons during any consecutive 12-month period.

(22) The permittee shall limit the combined-cycle electric generating plant emissions of carbon monoxide (CO) to 451 tons during any consecutive 12-month period.

(23) The permittee shall limit the combined-cycle electric generating plant emissions of VOCs to 79 tons during any consecutive 12-month period.

(24) Under the Lowest Achievable Emission Rate (LAER) provisions of 25 Pa. Code § 127.205, the permittee shall limit the emissions from each combustion turbine with duct burner to the following:

<i>Pollutant</i>	<i>Fuel</i>	<i>Emissions (corrected to 15% O<sub>2</sub>)</i>
NO <sub>x</sub>	Natural Gas	2.5 ppmvd (1-hr. avg. calculated from a 3-hr. rolling block sum) (0.0094 #/MMBTU HHV)*
NO <sub>x</sub>	Distillate Oil	6.5 ppmvd (1-hr. avg. calculated from a 3-hr. rolling block sum) (0.0259 #/MMBTU HHV)*

\* As calculated using US EPA F factor methodology

<i>Pollutant</i>	<i>Fuel</i>	<i>Emissions</i> (1 hr.-block avg. on a dry basis corrected to 15% O <sub>2</sub> )
VOC	Natural Gas	1.0 ppmvd as CH <sub>4</sub> at > 85% of full base load (0.0013 #/MMBTU HHV)* 1.6 ppmvd as CH <sub>4</sub> at ≥ 70% but ≤ 70% but ≤ 85% of full base load (0.0021 #/MMBTU HHV)* 2.6 ppmvd as CH <sub>4</sub> at base load with duct firing (0.0033 #/MMBTU HHV)*
VOC	Distillate Oil	4.2 ppmvd as CH <sub>4</sub> at > 85% of full base load (0.0058 #/MMBTU HHV)* 24.5 ppmvd as CH <sub>4</sub> at ≥ 70% but ≤ 85% of full base load (0.0340 #/MMBTU HHV)* 5.4 ppmvd as CH <sub>4</sub> at base load with duct firing (0.0073 #/MMBTU HHV)*

\* As calculated using US EPA F factor methodology

(25) Under the Best Available Control Technology (BACT) provisions of 25 Pa. Code § 127.83, the permittee shall limit the emissions from each combustion turbine with duct burner to the following:

<i>Pollutant</i>	<i>Fuel</i>	<i>Emissions</i> (1 hr.-block avg. on a dry basis corrected to 15% O <sub>2</sub> )
CO	Natural Gas	3.0 ppmvd at ≥ 70% of full base load (0.007 #/MMBTU HHV)* 4.0 ppmvd with duct burners (0.009 #/MMBTU HHV)*
	Distillate Oil	6.0 ppmvd at loads > 85% (0.015 #/MMBTU HHV)* 6.5 ppmvd with duct firing (0.016 #/MMBTU HHV)* 10.0 ppmvd at ≥ 70% but ≤ 85% of full base load (0.024 #/MMBTU HHV)*
SO <sub>2</sub>	Natural Gas	0.0006 #/MMBTU (HHV)
	Distillate Oil	0.051 #/MMBTU (HHV)
Particulate (TSP/PM <sub>10</sub> )	Natural Gas	0.0055 #/MMBTU (HHV) at > 85% of full base load 0.0097 #/MMBTU (HHV) at base load with duct firing 0.0071 #/MMBTU (HHV) at ≥ 70% but ≤ 85% of full base load
	Distillate Oil	0.0437 #/MMBTU (HHV) at > 85% of full base load 0.0497 #/MMBTU (HHV) at base load with duct firing 0.0856 #/MMBTU (HHV) at ≥ 70% but ≤ 85% of full base load
H <sub>2</sub> SO <sub>4</sub>	Natural Gas	0.0002 #/MMBTU (HHV) 0.0003 #/MMBTU (HHV) at base load with duct firing
	Distillate Oil	0.0159 #/MMBTU (HHV) 0.0193 #/MMBTU (HHV) at base load with duct firing

\* As calculated using US EPA F factor methodology

(26) Under the Best Available Technology provisions of 25 Pa. Code § 127.1, the permittee shall limit the emission of ammonia for each selective catalytic reduction (SCR) system exhaust to 10 ppmvd, measured dry volume corrected to 15% oxygen, under normal operation.

(27) The emissions in Conditions 24, 25 and 26 apply at all times except during periods of start-up and shutdown as defined as follows:

(a) *Cold start-up*: Refers to restarts made more than 72 hours after shutdown; cold start-up periods shall not exceed 4 hours per occurrence.

(b) *Warm Start-up*: Refers to restarts made more than 24 hours but less than 72 hours after shutdown; warm start-up periods shall not exceed 2.5 hours per occurrence.

(c) *Hot Start-up*: Refers to restarts made 9 hours or less after shutdown; hot start-up periods shall not exceed 1.5 hours per occurrence.

(d) *Shutdown*: Commences with the termination of fuel (natural gas or distillate oil) injected into the combustion chambers.

(28) Under the provisions of 25 Pa. Code § 123.31, there shall be no malodorous emissions outside the property boundaries from any operation related to any source covered under this Plan Approval.

(29) Under the provisions of 25 Pa. Code § 123.41, the visible air contaminants from each combustion turbine exhaust stack shall not be emitted in a manner that the opacity of the emissions is equal to or greater than 20% for a period or periods aggregating more than 3 minutes in any 1 hour; or equal to or greater than 60% at any time.

(30) Within 60 days after achieving the maximum firing rate, but not later than 180 days after start-up, the permittee shall demonstrate compliance with each emission limit established in Conditions 24, 25 and 26 and opacity as per § 60.8 and 40 CFR Part 60 Subparts Da, Dc and Gg and Chapter 139 of the Rules and Regulations of the Department of Environmental Protection.

(31) At least 60 days prior to the test, the permittee shall submit to the Department for approval the procedures for the test and a sketch with dimensions indicating the location of sampling ports and other data to ensure the collection of representative samples.

(32) At least 30 days prior to the test, the Regional Air Quality Program Manager shall be informed of the date and time of the test.

(33) Within 30 days after the source tests, two copies of the complete test report, including all operating conditions, shall be submitted to the Regional Air Quality Program Manager for approval.

(34) Continuous emission monitoring system for nitrogen oxides (as NO<sub>2</sub>), carbon monoxide (CO) and diluent gas (O<sub>2</sub> or CO<sub>2</sub>) must be approved by the Department and installed, operated and maintained in accordance with the requirements of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection. Proposals containing information as listed in the Phase I section of the Department's *Continuous Source Monitoring Manual* for the CEMs must be submitted at least 3 months prior to the start-up of the combustion turbines.

(35) Phase I Department approval must be obtained for the monitors described in Condition 34 prior to initial start-up of the combustion turbines. Phase III Department approval must be obtained within 60 days of

achieving the maximum production rate at which the turbines will be operated, but not later than 180 days after initial start-up of the turbines. Department review time for the Phase III report (time between postmark of the permittee's Phase III report and the postmark of the Department's response letter) will not be charged against the turbines in determining compliance with this condition. Information in obtaining Department approval is included in the Department's *Continuous Source Monitoring Manual*.

(36) The permittee shall install and maintain fuel flow monitors that meet the requirements of 40 CFR Part 75, Appendix D.

(37) The permittee shall monitor and record the following parameters for each SCR system:

- (a) Catalyst bed inlet gas temperature
- (b) Ammonia solution injection rate
- (c) Ammonia solution concentration

(38) The permittee shall record each start-up and shutdown, including the date and times of each event, for the combustion turbines and the duct burners.

(39) The permittee shall, at the minimum, record the following for the combined-cycle electric generating plant:

- (a) Monthly fuel consumption
- (b) 2-month rolling total fuel consumption
- (c) Monthly emissions of TSP/PM<sub>10</sub>, SO<sub>2</sub>, NO<sub>x</sub>, CO, VOC and H<sub>2</sub>SO<sub>4</sub>
- (d) 12-month rolling total of the emissions identified in Condition (39)(c)
- (e) Results of fuel sampling, as applicable
- (f) SCR monitoring results

(40) All emissions shall be determined by the methods found in 40 CFR Part 60 Subparts Da, Dc and Gg, the Plan Approval Application and supplemental materials and *Continuous Emission Monitoring Manual*.

(41) The permittee shall limit the total dissolved/suspended solids in the cooling tower blowdown water to 1100 ppmw, or less.

(42) The permittee shall, on a weekly basis, test the cooling tower water for total dissolved and suspended

solids. A schedule of less frequent testing may be approved by the Department upon demonstration that the results of the required testing are below the limitation contained in Condition 41.

(43) Records required under this Plan Approval, 40 CFR Part 60 Subparts Da, Dc and Gg and 40 CFR Parts 72, 73, 75 and 77 shall be kept for a period of 5 years and shall be made available to the Department upon request.

(a) The permittee shall maintain records on all air pollution control system performance evaluations and records of calibration checks, adjustments and maintenance performed on all equipment which are subject to this Plan Approval.

(b) The permittee shall maintain a copy of the manufacturer's specifications for the two combustion turbines, two heat recovery steam generators with duct firing, one steam generator, one 39.9 MMBTU/hr auxiliary natural gas boiler, one cooling tower and air pollution control equipment onsite.

(c) The permittee shall maintain a copy of the manufacturer's specifications for all CEMs that are required by this Plan Approval.

(d) The permittee shall keep a record of the date of malfunction, the time of the malfunction, the cause of the malfunction and the action taken to correct the malfunction.

(e) The permittee shall keep a record of the results of the testing for cooling tower blowdown water total dissolved and suspended solids.

(44) The Department reserves the right to use the CEMs data, stack test results and the operating parameters determined during optimization of the turbines and their associated air cleaning devices to verify emission rates, to establish emission factors and to develop compliance assurance measures in the Operating Permit.

(45) Hazardous Air Pollutants (HAPs) for the entire combined-cycle electric generating plant shall not exceed 10 tons per year for a single HAP and 25 tons per year for all HAPs.

(46) The permittee will consume the following portions of the available PSD increments as listed in 40 CFR Part 52, Subpart 21, based upon the modeling conducted in support of the application:

Pollutant	Averaging Period	Reliant Energy, Portland (µg/m <sup>3</sup> )	Maximum Allowable PSD PSD Increase (µg/m <sup>3</sup> )	% of PSD Increment
PM <sub>10</sub>	24-hour	6.5	30	22%
	Annual	0.12	17	0.7%
SO <sub>2</sub>	3-hour	35.6	512	7%
	24-hour	5.5	91	6%
	Annual	0.06	20	0.3%
NO <sub>2</sub>	Annual	0.1	25	0.4%

(47) The facility shall not burn distillate oil with a Sulfur content greater than 0.05%.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**06-5049A: Fleetwood Industries** (3001 St. Lawrence Avenue, St. Lawrence, PA 19606) for construction of a conveyORIZED, wooden furniture surface coating line controlled by dry filter at the St. Lawrence Plant in the

Borough of St. Lawrence, **Berks County**. This wooden furniture manufacturing facility is a non-Title V (State only) facility. This construction will result in a potential emission of 3.5 tons per year of volatile organic compounds (VOC). The applicant will be required to record the coating usages and calculate the VOC emissions monthly. Limits will be placed on the VOC content of the coatings used in the source. The approval will include monitoring, recordkeeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

**22-05023: ExxonMobil Oil Corporation, formerly Mobil Oil Corporation** (600 Billingsport Road, Paulsboro, NJ 08066) for the administrative amendment to non Title V operating permit to incorporate the change of company name for the Harrisburg Terminal in Swatara Township, **Dauphin County**.

**36-05011: ExxonMobil Oil Corporation, formerly Mobil Oil Corporation** (600 Billingsport Road, Paulsboro, NJ 08066) for the administrative amendment to non Title V operating permit to incorporate the change of company name for the Lancaster Terminal in Manheim Township, **Lancaster County**.

**36-05067H: C&D Technologies, Inc.** (82 East Main Street, Leola, PA 17540) for installation of a fabric filter emissions control system at the existing lead-acid battery manufacturing facility in Upper Leacock Township, **Lancaster County**. No appreciable change in facility emissions is expected from this addition. Sources at the facility are subject to the provisions of 40 CFR 60, Subpart KK—Standards of Performance for Lead-Acid Battery Manufacturing Plants. The plan approval will include monitoring, testing, record keeping and reporting requirements designed to keep the facility operating in accordance with all applicable air quality requirements.

**36-05107B: Pepperidge Farm, Inc.** (2195 North Reading Road, Denver, PA 17517) for modification of the No. 8 Cracker Line and Bread Line volatile organic compound (VOC) emission controls. No emission increases are expected from this modification. The plan approval will include monitoring, testing, record keeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

**67-05069A: Cemex, Inc.** (P. O. Box 220, Thomasville, PA 17364) for installation of a new grinding mill at the Thomasville Facility located in Jackson Township, **York County**. The grinding mill is a non-Title V facility. The facility can process approximately 14 tons of limestone per hour. Particulate matter emissions will be controlled by a dust collector and will stay below 0.02 grain per dry standard cubic foot. The source is subject to 40 CFR 60, Subpart 000, Standards of Performance for Nonmetallic Mineral Processing Plants. The plan approval and operating permit will include monitoring, testing, record keeping and reporting requirements designed to keep the source operating within all applicable air quality requirements.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: David Aldenderfer, Program Manager, (570) 327-3637.*

**12-327-001: Keystone Automatic Technology, Inc.** (1 South Maple Street, Emporium, PA 15834) for construction of a Hollis model 201796 open-top manually-operated batch vapor degreaser equipped with a Copeland model RRS4-0075-IAV-958 refrigerated freeboard chiller in Emporium Borough, **Cameron County**.

The operation of the degreaser will result in the emission of up to 3300 pounds of trichloroethylene in any 12 consecutive month period. Trichloroethylene has been designated as a hazardous air pollutant by the Environmental Protection Agency. The Department of Environmental Protection (Department) has determined that the degreaser will comply with all applicable regulatory requirements pertaining to air contaminant sources and the emission of air contaminants including the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12 and the National Emission Standards for Halogenated Solvent Cleaning, 40 CFR 63.460—63.469. The Depart-

ment of Environmental Protection consequently intends to issue plan approval for the construction of the respective degreaser.

The Department intends to place conditions in the plan approval to be issued pertaining to the operation and monitoring of the degreaser. These conditions are intended to assure proper operation of the degreaser as well as maintain compliance with all applicable air quality regulatory requirements. The following is a summary of these conditions regarding the degreaser:

1. The amount of trichloroethylene used in the degreaser shall not exceed 3,300 pounds in any 12 consecutive month period.

2. The degreaser shall not be operated without the simultaneous operation of the refrigerated chiller. The chilled air blanket created by the refrigerated freeboard chiller, as measured at the coldest point on a vertical axis through the center of the degreaser, shall not exceed 56°F at any time, except during times of chiller defrost.

3. The degreaser shall incorporate a freeboard ratio of at least 0.75 and a manually operated working-mode cover.

4. The cover to the degreaser shall fully cover the degreaser opening at all times of operation except to introduce new trichloroethylene into the degreaser compartment or to insert or remove the parts basket. In addition, the cover to the degreaser shall fully cover the degreaser opening at all times of idling and downtime except to perform degreaser maintenance or monitoring that requires that the cover not be in place.

5. The permittee shall maintain comprehensive and accurate records of the amount of trichloroethylene used in the degreaser per month as well as the amount of 100% trichloroethylene shipped off site per month.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**10-0211: Indspec Chemical Corp.** (P. O. Box 307, Petrolia, PA 16050) for construction of a 9500-gallon storage vessel for resorcinol and installation of a scrubber to control the resorcinol emissions in the Borough of Petrolia, **Butler County**. The facility currently has a Title V permit which was issued November 2, 2000. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date. The Plan Approval required stack testing. Particulate sampling is not feasible at this source; therefore, the Plan Approval has been modified to eliminate stack testing at this source. The facility will continue to record nitrogen flow, nitrogen pressure, tank temperature and tank levels daily.

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**Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

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*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: James Parette, New Source Review Chief, (570) 826-2531.*

**40-303-009B: Kaminski Brothers, Inc.** (226 New Boston Road, Pittston, PA 18640) for operation of Batch Asphalt Plants 1 & 2 and associated air cleaning devices in Jenkins Township, **Luzerne County**.

**40-310-044: Lonsetta Trucking and Excavating Co.** (P. O. Box 644, 340 Rocky Road, Hazleton, PA 18201) for



operation of a stone crushing plant and associated air cleaning device in Hazle Township, **Luzerne County**.

**54-317-002B: Kaytee Products, Inc.** (Bay-Mor Division, 55 South Sillyman Street, Cressona, PA 17929) for operation of a grain processing and cleaning plant and associated air cleaning device in Cressona Borough, **Schuylkill County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**67-03016: Walter W. Ziegler's Sons, Inc.** (830 Loucks Mill Road, York, PA 17405-1501) for operation of the Louck's Mill Concrete Plant located in Spring Garden Township, **York County**. The particulate matter emission from the operation is less than a ton per year. The permit shall contain additional record keeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**42-00178: Glenn O. Hawbaker, Inc.—Turtlepoint Plant** (Route 155, Turtlepoint, PA 16750) for operation of the facility's air contamination sources consisting of a 400-tph-asphalt batch plant in Annin Township, **McKean County**.

**43-00034: Dunbar Asphalt Products, Inc.—Wheatland Plant** (Ohio Street Ext., Wheatland, PA 16161) for operation of the facility's air contamination sources consisting of a 150 and 260 tph-asphalt batch plants in Wheatland Township, **Mercer County**.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104; Contact: Roger Fey, Chief, (215) 823-7584.*

**96-021: The Curtis Center** (625 Walnut Street, Philadelphia, PA 19106) for operation of an office building in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include two 14,845,000 BTU/hr boilers that can burn natural gas or #2 fuel oil.

**95-048: Jeanes Hospital** (7600 Central Avenue, Philadelphia, PA 19111) for operation of a hospital in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's air emission sources include three 304 HP boilers and six emergency generators.

**95-066: Perfecseal, Inc.** (9800 Bustleton Avenue Philadelphia, PA 19115) for operation of a medical packaging converting facility in the City of Philadelphia, **Philadelphia County**. The Synthetic Minor facility's air emission sources include two 6.7 MMBTRU/hr boilers, one MMBTU/hr boiler, four flexographic printing presses and one drying oven.

**96-010: Philadelphia Tramrail Company** (2201 East Ontario Street, Philadelphia, PA 19134) for the manufacturing of overhead cranes and hydraulic balers and compactors in the City of Philadelphia, **Philadelphia County**. The Natural Minor facility's air emission sources include three 1.75 MMBTU/hr No. 2 oil-fired space heaters and two painting stations with filters.

**00-008: Roto-Die Co., Inc.** (2850 Comly Road, Philadelphia, PA 19154) for the process of repairing rotary dies which are utilized by the printing industry, consisting of cleaning, grinding, sharpening, testing, chrome stripping and chrome plating. The Natural Minor facility's air

emission sources include a hard chromium electroplating system/stripping process consisting of one 108 gallon strip tank and one 108 gallon plating tank controlled by an air pollution control system consisting of a Pre-Filter Mist Eliminator, Enforcer III Composite Mesh-Pad System and HEPA filters. The facility has been deferred from Title V permitting until December 9, 2004.

## MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to 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 before 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 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—123 and 86.31—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. NPDES permits will contain, at a minimum, technology-based effluent limitations (as described in the Department's regulations—25 Pa. Code §§ 77.522, 87.102, 88.92, 88.187, 88.242, 89.52 and 90.102) for iron, manganese, suspended solids, settleable solids, alkalinity and pH. In addition to the previous, 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 previously-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.

#### *Coal Applications Received*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**40850102R2. Northeast Energy Co.**, (254 Johnson Street, Wilkes-Barre, PA 18702), renewal of an existing anthracite surface mine/refuse disposal operation in Laurel Run Borough, **Luzerne County** affecting 111.1 acres, receiving stream—none. Application received: July 16, 2001.

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982.*

**65910104. M. B. Energy, Inc.** (250 Airport Road, P. O. Box 1319, Indiana, PA 15701-1319). Renewal application received for continued reclamation only of a bituminous surface/auger mine located in Derry Township, **Westmoreland County**, affecting 89.2 acres. Receiving streams: unnamed tributary to Stony Run and McGee Run. Application received: July 17, 2001.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.*

**11960106. Permit Renewal, M. B. Energy, Inc.** (175 McKnight Road, Blairsville, PA 15717-7961), for continued operation of a bituminous surface mine in Jackson Township, **Cambria County**, affecting 311.0 acres, receiving stream unnamed tributaries to Laurel Run, Laurel Run. Application received: July 17, 2001.

*McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317.*

**03961302. TJS Mining, Inc.** (R. D. #1, Box 260D, Shelocta, PA 15774), to revise the permit for the TJS #4 Mine in Plumcreek Township, **Armstrong County** to add 150 permit and 76 subsidence control plan acres, no additional discharges. Application received: June 6, 2001.

**26970702. Matt Canestrone Contracting, Inc.** (P. O. Box 124, Belle Vernon, PA 15012), to revise the permit for the La Bell Site in Luzerne Township, **Fayette County** to revise location of haul road, no additional discharges. Application received: June 7, 2001.

**32733709. Robindale Energy Services, Inc.** (One Energy Place, Suite 1400, Latrobe, PA 15650), to transfer the permit for the Dilltown Facility in Brush Valley Township, **Indiana County** from Custom Coals Dilltown, no additional discharges. Application received: July 6, 2001.

**32841601. Robindale Energy Services, Inc.** (One Energy Place, Suite 1400, Latrobe, PA 15650), to transfer the permit for the Dilltown Facility in Brushvalley Township, **Indiana County** from Custom Coals Dilltown, no additional discharges. Application received: July 6, 2001.

*Knox District Mining Office: White Memorial Building, P. O. Box 669, Knox, PA 16232-0669.*

**33970109. MSM Coal Company, Inc.** (P. O. Box 243, DuBois, PA 15801). Revision to an existing bituminous surface strip operation in Oliver Township, **Jefferson County** affecting 85.2 acres. Receiving streams: unnamed tributaries to Lick Run and unnamed tributary to Little

Sandy Creek. Revision to include a post mining landuse change from forestland to unmanaged natural habitat on lands of Park and Hoffman. Application received: July 13, 2001.

#### *Noncoal Applications Received*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**15750402C. Glasgow, Inc.** (P. O. Box 1089, Glenside, PA 19038), correction to an existing quarry operation in East Whiteland Township, **Chester County** affecting 239.0 acres, receiving stream—Cedar Hollow Run to Valley Creek. Application received: July 13, 2001.

### **FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401**

The following permit applications and requests for Environmental Assessment approval and requests for Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)), requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Initial requests for 401 Water Quality 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 Permit or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between the hours of 8 a.m. and 4 p.m. on each working day at the office noted before 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.

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**Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

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### **WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**E46-891. Cheltenham Township**, 8230 Old York Road, Elkins Park, PA 19027, Cheltenham Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following activities located within and along Tookany Creek (WWF):

1. To remove the existing steel bridge (aka Morgan Park Bridge) and to construct and maintain a 45-foot by 6-foot wide pedestrian steel bridge located just southeast of the intersection of Paxsen Avenue and South Avenue (Germantown, PA Quadrangle N: 17.3 inches; W: 2.1 inches).

2. To remove the exposed remnants of an existing masonry abutment, formerly the Griffin Field Bridge which was destroyed by Hurricane Floyd and to construct and maintain a 57-foot long by 6-foot wide pedestrian steel bridge which is located 250 feet northwest of the intersection of Tookany Creek Parkway and Central Avenue (Frankford, PA-NJ Quadrangle N: 10.9 inches; W: 13.6 inches).

3. To remove the existing steel bridge (aka Little League Bridge) and to construct and maintain a 71-foot long by 6-foot wide pedestrian bridge, including 20 LF of R-6 stone riprap. The bridge is located approximately 120 feet south of the intersection of Tookany Creek Parkway and Ashbourne Road (Frankford, PA-NJ Quadrangle N: 10.2 inches; W: 13.6 inches).

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**E01-226. Hamilton Township**, 272 Mummerts Church Road, Abbottstown, PA 17301 in Hamilton Township, **Adams County**, ACOE Baltimore District.

To construct and maintain 20,000 feet of gravity sewer main, 10,000 feet of sanitary sewer face main and construct three pump stations along an unnamed tributary to South Branch Conewago Creek (WWF) (Hampton, PA Quadrangle N: 22.4 inches; W: 4.9 inches).

**E05-295. Monroe Township**, P. O. Box 38, Clearville, PA 155535, Monroe Township, **Bedford County**, ACOE Baltimore District.

To remove an existing structure and to construct and maintain a 25-foot by 7-foot pre-cast box culvert in the channel of East Branch Sidelings Hill Creek (EV) and to relocate 165 feet of an unnamed tributary to the East Branch Sidelings Hill Creek (EV) at a point at T-354 (Amaranth, PA Quadrangle N: 16.5 inches; W: 9.2 inches).

**E05-296. John Folk**, Box 86, 1208 Main Street, Six Mile Run, PA 16679 in Broad Top Township, **Bedford County**, ACOE Baltimore District.

To remove an existing culvert and to construct and maintain a 30-inch plastic culvert and to relocate approximately 200 feet of the channel of a tributary to Six Mile Run (WWF) at a point upstream of Wright Boulevard (Saxton, PA Quadrangle N: 8.75 inches; W: 13.2 inches)

**E07-347. Bonnie Lewis**, Logan Township, 800 39th Street, Altoona, PA 16601 in Logan Township, **Blair County**, ACOE Baltimore District.

To remove an existing structure and to construct and maintain a 71-inch by 47-inch corrugated steel pipe arch in the channel of an unnamed tributary to Homer Gap Run (WWF) at a point at Homer Gap Road (Altoona, PA Quadrangle N: 13.5 inches; W: 6.7 inches).

**E22-432. Hummelstown Borough**, 136 S. Hanover Street, Hummelstown, PA 17036 in Hummelstown Borough, **Dauphin County**, ACOE Baltimore District.

To construct and maintain an 8-foot wide pedestrian trail and a 60-foot span timber foot bridge over a tailrace in the floodway of the Swatara Creek (WWF) located off Sweet Arrow Drive near the Dauphin Consolidated Water Company's filtration plant (Hershey, PA Quadrangle N: 3.9 inches; W: 13.2 inches).

**E22-433. Sarah Hopkins**, 1620 Hemlock Lane, Dauphin, PA 17018 in Middle Paxton Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain a 10-foot by 12-foot, 120 square foot, one story addition attached to an existing residential home situated in the floodway of Stony Creek (CWF) located on Hemlock Lane about 3.3 miles northeast of the Borough of Dauphin (Halifax, PA Quadrangle N: 2.2 inches; W: 0.1 inch).

**E28-289. Greencastle Borough**, 60 N. Washington Street, Greencastle PA 17225 in Antrim Township and Greencastle Borough, **Franklin County**, ACOE Baltimore District.

To construct and maintain a two pipe stormwater system which starts from an existing stormwater line and travels approximately 3,100 feet and then discharges into an unnamed tributary to Paddy Run (WWF). The stream channel will be improved with a wider cross-section and a berm along the stream near the end of the project (Greencastle, PA Quadrangle N: 6.0 inches; W: 15.3 inches).

**E28-290. Chambersburg Borough**, 100 South Second Street, Chambersburg, PA 17201 in Chambersburg Borough, **Franklin County**, ACOE Baltimore District.

To (1) remove the existing steel grid deck from Bridge #3 and demo support walls sections 4-6 and (2) construct and maintain a reinforced concrete slab deck and pave a new roadway surface across Falling Spring Branch (TSF) at a point 0.6 mile northeast of the Chambersburg Square (Chambersburg, PA Quadrangle N: 20.4 inches; W: 3.2 inches)

**E31-173. Anthony Skicki, GPU Energy**, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19640 in Henderson and Smithfield Township, **Huntingdon County**, ACOE Baltimore District.

To install a fiber optic cable on an existing aerial electric transmissions line across the channel of the Juniata River (WWF) at a point approximately 3.6 miles upstream of Route 829 (Mount Union, PA Quadrangle N: 17.8 inches; W: 16.5 inches).

**E67-700. Mid-Atlantic Realty Trust**, 170 W. Ridgely Road, Suite 300, Lutherville, MD 21093, Shrewsbury Borough and Hopewell Township, **York County**, ACOE Baltimore District.

To remove an existing structure, construct and maintain a 72-inch corrugated metal pipe culvert and an 8-inch sanitary sewer pipe across an unnamed tributary channel, to construct an 18-inch and a 24-inch outfall stormwater discharge pipe and to relocate and maintain approximately 490 lineal feet of Deer Creek (CWF) for construction of the Shrewsbury Commercial Center located between I-83, Route 851 and Mount Airy Road (Glen Rock, PA Quadrangle N: 4.25 inches; W: 6.5 inches).

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**E14-394. Trout Unlimited Spring Creek Chapter**, 150 Village Drive, State College, PA 16803. Spring Creek

Watershed Stream Restoration Demonstration, in Benner Township, **Centre County**, ACOE Baltimore District (State College, PA Quadrangle N: 7.5 inches; W: 5.8 inches).

To restore a 600 linear foot reach of Buffalo Run with fluvial geomorphic principles such as cross veins, rock vanes, root wades, bioengineering, vegetated riparian buffers, regarded streambanks and boulder placement to enhance fish habitat and stabilize the stream banks located 500 feet north on Maple Drive from SR 550. The project proposes to permanently impact 600 linear feet of Buffalo Run that is classified as a High Quality Cold Water Fishery.

**E14-397. College Township**, 1481 East College Avenue, State College, PA 16801. Slab Cabin Run Footbridge, in College Township, **Centre County**, ACOE Baltimore District (State College, PA Quadrangle N: 10.3 inches; W: 10.6 inches).

To construct, operate and maintain a single span wooden footbridge across Slab Cabin Run (High Quality-Cold Water Fishery) to provide pedestrian access in a public recreation area. The single span footbridge shall be constructed with a minimum span of 24-feet, underclearance of 5.7-feet and width of 3.8-feet. The footbridge construction will not impact wetlands while impacting a maximum of 5.0-feet of water that is located along southern right-of-way of SR 0322 approximately 200-feet east of SR 0026 and SR 0322 intersection.

**E14-402. George Khoury**, PA Dept. of Transportation, District 2-0, 1924-30 Daisy, Clearfield, PA 16830. SR 6220 Improvements (A11), in Worth Township, **Centre County**, ACOE Baltimore District (Port Matilda, PA Quadrangle N: 10.85 inches; W: 8.35 inches).

This project includes construction of 2.6 miles of a new four-lane, divided, limited access highway west of State College in Centre County, PA (S.R. 6220). Section A11 is located in Worth Township. This project proposes to construct and maintain six permanent stormwater ponds. Two temporary stream crossings will be constructed. Temporary stream crossing #1 will cross Oliver Run and consist of six 48" pipes. Temporary stream crossing #2 crosses Oliver Run and consists of five 36" pipes. Structures 215 and 216 consist of two new parallel bridges for the proposed crossing of North Bald Eagle for the Southbound and Northbound lanes of S.R. 6220 at Sta. 650+00. Structure 213 consists of an 8' x 8' box culvert. This box culvert with a length of 720' will convey Zendt Hollow Run at Sta. 633+00 under the proposed roadway. Structure 218 consists of twin 14-foot (span) by 6-foot (rise) precast concrete box culverts, which will convey Oliver Run under Laurel Run Road at Sta. 28+00. Structures 219 and 220 consist of two new parallel bridges for the proposed crossing of Oliver Run by the Eastbound (Structure 220) and Westbound (Structure 219) lanes of S.R. 0322 at Sta. 67+90. Culvert 2 which is a 60-inch reinforced concrete pipe (RCP) will be constructed at Sta. 83+50 to carry S.R. 0322 over an UNT to Oliver Run. A channel relocation of Oliver Run will consist of 2 relocation changes: channel change #1 at Sta. 10+00 to 15+25 at 238', channel change #2 at Sta. 15+25 to 17+69.14 Oliver #1 is 767' in length and Oliver Run #2 is 338' in length. A total of 2.30 acres of Palustrine wetlands is proposed to be impacted, as well as a total of 4,903 linear feet of stream channel will be impacted due to this construction section and in the Riverine wetland category there are 2,828 linear feet (1.89 acres) proposed to be impacted. In addition, there are three stream

channels (UNTs to Oliver Run) that will be culverted and one stream channel (UNT to Zendt Run) bridged.

**E14-403. George Khoury**, PA Dept. of Transportation, District 2-0, 1924-30 Daisy, Clearfield, PA 16830. SR 6220 Improvements (A12), in Huston Township and Patton Township, **Centre County**, ACOE Baltimore District (Port Matilda, PA Quadrangle N: 14.6 inches; W: 11.2 inches).

This project includes the construction of a new four-lane, divided, limited access highway west of State College in Centre County, PA S.R. 6220 Construction Section A12. This project proposes to construct and maintain: three permanent stormwater management ponds, construct two permanent culverts and relocate 95 feet of stream channel within Waddle Creek; Culvert #1 will convey flow from a tributary of Buffalo Run under a proposed relocated section of S.R. 3042 at Station 143+14. Culvert #1 is proposed to be a 54-inch RCP that is 312 feet in length. The second culvert is Structure 317, which is proposed to be located under S.R. 6220 at Station # 919+43.67. Structure 317 is a 15' x 7' reinforced box culvert, 516 feet in length; The relocated section of Waddle Creek is at Station 958+25 Rt. (off of mainline) and it is proposed to be 95 feet in total length; A temporary stream crossing is proposed for the tributary of Buffalo Run, in the location of Culvert #1. This temporary stream crossing is proposed to be at Station 142+60 left off of S.R. 3042. The temporary stream crossing is proposed to be 50 feet in length and comprised of one 36" culvert. The temporary stream crossing will be removed and the area restored to the original conditions when the use of the temporary stream crossing is complete; there is a total of 1,080 feet of stream impact associated with the construction of this proposed project. A total of 0.200 acre of wetlands will be impacted. There is a small open water pond that is identified as wetland, WRP-004, at Sta. 905 Lt. This impoundment is 0.069 acre in size and a Pennsylvania Fish and Boat Commission drawdown permit has been applied for.

**E17-357. Pennsylvania Dept. of Transportation**, Engineering District 2-0, P. O. Box 342, Clearfield, PA 16830. SR 0219, Section A03, Bridge Replacement, in Sandy Township and the City of DuBois, **Clearfield County**, ACOE Pittsburgh River Basin District (DuBois, PA Quadrangle N: 20.2 inches; W: 2.7 inches).

To remove two existing structures; realign the stream channel; construct, operate and maintain a single cell precast concrete box culvert for the construction of a three span steel bridge to carry SR 0219, Section A09, across Pentz Run to improve public highway safety. The realignment and reconfiguration of Pentz Run shall be limited to 820-feet. The realignment and reconfiguration work shall include protective rock linings, vegetative stabilization and rock deflectors. The concrete box culvert shall be constructed with a minimum span of 24-feet, rise of 5.9-feet, stream channel depression of 0.5-feet and a skew of 55-degrees. The project not permanently impact wetlands while impacting 820-feet of Pentz Run and 20-feet of an unnamed tributary to Pentz Run. This permit also authorizes temporary stream and riparian corridor impacts for the construction, operation, maintenance and removal of temporary road crossings and stream diversions to accommodate construction activities.

**E41-486. Robert Cohick**, P. O. Box 419, Salladsburg, PA 17740. Stream bank stabilization in Salladsburg Borough, **Lycoming County**, ACOE Baltimore District (Salladsburg, PA Quadrangle N: 4.85 inches; W: 13.7 inches)

The applicant proposes to stabilize 360 linear feet of stream bank by installing 4 rock deflectors, armoring the bank with R-5 and R-6 riprap and removing a gravel bar located on the left side of the channel of Larry's Creek. This project proposes to impact 400 feet of stream and does not impact any wetlands.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E63-484. Cherry Valley Lake Development Corporation**, P. O. Box 273, Atlasburg, PA 15004. Mount Pleasant Township, **Washington County**, ACOE Pittsburgh District.

To construct and maintain a corrugated metal arch culvert having a span of 33.0 feet with a minimum underclearance of 12.4 feet across the channel of Raccoon Creek (WWF) for the purpose of providing access to the Cherry Valley Residential Development located just downstream from the Cherry Valley Dam (Midway, PA Quadrangle N: 14.5 inches; W: 10.9 inches).

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**E10-340. Cranberry Township**, 2525 Rochester Road, Cranberry Township, PA 16066. Robinhood Drive Culvert and Stream Enclosure, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 11.3 inches; W: 15.4 inches).

To conduct the following activities in an UNT Brush Creek (WWF) associated with a flood hazard reduction project located in a residential neighborhood approximately 1,000 feet north of Freedom Road beneath Robinhood Drive:

1. Replacement of an existing 4'7" high by 6'1" wide corrugated steel plate arch culvert with an approximately 220 linear-ft, 84-in diameter smooth walled aluminized steel pipe culvert stream enclosure.

2. Construction of an approximately 7-ft by 12-ft reinforced concrete inlet structure with debris screen.

3. Construction of an approximately 8-ft by 15-ft reinforced concrete endwall

4. Installation of a 30-ft long by 24-in thick R-5 riprap energy dissipater.

**E20-505. PA Department of Transportation**, Engineering District 1-0, 255 Elm Street, Oil City, PA 16301. S.R. 4012, Section BOO, Segment 0140, Offset 0000 across Conneaut Creek, in Spring Township, **Crawford County**, ACOE Pittsburgh District (Beaver Center, PA Quadrangle N: 11.9 inches; W: 1.7 inches).

To remove the existing bridge and to construct and maintain a prestressed concrete adjacent box beam bridge with a clear, normal span of 100 feet with a 16 foot waterway opening across Conneaut Creek on S.R. 4012, Section BOO, Segment 0140, Offset 0000 approximately one half mile from S.R. 18.

**E37-141. Neshannock Township**, 3131 Mercer Road, New Castle, PA 16105. Cunningham Lane, in Neshannock Township, **Lawrence County**, ACOE Pittsburgh District (New Castle North, PA Quadrangle N: 12.80 inches; W: 10.05 inches).

To remove an existing 60-inch corrugated metal culvert and construct and maintain twin 50-foot long 72-inch diameter corrugated metal pipe culverts in a tributary to Neshannock Creek on Cunningham Lane, approximately .38 miles from Mercer Road.

## ACTIONS

### FINAL ACTIONS TAKEN UNDER THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT—NPDES AND WQM PART II PERMITS

#### INDUSTRIAL WASTE AND SEWERAGE WASTEWATER

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications and requests for plan approval. The actions are listed in two categories. Section I lists all municipal and industrial permits and Section II lists oil and gas related permits.

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, 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 appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

#### I. Municipal and Industrial Permit Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001).

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**NPDES Permit No. PA0057991, Amendment No. 1**, Sewage, **Rothstein Tract Homeowners Association**, 19 South Pine Street, Doylestown, PA 18901.

This proposed facility is located in Doylestown Township, **Bucks County**.

Description of Proposed Action/Activity: Amend existing permit to reflect new ownership from BCWSA to the Homeowners Association

**WQM Permit No. 1501413**, Sewage, **Kennett Township**, 1001 East Baltimore Pike, P. O. Box H Kennett Square, PA 19348.

This proposed facility is located in Kennett Township, **Chester County**.

Description of Proposed Action/Activity: Construction and operation of a sewage pump station, force main and sewer collection system

**WQM Permit No. 0901407**, Sewerage, **Rothstein Tract Homeowners Association**, 19 South Pine Street, Doylestown, PA 18901.

This proposed facility is located in Doylestown Township, **Bucks County**.

Description of Proposed Action/Activity: Construction and operation of a sewage treatment plant.

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**NPDES Permit No. PA-0012963**, Industrial Waste, **Rock Tenn Company**, Paper Mill Road, Delaware Water Gap, PA 18327.

This proposed facility is located in Smithfield Township, **Monroe County**.

Description of Proposed Action/Activity: renewal of NPDES Permit.

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.*

**NPDES Permit No. PA0086894**, Sewage, **Country View Mobile Home Park**, 401 Harrisburg Street, East Berlin, PA 17316.

This proposed facility is located in Washington Township, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary of Red Run (Watershed 7-F).

**WQM Permit No. PA0024350**, Sewage, **Dauphin Borough Municipal Authority**, Dauphin Borough STP, 200 South Church Street, P. O. Box 487, Dauphin, PA 17018.

This proposed facility is located in Dauphin Borough, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to the Susquehanna River in Watershed 7-C.

**NPDES Permit No. PA0081779**, Sewage, **Central Dauphin School District**, Fishing Creek Elementary School, 600 Rutherford Road, Harrisburg, PA 17109.

This proposed facility is located in West Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to Fishing Creek in Watershed 7-C.

**NPDES Permit No. PA0029572 and WQM Permit No. 0190403 (amendment 01-1)**, Sewage, **Village of Laurel Run**, 6375 Chambersburg Road, Fayetteville, PA 17222.

This proposed facility is located in Franklin Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to Clear Run in Watershed 13-C/Permit Transfer.

**NPDES Permit No. PA0027189 and WQM Permit No. 2170410 (amendment 00-1)**, Sewage, **Lower Allen Township Authority**, 120 Limekiln Road, New Cumberland, PA 17070-2428.

This proposed facility is located in Lower Allen Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to Susquehanna River in Watershed 7-E/Rating.

**WQM Permit No. 0600402 (amendment 01-1)**, Sewage, **Borough of Topton**, 205 Callowhill Street, Topton, PA 19562.

This proposed facility is located in Topton Borough, **Berks County**.

Description of Proposed Action/Activity: Modifications to the construction/operation of sewage treatment facilities.

**WQM Permit No. 2201402 (amendment 01-1)**, Sewage, **James P. and Terri L. Hepschmidt**, 7820 Dewey Drive, Harrisburg, PA 17112.

This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Permit Transfer.

**NPDES Permit No. PA0087149**, Industrial Waste, **Pennsylvania Emergency Management Agency**, 1150 Riverside Drive, Lewistown, PA 17044-1971.

This proposed facility is located in Lewistown Borough, **Mifflin County**.

Description of Proposed Action/Activity: Authorization to discharge to Juniata River in Watershed 12-A.

**NPDES Permit No. PA0012998**, Industrial Waste, **Atlas Minerals & Chemicals, Inc.**, 1227 Valley Road, P. O. Box 38, Mertztown, PA 19539-0038

This proposed facility is located in Longswamp Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Toad Creek in Watershed 2-C.

**NPDES Permit No. PA0081779**, Industrial Waste, **Reading Alloys, Inc.**, P. O. Box 53, Robesonia, PA 19551-0053.

This proposed facility is located in Heidelberg Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT of Spring Creek in Watershed 3-C.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**NPDES Permit No. PA0093271**. Sewage. **Dyna-Craft Industries, Inc.**, 194 Goodview Drive, Apollo, PA 15613 is authorized to discharge from a facility located at Dyna-Craft Industries STP, Washington Township, **Westmoreland County** to receiving waters named unnamed tributary of Beaver Run.

**NPDES Permit No. PA0096814**. Sewage. **Ashbridge Oil Company, Inc.**, P. O. Box 5478, Johnstown, PA 15904-5478 is authorized to discharge from a facility located at Tri-Fuels Sewage Treatment Plant, Donegal Township, **Westmoreland County** to receiving waters named unnamed tributary to Minnow Run.

**NPDES Permit No. PA0203831**. Sewage. **Larry J. and Candace R. Youngblood**, R. R. #2, Box 2359-3, Wampum, PA 16157-9318 is authorized to discharge from a facility located at Riverside Primary Center STP, North Sewickley Township, **Beaver County** to receiving waters named unnamed tributary to Thompson Run.

**Permit No. 3200403**. Sewerage. **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701. Construction of Sewage Treatment Plant and Sanitary Sewers located in East Mahoning Township, **Indiana County** to serve Marion Center and adjacent areas.

**Permit No. 3200404**. Sewerage. **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701. Construction of Sewage Treatment Plant + Sanitary Sewers located in Pine Township, **Indiana County** to serve Heilwood and adjacent area.

**Permit No. 3200405.** Sewerage. **Indiana County Municipal Services Authority**, 827 Water Street, Indiana, PA 15701. Construction of sewage treatment plant and sanitary sewers located in East Wheatfield Township, **Indiana County** to serve Armagh and adjacent areas.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**NPDES Permit No. PA0222038**, Sewerage, **Robert B. Pangallo**, R. R. 1, Box 51A, Sigel, PA 15860.

This proposed facility is located in Barnett Township, **Jefferson County**.

Description of Proposed Action/Activity: This project is to discharge to unnamed tributary to Cathers Run.

**NPDES Permit No. PA0238589**, Sewerage, **Theresa Henke**, Executor for Michael J. Filyo Estate, 6210 Broad Street, South Park, PA 16129.

This proposed facility is located in Fairfield Township, **Crawford County**.

Description of Proposed Action/Activity: This project is to discharge to unnamed tributary to French Creek.

**NPDES Permit No. PA0238554**, Sewerage, **John E. Taddeo**, 24 Anthony Wayne Terrace, Baden, PA 15005.

This proposed facility is located in Cussewago Township, **Crawford County**.

Description of Proposed Action/Activity: This project is to discharge to unnamed tributary to Cussewago Creek.

**WQM Permit No. 2001409**, Sewerage, **Theresa Henke**, Executor for Michael J. Filyo Estate, 6210 Broad Street, South Park, PA 16129.

This proposed facility is located in Fairfield Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a Single Residence.

**WQM Permit No. 2001408**, Sewerage, **John E. Taddeo**, 24 Anthony Wayne Terrace, Baden, PA 15005.

This proposed facility is located in Cussewago Township, **Crawford County**.

Description of Proposed Action/Activity: This project is for a Single Residence.

**WQM Permit No. 4301414**, Sewerage, **Patrick V. and Denise M. Stadtfeld**, 7266 West Market Street, Lot #6, Mercer, PA 16137.

This proposed facility is located in Jefferson Township, **Mercer County**.

Description of Proposed Action/Activity: This project is for a Single Residence.

**WQM Permit No. 6201407**, Sewerage, **Raymond A. Graves**, 169 Scott Run Road, Warren, PA 16365.

This proposed facility is located in Conewango Township, **Warren County**.

Description of Proposed Action/Activity: This project is for a Single Residence.

**NPDES STORMWATER INDIVIDUAL PERMITS—(PAS)**

The following NPDES Individual Permits for Discharges of Stormwater Associated with Construction Activities have been issued.

These actions of the Department of Environmental Protection (Department) may be appealed to the Environmental Hearing Board (Board), Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483, by any aggrieved person under the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Appeals must be filed with the Board within 30 days from the date of this issue of the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Department's regulations governing practice and procedure before the Board may be obtained from the Board.

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10-G450	Bacton Hill Partnership 305 Exton Commons Exton, PA 19341	Chester	East Whiteland Township	Valley Creek (EV)

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q107-R	Trexler Development Associates 1611 Pond Road Suite 201 Allentown, PA	Lehigh	Allentown City	Little Cedar Creek HQ-CWF
PAS10S099	Pocono Mountains Municipal Airport Authority P. O. Box 115 Mount Pocono, PA 18344-0115	Monroe	Coolbaugh Township	Red Run HQ-CWF

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS100081	Octoraro Watershed Assn. 389 Pine Grove Road Nottingham, PA 19362	Lancaster County	Coerain Township Little Britain Township	West Branch Octoraro Creek (HQ, CWF, MF)

#### APPROVALS TO USE 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 Waters of the Commonwealth. The approval for coverage under these general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in the general permit; (2) General Permits for Beneficial Use of Sewage Sludge or Residential Septage by Land Application in Pennsylvania; (3) General NPDES Permit Authorizing the Discharge of Stormwater Associated with Construction Activities to Waters of the Commonwealth; (4) Notification for First Use Application of Sewage Sludge.

The approval of coverage for land application of sewage sludge or residential septage under these general permits is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. The Department of Environmental Protection approves the following coverage under the specific General Permit.

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

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 Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
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 (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
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-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
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 &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Lackawanna County Dickson City Borough	PAR10N122	Richard Dreher SADG-11, L.P. 102 Colliery Rd. Dickson City, PA 18519	Lackawanna River WWF	Lackawanna County Conservation District (570) 281-9495
Northampton County Lehigh Township	PAR10U163	Gregory Rapp 198 Paper Mill Rd. Barto, PA 19504	Hokendauqua Creek CWF	Northampton County Conservation District (610) 746-1971
Berwick Township Adams County	PAR100127	Don Leiby Sel-Wil, Inc. 7075 Carlisle Pike Carlisle, PA 17013	Pine Run (WWF)	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636



<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
North Middleton Township Cumberland County	PAR10H263	D. P. Operating Partnership 1200 Financial Boulevard Reno, NV 89502	Alexander Spring (CWF) Conodoguinet (WWF)	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Middlesex Township Cumberland County	PAR10H260	Army Academic Research Facility US ACOE Baltimore Dist. City Cresnet Bldg. 10 S Howard St Baltimore, MD 21201	Letort Spring (CWF)	Cumberland County Conservation District 43 Brookwood Avenue Suite 4 Carlisle, PA 17013 (717) 240-7812
Manheim Township Lancaster County	PAR10O502	Manheim Township 1840 Municipal Drive Lancaster, PA 17601	Huber Run (CWF) Conestoga River (CWF)	Lancaster County Conservation District 1383 Arcadia Road Rm. 6 Lancaster, PA 17601 (717) 299-5361
Boggs Township Centre County	PAR10F145	Mid Center County Auth. Michael Immel Box 811 Milesburg, PA 16853	UNT. Bald Eagle Creek/Bald Eagle Creek CWF	Centre County Conservation District 414 Holmes Ave., Suite 4 Belleville, PA 16823 (814) 355-6817

*Southwest Region: Regional Water Management Program Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Allegheny County City of Pittsburgh	PAR10A403-1	Pittsburgh Sports and Exhibition Authority 425 Sixth Street Pittsburgh, PA 15146	Allegheny River/WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Robinson Township	PAR10A428-1	CRA Associates 2559 Washington Road Pittsburgh, PA 15241	UNT to Chartiers Creek/ WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Upper St. Clair Township	PAR10A451-1	Williamson & Jefferson, Inc. 103 Warlington Circle McMurray, PA 15317	UNT to Painters Run/WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County North Fayette Township	PAR10A493	Seabright Land Company 470 Old Frankstown Road Monroeville, PA 15146	Robinson Run/WWF	Allegheny County Conservation District (412) 241-7645
Washington County Peters Township	PAR10W1188	Jeff and Diane Lioon 243 Twin Hills Drive Pittsburgh, PA 15216	UNT to Peters Creek/WWF UNT to Brush Run/WWF	Washington County Conservation District (724) 228-6774

*General Permit Type- PAG-3*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Concord Township Delaware County	PAR800081	Roadway Express Inc. 58 Lacrue Ave Concord Industrial Park Concordville, PA 19331	West Branch of Chester Creek and 3G Ridley Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131
Upper Providence Township Montgomery County	PAR230076	SmithKline Beecham Research Co. 1250 S. Collegeville Rd. P. O. Box 5089 Collegeville, PA 19426	Doe Run Creek and 3E Perkiomen Creek Watershed	DEP Southeast Region Lee Park, Suite 6010 555 North Lane Conshohocken, PA 19428 (610) 832-6131

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Blair County North Woodbury Township	PAR803646	P. E. Kramme, Inc. Curryville Terminal P. O. Box 937 Monroeville, NJ 08343	Frankstown Branch of Juniata River / CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County Upper Leacock Township	PAR233527	G&T Industries, Inc. P. O. Box 8098 3413 Eastern Ave. Grand Rapids, MI 49518	UNT to Mill Creek / WWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Bethel Township	PAR223527	Da-Jac Lumber, Inc. P. O. Box 426 800 Airport Road Bethel, PA 19507	UNT to Swatara Creek / CWF	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Columbia County South Centre Township	PAR204813	S & B Foundry 3825 New Berwick Hwy. Bloomsburg, PA 17815	Susquehanna River 5C	Northcentral Regional Office Department of Environmental Protection 208 West Third Street, Suite 101 Williamsport, PA 17701 (570) 327-3666

*General Permit Type- PAG-4*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Telephone No.</i>
Greenfield Township Erie County	PAG048393	Richard W. and Christine M. Loosley 8951 Prindle Road North East, PA 16428	Sevenmile Creek	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Jefferson Township Mercer County	PAG048742	Patrick V. and Denise M. Stadtfeld 7266 West Market Street, Lot #6 Mercer, PA 16137	Unnamed tributary to Daley Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Conewango Creek Warren County	PAG048739	Raymond A. Graves 169 Scott Run Road Warren, PA 16365	Scott Run	DEP NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type- PAG-7*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Weirton, WV	PAG07-9908	Valero Terrestrial Corporation R. D. 2 Box 410 Colliers, WV 26035	Brooke County Compost Facility R. D. 2 Box 410 Colliers, WV 26035	BWSWM (717) 787-8184

*General Permit Type- PAG-8*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Fulton Township Lancaster County	PAG080004	Philadelphia Water Dept. Biosolids Recycling Center 1101 Market Street Philadelphia, PA 19153	R. McSparron 1 Farm Fulton Township Lancaster County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Fulton Township Lancaster County	PAG080004	Philadelphia Water Dept. Biosolids Recycling Center 1101 Market Street Philadelphia, PA 19153	R. McSparron 2 Farm Fulton Township Lancaster County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*General Permit Type- PAG-9 (SSN)*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Telephone No.</i>
Southampton Township Franklin County	PAG093532	Rosenberry Septic Tank Service 8885 Pineville Road Shippensburg, PA 17257	RBA Septic Services LLC Farm Southampton Township Franklin County	DEP SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20).**

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Plan Location:**

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Allen Township	Municipal Building 4714 Indian Trail Road Northampton, PA 18067	Northampton

**Plan Description:** The approved plan provides for an expansion of the sewer service area to include Atlas Heights, Drexel Heights and several proposed developments. The update revision's selected alternative is identified as Alternative 4 in the plan submission. Alternative 4 proposes two connections to the Borough of Northampton Public Sewer System with treatment at the Borough of Northampton Wastewater Treatment Plant. No public money will be utilized to implement the chosen alternative. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**Plan Location:**

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Borough of Riverside	P. O. Box 307	Northumberland

**Plan Description:** The approved plan provides for construction of a gravity sewer extension to serve the Beishline Development section of the Borough which is presently served by on-lot septic systems. Thirty-eight residences will be served initially with an estimated design flow from the new service area of 16,200 gpd. Treatment will be provided in the Borough of Danville's

existing wastewater treatment facility. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required WQM Permits must be obtained in the name of Riverside Borough.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Plan Location:**

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Fayette Township	400 North Branch Road Oakdale, PA 15071	Allegheny

**Plan Description:** The approved plan provides for construction of a 500 gallon per day single residence sewage treatment plant to serve the Arthur Loriso single family home. The property is located on the east side of Seabright Road at its intersection with Old Steubenville Pike. The proposed discharge point is Half Crown Run classified as a warm water fishery. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant as appropriate.

**Plan Location:**

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
West Bethlehem Township	Municipal Building Jefferson Avenue Marianna, PA 15345	Washington

**Plan Description:** The approved plan provides for construction of a 500 gallon per day single residence sewage treatment plant to serve the Michael A. Riedl single family home. The property is located on the east side of Highland Ridge Road extending to Fisher Hollow Road, approximately one mile from the Loan Pine Marianna Road. The proposed discharge point is Fisher Run Creek a warm water fishery. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant as appropriate. The Department's review

of the sewage facilities revision has not identified any significant impacts resulting from this proposal.

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

**NOTICE OF PROPOSED REMEDIAL RESPONSE**

**Jackson Ceramix Site**, Falls Creek Borough, **Jefferson County** and Sandy Township, **Clearfield County**.

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1304) (HSCA), is proposing a remedial response action for Operable Unit 2 (OU2) at the Jackson Ceramix Site (site).

The site is approximately 215 acres in size and is bounded by Pennsylvania State Route 950 on the west and Sandy Lick Creek on the east, at the southern edge of Falls Creek Borough. The site lies in the Borough of Falls Creek, Jefferson County and Sandy Township, Clearfield County, PA. During the manufacturing facility's operation, from 1917 until 1985, vitrified, decorated china products were produced.

The site consists of three Operable Units (OU). OU1 is the approximately 15-acre property on which the Jackson China and Jackson Ceramix manufacturing companies operated. From December 1998 through July 1999, the Department conducted a prompt interim response on OU1. This prompt interim response consisted of off-site disposal of asbestos-containing materials, staged materials, onsite treatment of hazardous substance-containing miscellaneous wastes (that is, wastes in sumps, pits, septic tanks, ceramic process materials, construction debris and sludge waste in the drainage ditch and settling lagoon). Treatment was via solidification techniques and was followed by closure, along with china waste, under a Class III Residual Waste Landfill cap.

This notice addresses OU2. OU2 is an approximately 200-acre wetland that lies east and southeast of the railroad tracks and the former manufacturing facility. During the operation of the china manufacturing companies, a voluminous wastewater/sludge stream was generated from the various manufacturing processes, including the mold shop, paint process line, the glazing operation and a daily wash down of the product line machinery in the lead glaze spray area (also known as the slip house). This waste was directed into an unlined lagoon. The lagoon was frequently filled with a clay waste and sand-sludge waste material (sludge waste). The accumulated sludge waste deposits periodically overflowed from the lagoon into the adjacent 200-acre wetland. The sludge, a characteristic hazardous waste due to its lead content, accumulated in the low-lying drainage areas of the wetland and impacted soils, surface water, sediments and plant and animal communities in this wetland. The sludge deposits in the wetland range from 9 to 12 inches thick and cover approximately 13.6 acres. The wetland also contains approximately 19.7 acres of lead-contaminated soil and sediment that have been impacted by the sludge. Access to the wetland is unrestricted and many local residents use this area for hunting.

OU3 is site-wide groundwater and is currently undergoing investigation by the Department.

The Department considered six remedial response alternatives for OU2:

*Alternative 1.* No Action

*Alternative 2.* Deed Restrictions and Installation of Security Fencing and Warning Signs around the Perimeter of the Contaminated Wetland

*Alternative 3.* Excavation with Off-site Disposal of Sludge Waste and Soil/Sediment

*Alternative 4.* Excavation with Off-site Disposal of Sludge Waste and On-site Consolidation and Disposal of Soil/Sediment

*Alternative 5.* Excavation with Consolidation and On-site Disposal without Treatment of Sludge Waste and Soil/Sediment.

*Alternative 6.* Excavation with Consolidation and On-site Treatment and Disposal of Sludge Waste and Soil/Sediment.

Each alternative was evaluated with respect to section 106 of the Land Recycling Act and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.909) (LRA), which requires that the cleanup standards established under that Act be used for any remedial response conducted under the provisions of HSCA. The Department also evaluated the remedial alternatives for the Site using the following criteria: Long-Term Risks and Effectiveness; Reduction of Toxicity, Mobility or Volume of Hazardous Substances; Short-Term Risks and Effectiveness; Implementability; Cost; Cost-Benefit Analysis; and Applicable or Relevant and Appropriate Requirements (ARARs). These evaluation criteria are derived from section 304(j) of the LRA. In addition to the evaluation criteria in section 304(j) of the LRA, the Department will also consider the evaluation criterion of public acceptance, as indicated during the comment period described as follows.

Based on the previous comparative analysis and under section 505(a) of HSCA (35 P. S. § 6020.502(a)), the Department proposes to implement Alternative 5, as the remedial response for OU2 at the Jackson Ceramix Site. Alternative 5 would include a pre-design investigation to further delineate the extent of lead-contaminated soil/sediments; excavation and consolidation on-site of sludge waste and contaminated soil/sediments; capping of sludge waste and contaminated soils/sediments; wetland restoration, installation of industrial security fencing around the on-site disposal area; procurement of deed restrictions to limit intrusion into the on-site disposal area; quarterly monitoring of surface water, sediment and groundwater; and periodic Site reviews to evaluate the effectiveness of the measures implemented. The capital cost for this alternative is estimated to be approximately 6.1 million dollars.

The Department's proposed remedial response would protect public health and the environment; comply with or otherwise address ARARs; be feasible, implementable, permanent and effective; and be cost effective.

This public notice officially begins a 90-day public comment period, during which the public may formally comment on the Department's proposed remedial response at OU2 at the site. At the close of the public comment period, an evaluation will be made of the public comments received in the Response to Public Comments document. If no public comments are received, that information will be documented in the Statement of Decision for the site.

This notice is being provided under section 506(b) of HSCA. The administrative record, which contains the information that forms the basis and documents the selection of this response, is available for public review and comment. The administrative record is located at the Department's Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335 and is available for review Monday through Friday from 8 a.m. to 4 p.m. Telephone

the Department's Record Center beforehand for an appointment (814) 332-6340. A duplicate copy of the Administrative Record is located in the Falls Creek Municipal Building and is available for review during normal business hours. Contact Falls Creek Borough at (814) 371-2121 to schedule a review of that duplicate Administrative Record.

The Administrative Record will be open for comment for 90 days (through November 2, 2001) from the publishing date of this notice in the *Pennsylvania Bulletin*. Persons may submit written comments into the record during this time only, by sending them to Christine Dougherty, Project Manager, at the Department's Knox District Office, located in the White Memorial Building, P. O. Box 669, Knox, PA 16232-0669, or by delivering them to that office in person.

The Department will hold a public meeting on Tuesday, September 18, 2001, at 6:30 p.m. in the Falls Creek Municipal Building. The meeting's purpose will be for the Department to answer the public's questions concerning the proposed response at the site and to provide the public with an opportunity to present oral comments, for inclusion into the administrative record, regarding the proposed response. Persons wishing to present oral comments must register with Christine Dougherty at the Department's Knox District Office before September 4, 2001, by telephone or in writing.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call Christine Dougherty at (814) 797-1191 or through the Pennsylvania AT & T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL 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 where one of the Act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected.

For further information concerning the final report, contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under which the notice of receipt of a final report appears. If information concerning a final report is required in an alternative form, contact the Community Relations Coordinator at the appropriate Regional Office

listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following final reports:

*Southcentral Region: Environmental Cleanup Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**Capital City Airport Harrisburg Jet Center**, Fairview Township, **York County**. Marshall Miller and Associates, 3913 Hartzdale Drive, Camp Hill, PA 17011 (on behalf of Harrisburg International Airport, 113 Airport Drive, New Cumberland, PA 17070) submitted a Final Report concerning remediation of site soils contaminated with BTEX and PAHs. The report is intended to document remediation of the site to the Statewide Health standard.

**Cedar Cliff High School**, Lower Allen Township, **Cumberland County**. Groundwater & Environmental Services, Inc., 410 Eagleview Boulevard, Suite 110, Exton, PA 19341 (on behalf of NiSource, Inc., 801 East 86th Street, Merrillville, IN 46410) submitted a Final Report within 90 days of a release concerning remediation of site soils contaminated with PHCs. The report is intended to document remediation of the site to the Statewide Health standard.

*Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**Latrobe Plastics, Division of Pace Industries, Inc.**, Derry Township, **Westmoreland County**. David R. Perry, American Geosciences, Inc. 3925 Reed Blvd., Suite 400, Murrysville, PA 15668 (on behalf of Latrobe Plastics, Division of Pace Industries, Inc., Loyalhanna Industrial Park, New Latrobe/Derry Road, Loyalhanna, PA 15661) has submitted a Final Report concerning remediation of site groundwater contaminated with solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Xerox Pittsburgh District Parts Center**, City of Pittsburgh, **Allegheny County**. Vincent B. Dick, Haley & Aldrich of New York, 200 Town Centre Drive, Suite 2, Rochester, New York 14623-4264 and William Kalsuga, Xerox Corporation, Xerox Square-018B, 100 Clinton Avenue, Rochester, New York 14644-1877 (on behalf of Andrew A. Lang, Jr., 601 Spencer Lane Ext., Glenshaw, PA 15116) has submitted a Final Report concerning remediation of site soil and groundwater contaminated with solvents. 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 Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Provisions of 25 Pa. Code § 250.8, Administration of the Land Recycling and Environmental Remediation Standards Act (Act) 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 Remediation Standards 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 refuse 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 of selecting the environmental media of concern, documentation supporting the selection of residential or non-residential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. 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, contact the Environmental Cleanup Program Manager in the Department 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 received the following final reports:

*Southeast Region: Environmental Cleanup Program Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**Merit Metals**, Warrington Township, **Bucks County**. Christopher Orzechowski, RT Environmental Services, Inc., 215 W. Church Rd., King of Prussia, PA 19406, on behalf of Leonard Sayles and Leonard Walberg, 2804 Edgemoor Rd., Huntingdon Valley, PA 19006, has submitted a Final Report concerning the remediation of site soil contaminated with PCBs, lead, heavy metals, pesticides and solvents. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 3, 2001.

**Zenith Products Corp.**, Chester Township, **Delaware County**. Henry Alexander, P.E., Conestoga-Rovers & Associates, 559 W. Uwchlan Ave., Suite 120, Exton, PA 19341, on behalf of TFC Aston 2000 Partnership, 1621 Wood St., Philadelphia, PA 19103, has submitted a Final Report concerning remediation of site soils contaminated with heavy metals and petroleum hydrocarbons. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on June 18, 2001.

**PECO Collegeville**, Former Acetylene Plant, Collegeville Borough, **Montgomery County**. Allan Fernandes, PECO Energy, Co., 2301 Market St., P. O. Box 8699, Philadelphia, PA 19101-8699, on behalf of Alberta Lewis, 60 E. Fifth Ave., Collegeville, PA, has submitted a Final Report concerning remediation of site soils contaminated with lead, heavy metals and polycyclic aromatic

hydrocarbons. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 23, 2001.

**George's Music, Inc.**, Upper Gwynedd Township, **Montgomery County**. Philip F. Gray, Jr., Storb Environmental, Inc., 410 N. Easton Rd., Willow Grove, PA 19090-2511, on behalf of George's Music, Inc. 650 W. Swedesford Rd., Berwyn, PA 19312, has submitted a Final Report concerning remediation of site groundwater contaminated with BTEX and petroleum hydrocarbons. The Final Report did not demonstrate attainment of Background Standards and was disapproved by the Department on July 5, 2001.

*Southwest Region: Environmental Cleanup Program Manager; 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**PPG Industries, Inc.—Former Works Number 5 Facility**, Ford City, **Armstrong County**. Patrick Kelly (on behalf of PPG Industries, Inc., Post Office Box 2009, 4325 Rosanna Drive, Building C, Allison Park, PA 15101-2009) has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with lead, heavy metals, BTEX, PHCs, PAHs and solvents. The Remedial Investigation Report was approved by the Department on July 2, 2001.

**Westinghouse Specialty Coatings Division Facility (Former)**, Manor Borough, **Westmoreland County**. Dean Reed, Viacom Inc., 11 Stanwix Street, Pittsburgh, PA 15222 (on behalf of RANBAR Technologies, Harrison City Road, Manor, PA 15665) has submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with lead, solvents, BTEX, PHCs and PAHs. The Remedial Investigation Report was approved by the Department on June 18, 2001.

**Westinghouse Specialty Coating Division Facility (Former)**, Manor Borough, **Westmoreland County**. Dean Reed, Viacom Inc., 11 Stanwix Street, Pittsburgh, PA 15222 (on behalf of RANBAR Technologies, Harrison City Road, Manor, PA 15665) has submitted a Baseline Risk Assessment Report concerning the remediation of site soil and groundwater contaminated with lead, solvents, BTEX, PHCs and PAHs. The Baseline Risk Assessment Report was disapproved by the Department on July 6, 2001.

**Former Westinghouse Facility—Lot 1B and Lot 3**, Borough of Trafford, **Allegheny and Westmoreland Counties**. Richard K. Smith (on behalf of CBS Corporation, 11 Stanwix Street, Pittsburgh, PA 15222) has submitted a Groundwater Cleanup Plan concerning the remediation of site soil and groundwater contaminated with PCBs, lead, heavy metals, pesticides, solvents, BTEX, PAHs and cyanide. The Groundwater Cleanup Plan was approved by the Department on June 1, 2001.

**Neville Chemical Company**, Neville Township, **Allegheny County**. Thomas F. McKnight (on behalf of Neville Chemical Company, 2800 Neville Road, Pittsburgh, PA 15225) has submitted a Risk Assessment Report concerning the remediation of site soil and groundwater contaminated with lead, BTEX and other. The Risk Assessment Report and was approved by the Department on June 28, 2001.

*Northwest Region: Environmental Cleanup Program Manager; 230 Chestnut Street, Meadville, PA 16335-3481.*

**Spedd Inc., Warren Industrial Center, City of Warren**, **Warren County**, has submitted a Final Report

concerning the remediation of soil contaminated with Solvents, Paint Related Wastes and Oils. The report was approved and did demonstrate attainment of the State-wide Health Standard and was approved by the Department on July 20, 2001.

#### HAZARDOUS WASTE TRANSPORTER LICENSE

**Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.**

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

#### HAZARDOUS WASTE TRANSPORTER LICENSE RENEWED

**Barr Transportation Corp.**, P. O. Box 96, 402 N. Central Avenue, Minoa, NY 13116. License No. **PA-AH 0571**. Effective July 18, 2001.

**USL Environmental Services, Inc. dba A & A Environmental**, 5200 Raynor Avenue, Linthicum, MD 21090. License No. **PA-AH 0621**. Effective July 6, 2001.

#### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

**Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received 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 to transport infectious and chemotherapeutic waste.**

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

#### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE RENEWED

**ASEPSIS, Inc.**, 424 W. Lincoln Highway, Suite 204, Pennel, PA 19047. License No. **PA-HC 0014**. Effective July 23, 2001.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permits Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southeast Region: Regional Solid Waste Manager; Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**Permit No. 100549. Waste Management Disposal Services of Pennsylvania, Inc.**, West Pottsgrove and Douglass Township, **Montgomery and Berks County**. Permit modified to provide, as an additional landfill gas control measure, for the processing of landfill gas by a third party for beneficial use off-site as a substitute fuel. The permit was issued by the Southeast Regional Office on June 14, 2001.

### AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act**

**(35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: William Charlton, New Source Review Chief, (412) 442-4174.*

**GP-32-0343: T & F Operating, Inc.** (1500 Oxford Drive, Suite 300, Bethel Park, PA 15102) on July 12, 2001, was authorized to operate under GP-32-0343 for Dilltown Compressor Site in Buffington Township, **Indiana County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**GP 43-325: Imperial Dry Cleaner, Inc.** (1910 East State Street, Hermitage, PA 16148) on June 30, 2001, for operation of a petroleum dry cleaning unit in Hermitage, **Mercer County**.

**Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**15-0060B: SECCRA Landfill** (219 West Street Road, Kennett Square, PA 19348) on July 20, 2001, for operation of a Landfill Gas Open Flare in London Grove Township, **Chester County**.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: James Parette, New Source Review Chief, (570) 826-2531.*

**39-309-046D: Lafarge Corp.** (5160 Main Street, Whitehall, PA 18052) on July 17, 2001, for installation of an air cleaning device on Cement Kiln #3 at the Whitehall Plant in Whitehall Township, **Lehigh County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**25-037A: Joseph McCormick Construction Co.—Wesleyville Plant** (1507 Wesley Avenue, Wesleyville, PA 16510) on July 3, 2001, to modify an existing batch asphalt plant in Wesleyville Borough, **Erie County**.

**43-324A: John R. Flynn Funeral Home** (2630 East State Street, Hermitage, PA 16148) on July 3, 2001, to construct a crematory incinerator in Hermitage, **Mercer County**.

**10-001C: AK Steel—Butler Operations** (Route 8 South, Butler, PA 16003) on July 6, 2001, for conversion of the Number 12 Pickle Line in Butler, **Butler County**.

**10-284B: Seneca Landfill, Inc.** (Hartman Road, Mars, PA 16046) on July 5, 2001, for modifications to the gas management system in Jackson Township, **Butler County**.

**10-028H: Armstrong Cement Corp.** (100 Clearfield Road, Cabot, PA 16023) on July 12, 2001, for installation of a baghouse on the clinker silos in West Winfield Township, **Butler County**.

**62-162A: Elkhorn Field Services—Keystone Plant** (Zimmerman Hill Road, Warren, PA 16365) on July 10, 2001, for post construction of an 800 HP caterpillar engine, dehydrator and hot oil heater in Pleasant Township, **Warren County**.

**62-148A: Elkhorn Field Services—Roystone Plant** (Route 6, Warren, PA 16365) on July 10, 2001, for modifications to the operation of the dehydrator in Sheffield Township, **Warren County**.

**42-181A: Elkhorn Field Services—Lewis Run Plant** (State Route 219, Warren, PA 16365) on July 10, 2001, for post construction of a Waukesha engine and dehydrator in Bradford Township, **McKean County**.

**10-037G: Crompton Corp.** (100 Witco Lane, Petrolia, PA 16050) on July 18, 2001, for modifications to V63 Low Pressure Spray Chamber in Fairview Township, **Butler County**.

**10-037F: Crompton Corp.** (100 Witco Lane, Petrolia, PA 16050) on July 18, 2001, for modifications to the V5 flash drum in Fairview Township, **Butler County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; Contact: David Aldenderfer, Program Manager, (570) 327-3637.*

**49-0007A: Merck and Co., Inc.** (P. O. Box 600, Danville, PA 17821-0600) to extend the authorization to operate six 100,000 gallon Avemectin wastewater detoxification system tanks on a temporary basis until November 15, 2001, in Riverside Borough, **Northumberland County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Contact: William Charlton, New Source Review Chief, (412) 442-4174.*

**65-891B: Firestone Building Products Co.** (525 Congressional Blvd., Carmel, IN 46032) on July 2, 2001, for Replacing HCFC-141B w/Pentane and Install Thermal at Youngwood Plant in Youngwood Borough, **Westmoreland County**.

**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110; Contact: Ronald Davis, New Source Review Chief, (717) 705-4702.*

**01-05017: Quebecor World Fairfield, Inc.** (100 Miller Street, Fairfield, PA 17320) on July 12, 2001, for operation of a lithographic printing facility in Fairfield Borough, **Adams County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481; Contact: Devendra Verma, New Source Review Chief, (814) 332-6940.*

**25-00456: Keystone Foundry Division** (944 West 12th Street, Erie, PA 16501) on July 3, 2001, for a Natural Minor Operating Permit to operate a non-ferrous foundry in Erie, **Erie County**.

**25-00954: National Fuel Gas Supply Corp.—Summit Station** (520 Robison Road, Erie, PA 16502) for

a Synthetic Minor Operating Permit to operate a natural gas compressor station in Summit Township, **Erie County**.

**25-00955: Foam Fabricators, Inc.** (6550 West 26th Street, Erie, PA 16506) on June 11, 2001, for a Synthetic Minor Operating Permit in Fairview Township, **Erie County**.

**43-00039: Campbell's Asphalt Products, Inc.—Grove City Plant** (73 Glacial Till Road, Grove City, PA 16161) on June 14, 2001, for a Synthetic Minor Operating Permit in Liberty Township, **Mercer County**.

**37-00012: Dunbar Asphalt Products, Inc.—Hillsville Plant** (Route 224, Hillsville, PA 16161) on June 14, 2001, for a Synthetic Minor Operating Permit in Mahoning Township, **Lawrence County**.

**43-00317: Allegheny Asphalt/Lindy Paving Co.—Mercer Plant** (Route 173N, Mercer, PA 16103) on July 17, 2001, for a Synthetic Minor Operating Permit in Wolf Creek Township, **Mercer County**.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

*Southeast Region: Air Quality Program, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428; Contact: Thomas McGinley, New Source Review Chief, (610) 832-6242.*

**09-0007: Waste Management Disposal Serv. of PA** (1513 Bordentown Road, Morrisville, PA 19067) on July 17, 2001, for Facility NOx RACT in Falls Township, **Bucks County**.

**46-00013: Clemens Family Corp.** (2700 Funks Road, Hatfield, PA 19440) on July 17, 2001, for three boilers at their Title V facility in Hatfield Township, **Montgomery County**.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790; Contact: James Parette, New Source Review Chief, (570) 826-2531.*

**40-310-037C: American Asphalt and Paving Co.** (500 Chase Road, Shavertown, PA 18708) for a minor modification of a stone crushing plant in Plains Township, **Luzerne County**.

## **ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

**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 the applications will also address the application permitting requirements of the following statutes; the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).**



*Coal Permits Issued*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**54850204R3. Jeddo-Highland Coal Company**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing coal refuse reprocessing operation in Porter Township, **Schuylkill County** affecting 1,756.0 acres, receiving stream—Wiconisco Creek. Renewal issued: July 17, 2001.

**54693047R3. Pagnotti Enterprises, Inc.**, 46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine operation in Mahanoy Township, **Schuylkill County** affecting 698.0 acres, receiving stream—none. Renewal issued: July 17, 2001.

**13743002R3. Pagnotti Enterprises, Inc.**, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mine operation in Hazle and Banks Townships, **Luzerne and Carbon Counties** affecting 964.0 acres, receiving stream—none. Renewal issued: July 17, 2001.

*Greensburg District Mining Office: Armbrust Building, R. R. 2 Box 603-C, Greensburg, PA 15601-0982.*

**65960111. Sosko Coal Co., Inc.** (R. D. 3, Box 330, Mt. Pleasant, PA 15666). Permit renewal issued for continued reclamation only of a bituminous surface/auger mine located in East Huntingdon Township, **Westmoreland County**, affecting 53.5 acres. Receiving stream: Buffalo Run. Application received: May 31, 2001. Reclamation only renewal issued: July 23, 2001.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931.*

**32990109. Walter L. Houser Coal Company, Inc.** (R. D. #9, Box 434, Kittanning, PA 16201), commencement, operation and restoration of a bituminous surface and auger mine in Washington Township, **Indiana County**, affecting 56.9 acres, receiving stream unnamed tributaries to/and Sugarcamp Run. Application received: July 21, 1999. Permit issued: July 16, 2001.

*McMurray District Mining Office: 3913 Washington Road, McMurray, PA 15317.*

**30841307. RAG Emerald Resources, L.P.**, (P. O. Box 1020, 158 Portal Rd., Waynesburg, PA 15370), to revise the permit for the Emerald mine in Franklin and Whitely Townships, **Greene County** to add 7 acres surface for 33 boreholes, no additional discharges. Permit issued: July 19, 2001.

**03901304. TJS Mining, Inc.**, (R. D. #1, Box 260D, Shelcta, PA 15774), to revise the permit for the Darmac #3 Deep Mine in Washington Township, **Indiana County** to add 109 underground acres to the underground permit area along with 109 acres to the subsidence control plan boundary, no additional discharges. Permit issued: July 19, 2001.

**03861601. McVile Mining Company**, (R. D. #9, Box 379A, Kittanning, PA 16201), to revise the permit for the McVile Coal Preparation Plant in South Buffalo Township, **Armstrong County** to replace and increase bond, no additional discharges. Permit issued: January 5, 2001.

**03851303. McVile Mining Company**, (R. D. #9, Box 379A, Kittanning, PA 16201), to renew the permit for the Clementine Mine #1 in South Buffalo Township, **Armstrong County** to renew the permit, no additional discharges. Permit issued: October 24, 2000.

*Noncoal Permits Issued*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2454.*

**66740302A1C5. American Asphalt Paving Co.**, (500 Chase Road, Shavertown, PA 18708), correction to an existing quarry operation for a stream variance for Mill Creek in Exeter and North Moreland Townships, **Wyoming County** affecting 153.77 acres, receiving stream—Mill Creek. Correction issued: July 17, 2001.

#### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)).

Except as otherwise noted, the Department of Environmental Protection certifies that the construction and operation herein described will comply with the applicable provisions of Sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (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 appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 §§ 691.1—691.702) 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: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description.*)

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*Permits Issued and Actions on 401 Certifications:*

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

**E15-664. OnFiber Communications, Inc.** 12 Cristina Lane, Oxford, PA 19363, East Whiteland Township, **Chester County**, ACOE Philadelphia District.

To install and maintain three aerial crossings consisting of six 1.5-inch fiber optic conduits by attaching them

to existing bridges that span Valley Creek (EV) and an unnamed tributary to Valley Creek (EV). These crossings are located within the right-of-way of Morehall Road (S.R. 0029) and Old Morehall Road as part of the Great Valley Project (Malvern, PA Quadrangle N: 10.7 inches; W: 4.3 inches).

**E09-815. John R. Umberger**, 252 Richlandtown Pike, Quakertown, PA 18951, Springfield Township, **Bucks County**, ACOE Philadelphia District.

To place fill in 0.05 acre of wetland (PSS) adjacent to an unnamed tributary to Cooks Creek (EV) associated with the construction of a driveway or a private residence. The project is located approximately 2,400 feet southeast of the intersection of the Bethlehem Road (S.R. 0210) and Slifer Valley Road (Hellertown, PA Quadrangle N: 5.0 inches; W: 6.2 inches).

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.*

**E36-707. Octoraro Watershed Association**, 389 Pine Grove Road, Nottingham, PA 19362 in Colerain and Little Britain Townships, **Lancaster County**, ACOE Baltimore District.

To construct and maintain a stream restoration project in the West Branch Octoraro Creek (HQ-CWF, MF) watershed. The project's purpose is to stabilize stream banks, improve sediment transport, create additional floodplain wetlands, establish riparian buffers and improve aquatic habitat. The watershed project will implement a natural stream channel design approach. Construction activities which will be utilized throughout the watershed include channel relocation, stream and floodway excavation and filling, rock vane, cross vane and j-hook installation, riprap, root wad and log spur placement, ford improvements and cattle crossing installation. The initial restoration site of this multi-phase project consists of 3,450 lineal feet of stream located approximately 2,000 feet downstream of Puseyville Road (SR 2010) (Kirkwood, PA Quadrangle N: 16.9 inches; W: 15.2 inches). During this initial phase, a de minimis amount of palustrine emergent wetlands will be filled. It is anticipated that up to 8 acres of floodplain wetland will be created during this phase.

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701.*

**E08-369. Franklin Township**, R. R. 1, Box 172B, Monroeton, PA 18832. 30" Stream Culvert, in Franklin Township, **Bradford County**, ACOE Baltimore District (Leroy, PA Quadrangle N: 4.5 inches; W: 3.1 inches).

To operate and maintain a 30 inch diameter CMP culvert in Carbon Run on Carbon Run Road about 1 mile west/southwest of Barclay in Franklin Township, **Bradford County**. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E08-370. Bradford County Conservation District**, Stoll Natural Resource Building, R. R. 5, Box 5050-C, Towanda, PA 18848. Wetland Education Site, in Wysox Township, **Bradford County**, ACOE Baltimore District (Towanda, PA Quadrangle N: 5.2 inches; W: 3.7 inches).

To place de minimis fill (<0.05 acre) in a palustrine scrub shrub/emergent wetland for the purpose of constructing an elevated boardwalk for wetland education measuring 1,750 linear feet in length. The fill is for construction of support posts for the boardwalk. The project site is located along S.R. 1029 approximately 0.5 mile north of the S.R. 0187 intersection in Wysox Township, Bradford County.

**E14-347. Pennsylvania State University**, Office of Physical Plant, 101P Physical Plant Building, University Park, PA 16802. Stream Enclosures, in College Township, **Centre County**, ACOE Baltimore District (State College, PA Quadrangle N: 11.25 inches; W: 13.0 inches).

To (1) remove an existing structure; (2) construct, operate and maintain a single cell stream enclosure of an unnamed tributary to Thompson Run; and (3) construct, operate and maintain a footbridge across wetlands associated to Thompson Run. The stream enclosure shall be constructed with 125-foot of horizontal elliptical reinforced concrete pipe (HERCP) that will have a rise of 32-inches and a span of 49-inches and 100-foot of HERCP that will have a rise of 14-inches and a span of 23-inches. The footbridge shall be constructed with a span of 80-foot and a width of 10-foot. The project is located along the northern right-of-way of SR 0026 approximately 2,000-foot north of SR 3012 and SR 0026 intersection in College Township, Centre County.

**E14-391. Liberty Township**, 124 Hunter Run Road, Howard, PA 16841. Culvert crossing in Liberty Township, **Centre County**, ACOE Baltimore District (Beech Creek, PA Quadrangle N: 10.4 inches; W: 12.65 inches).

To remove the existing arch culvert and to construct and maintain a 30-foot long, 71 inch by 47 inch pipe arch culvert with R-5 approach and outlet riprap and to construct a temporary sandbag coffer dam in an unnamed tributary to Bald Eagle Creek on Township Road T-477 approximately 300 feet east of the intersection of T-477 with Eagleville Road in Liberty Township, Centre County. This permit was issued under § 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

*Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E02-447-A1. Township of McCandless**, 9955 Grubbs Road, Wexford, PA 15090. McCandless Township, **Allegheny County**, ACOE Pittsburgh District.

To amend permit E02-447 which authorized the construction and maintenance of stream enclosures consisting of an 84 inch diameter and 60 inch diameter A.C.C.M. pipes, including railroad tie cribbing walls and a rock energy dissipater in a tributary to Pine Creek (TSF) beginning at a point approximately 100 feet upstream from the Hampton Township line. This amendment will authorize the construction and maintenance of 54 feet of 84 inch diameter C.M.P. culvert replacing the rail road tie cribbing walls, thereby enclosing a gap originally left between the existing 84 inch culverts. This amendment will also authorize the operation and maintenance of 102 feet of 84 inch diameter C.M.P. culvert that was constructed beyond the original permit limits. The new total length of the 84 inch diameter culvert will be approximately 660 feet long and the 60 inch diameter culvert length shall remain at approximately 217 feet long (Glenshaw, PA Quadrangle N: 14.9 inches; W: 16.2 inches).

**E02-1341. Port Authority of Allegheny County**, 345 Sixth Avenue, Third Floor, Pittsburgh, PA 15222-2527. Municipality of Monroeville, **Allegheny County**, ACOE Pittsburgh District.

To construct and maintain a retaining wall an associated fill for a distance of 435 feet within the floodway fringe of Abers Creek (TSF) for the purpose of expanding the existing Port Authority Alpine Village Park N Ride facility. The project is located along Route 286 approxi-

mately 500 feet north of its intersection with Route 22 (Murrysville, PA Quadrangle N: 9.8 inches; W: 13.3 inches).

**E11-289. Pennsylvania Department of Transportation**, 1620 North Juniata Street, Hollidaysburg, PA 16648. Clearfield Township, **Cambria County**, ACOE Baltimore District.

To remove the existing structure and to construct and maintain a 24-foot long box culvert having a normal clear span of 18 feet and an underclearance of 7 feet (invert depressed 1 foot) in Burgoon Run (CWF), located on S.R. 1019, Segment 009, Offset 0000. Also, to temporarily place and maintain fill in 0.008 acre of palustrine emergent wetlands and permanently place and maintain fill in 0.002 acre of palustrine emergent wetlands. The wetlands have been replaced at the Cambria Advance Wetland Compensation Site at State Gamelands No. 108. The project includes construction of a temporary stream channel and a 2-foot diameter pipe culvert for diverting flow during construction (Ashville, PA Quadrangle N: 21.0 inches; W: 11.5 inches).

**E30-199. Greene County Commissioners**, 93 East High Street, Waynesburg, PA 15370. Franklin Township, **Greene County**, ACOE Pittsburgh District.

To remove the existing superstructure of Greene County Bridge No. 30 having a clear span of 57.25 and an underclearance of 7.7 feet across Smith Creek (WWF) and to construct and maintain a superstructure on the existing abutments, including scour protection. The project is located on T-511 (Hill Road) at its intersection with SR 218 (Waynesburg, PA Quadrangle N: 0.13 inch; W: 10.0 inches).

**E32-426. D. L. Resources, Inc.**, R. R. 1, Box 215, Smicksburg, PA 16256. Blacklick Township, **Indiana County**, ACOE Pittsburgh District.

To remove the existing structure and to construct and maintain a ford crossing in Muddy Run (CWF) for the purpose of providing access to an existing gas well. The project is located off of Muddy Run Road, approximately 0.6 mile from its intersection with Route 3015 (Bolivar, PA Quadrangle N: 22.6 inches; W: 16.0 inches).

**E63-503. Marko and Marilyn Brighich**, 419 Brighich Road, Canonsburg, PA 15317. Chartiers Township, **Washington County**, ACOE Pittsburgh District.

To operate and maintain a 5 foot diameter culvert (depressed 1/2 foot below the bottom of the stream channel) for a distance of 20 feet in Plum Creek (WWF) to provide access to a new house. The project is located on the east side of Plum Creek Road approximately 70 feet south of its intersection with Griffith Lane (Canonsburg, PA Quadrangle N: 6.2 inches; W: 16.2 inches).

**E65-505. Washington County Planning Commission**, 100 West Beau Street, Suite 701, Washington, PA 15301. Nottingham Township, **Washington County**, ACOE Pittsburgh District.

To remove the existing bridge (Mingo Creek Bridge No. 11) and to construct and maintain a new bridge having a span of 55.0 feet with a minimum underclearance of 7.7 feet across the channel of Mingo Creek (HQ-TSF) for the purpose of improving Maintenance Road. The bridge is located on Maintenance Road, approximately 2,800 feet north from the intersection of Maintenance Road and S.R. 136. This permit also authorizes the construction and maintenance of temporary cofferdams and a temporary road crossing consisting of five 24-inch diameter culverts. (Hackett, PA Quadrangle N: 12.0 inches; W: 6.8 inches).

**E65-771. Airo Die Casting, Inc.**, 450 New Latrobe, Derry Road, Loyalhanna, PA 15661. Derry Township, **Westmoreland County**, ACOE Pittsburgh District.

To construct and maintain a low profile box culvert having a normal span of 20.7 feet and an underclearance of 6.2 feet in an unnamed tributary to Saxman Run (WWF) for the purpose of providing access from a proposed building addition to a proposed parking lot. This permit also authorizes the installation and maintenance of a 24-inch stormwater sewer line across an unnamed tributary to Saxman Run (WWF) and the construction and maintenance of two 15-inch outfall pipes and a rock lined outfall channel along an unnamed tributary to Saxman Run (WWF). The project is located off of New Latrobe—Derry Road (Derry, PA Quadrangle N: 13.2 inches; W: 14.4 inches).

**E65-772. Rostraver Township Board of Commissioners**, 201 Port Royal Road, Rostraver, PA 15012. Rostraver Township, **Westmoreland County**, ACOE Pittsburgh District.

To rehabilitate, operate and maintain the existing Rostraver Township Bridge No. 3 having a normal span of 18.6 feet and an underclearance of 8.6 feet across Speers Run (WWF). This permit also authorizes the construction and maintenance of scour protection within 20 feet upstream and 20 feet downstream of the bridge. The project is located on Township Road 3003 (Donora, PA Quadrangle N: 2.5 inches; W: 14.4 inches).

#### WATER QUALITY CERTIFICATIONS

*Southeast Region: Water Management Program Manager, Lee Park, Suite 6010, 555 North Lane, Conshohocken, PA 19428.*

#### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)).

Except as otherwise noted, the Department certifies that the construction and operation herein described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by this action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, P. O. Box 8457, Harrisburg, PA 17105-8457, (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 appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 P. S. §§ 691.1—691.702) 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: Water Obstruction and Encroachment Permits issued for Small Projects do not include 401 Certification, unless specifically stated in the description).

*Permits Issued and Actions on 401 Certifications:*

*Final Actions Under Section 401 of the Federal Water Pollution Control Act*

*Certification Request Initiated By:* United States Coast Guard Civil Engineering Unit 1240 East 9th Street Room 2179 Cleveland, OH 44199-2060

*Project Description:* This activity involves the discharge of supernatant from the U.S. Army Corps of Engineers Fort Mifflin dredge disposal basin into the Delaware Estuary-Zone 4. The supernatant will be generated through the disposal of 42,500 cubic yards of sediment from the boat basin at the U.S. Coast Guard Base in Philadelphia, PA. Dredging will be accomplished by hydraulic means and material will be placed on barges for transport to Fort Mifflin CDF, where it will be pumped from the barges to the CDF.

*Certification Request Initiated By:* United States Coast Guard Civil Engineering Unit 1240 East 9th Street Room 2179 Cleveland, OH 44199-2060

*Final Action on Request:* Certification Granted

*Certification Request Initiated By:* Office of Bridge Administration United States Coast Guard 2100 Second Street, S.W. Washington, DC 20593-0001

*Project Description:* This project involves the proposed modification of the Lift Bridge across the Naval Reserve Basin in Philadelphia. The U.S. Coast Guard is requesting Water Quality Certification associated with altering and repairing of the Lift Bridge so that the existing navigation vertical clearance is increased from 135 feet to 150 feet, to facilitate berthing of the expected future mix of ships in the Reserve Basin. No channel dredging or filling or construction of approach roadways is included in this bridge repair and alteration work.

*Final Action on Request:* Certification Granted

**STORAGE TANKS**

**SITE-SPECIFIC INSTALLATION PERMITS**

**The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Land Recycling and Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.**

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
01-02-018	George A. Douds Neville Chemical Company 2800 Neville Road Pittsburgh, PA 15225-1496	Allegheny	Neville Township	1 AST Storing- Process Distillates/ Resin Formers	101,000 gallons

**SPECIAL NOTICES**

**CERTIFIED EMISSION REDUCTION CREDITS IN PENNSYLVANIA'S ERC REGISTRY**

Emission reduction credits (ERCs) are surplus, permanent, quantified and Federally enforceable emission reductions used to offset emission increases of oxides of nitrogen (NOx), volatile organic compounds (VOCs) and the following criteria pollutants: carbon monoxide (CO), lead (Pb), oxides of sulfur (SOx), particulate matter (PM), PM-10 and PM-10 precursors.

The Department of Environmental Protection (DEP) maintains an ERC registry in accordance with the requirements of 25 Pa. Code § 127.209. The ERC registry system provides for the tracking of the creation, transfer and use of ERCs. Prior to registration of the credits, ERC Registry Applications are reviewed and approved by the Department to confirm that the ERCs meet the requirements of 25 Pa. Code §§ 127.206—127.208. Registration of the credits in the ERC registry system constitutes certification that the ERCs satisfy applicable requirements and that the credits are available for use. The following registered and certified ERCs in the ERC Registry are currently available for use as follows:

- (1) To satisfy new source review (NSR) emission offset ratio requirements;
- (2) To "net-out" of NSR at ERC-generating facilities;

(3) To sell or trade the ERCs for use as emission offsets at new or modified facilities.

The certified ERCs shown, expressed in tons per year (tpy), satisfy the applicable ERC requirements contained in 25 Pa. Code §§ 127.206—127.208. ERCs created from the curtailment or shutdown of a source or facility expires for use as offsets 10 years after the emission reduction occurs. ERCs generated by the overcontrol of emissions by an existing facility do not expire for use as offsets. However, credits in the registry, which are not used in a plan approval, will be discounted if new air quality requirements are adopted by DEP or United States Environmental Protection Agency.

For additional information concerning this listing of certified ERCs, contact Virendra Trivedi, Bureau of Air Quality, Division of Permits, Department of Environmental Protection, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325.

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
American National Can Company County: Lehigh, PA Ozone Nonattainment Status: Moderate Contact Person: R. M. Rivetna Telephone Number: (312) 399-3392	VOCs	166.7	11/06/2002	Trading
National Fuel Gas Supply Corp. Knox Compressor Station County: Jefferson, PA Ozone Nonattainment Status: Moderate Contact Person: Gary A. Young Telephone Number: (814) 871-8657	NOx	95.7	06/30/2002	Internal Use and Trading
National Fuel Gas Supply Corp. Roystone Compressor Station County: Warren, PA Ozone Nonattainment Status: Moderate Contact Person: Gary A. Young Telephone Number: (814) 871-8657	NOx	103.3	12/28/2002	Internal Use and Trading
U.S. Naval Hospital County: Philadelphia Nonattainment Status: Severe Contact Person: Mark Donato Telephone Number: (215) 897-1809	NOx	30.5	3/31/2005	Trading
Lord Corporation Source: Two coal fired boilers County: Erie Ozone Nonattainment Status: Moderate Contact Person: Robert E. Nipper Telephone Number: (814) 868-0924	NOx	9.5	12/20/2004	Trading
Julian B. Slevin, Co., Inc. Recipient/Holder: Leonardo Academy Inc. ERC-generating facility location: Lansdowne County: Delaware Ozone Nonattainment Status: Severe Contact Person: Michael Arny Telephone Number: (608) 255-0988	VOCs	85.22	12/20/2005	Trading
R. R. Donnelley & Sons Co. County: Lancaster Ozone Nonattainment Status: Moderate Contact Person: David A. York Telephone Number: (717) 293-2056	VOCs	33.0		Internal Use

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Kurz Hastings Inc. County: Philadelphia Nonattainment Status: Severe Contact Person: Robert Wallace Telephone Number: (215) 632-2300	VOCs	323.0	ERCs will be proportionally reduced to comply with MACT standards for rotogravure and flexographic facilities.	Trading
Sharon Steel Corp. Source Location: Farrell County: Mercer Ozone Nonattainment Status: Moderate Contact Person: Robert Trbovich Telephone Number: (412) 983-6161	VOCs	10.7	11/30/2002	Trading
Pennsylvania Power Company (PA Power) Source Location: New Castle Plant County: Lawrence Ozone Nonattainment Status: Moderate Contact Person: Donald R. Schneider Telephone Number: (412) 652-5531	NOx	214.0	4/02/2003	Trading
Ford New Holland, Inc. Source Location: Mountville County: Lancaster Ozone Nonattainment Status: Moderate Contact Person: William E. Knight Telephone Number: (717) 355-4903	NOx VOCs	4.0 78.0	1/22/2003	Trading
Mercersburg Tanning Company Source Location: Mercersburg County: Franklin Ozone Nonattainment Status: Moderate Contact Person: David W. Warne Telephone Number: (717) 765-0746	VOCs	20.0	10/1/2004	Trading
I.H.F.P., Inc. Source Location: Milton Borough County: Northumberland Ozone Nonattainment Status: Moderate Contact Person: Michael West Telephone Number: (717) 742-6639	NOx VOCs	24.45 12.88	4/1/2006	Trading
3M Minnesota Mining & Manufacturing Plant Location: Bristol, Bucks Ozone Nonattainment Status: Severe Contact Person: Jeff Muffat Telephone Number: (651) 778-4450	VOCs	186.95	10/18/2001	Trading
Scranton-Altoona Terminal Corporation Source Location: Pittston Township County: Luzerne Ozone Nonattainment Status: Moderate Contact Person: John M. Arnold Telephone Number: (717) 939-0466	VOCs	18.36	1/1/2003	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Metallized Paper Corporation of America Recipient/Holder: PNC Bank, National Association, assignee (by private lien foreclosure) from Metallized Paper Corp. Source Location: McKeesport County: Allegheny Ozone Nonattainment Status: Moderate Contact Person: Martin Mueller Telephone Number: (412) 762-5263	VOCs	41.7	06/30/2006	Trading
PPG Industries, Inc. Source Location: Springdale Complex County: Allegheny Ozone Nonattainment Status: Moderate Contact Person: Lori Burgess Telephone Number: (412) 274-3884	VOCs	171.82		Trading
York International Corporation Sources: Trichloroethylene Vapor Degreaser (151) Trichloroethylene Vapor Degreaser (152) Source Location: Spring Garden Township County: York Ozone Nonattainment Status: Moderate Contact Person: Garen Macdonald Telephone Number: (717) 771-7346	VOCs VOCs	12.2 2.7	06/01/2006 10/01/2005	Trading
Pennzoil Wax Partner Company Source Location: Rouseville County: Venango Ozone Nonattainment Status: Moderate Contact Person: David W. Dunn Telephone Number: (713) 546-6941	NOx	31.6	04/15/2002	Trading
REXAM DSI Source Location: Muhlenberg Township County: Berks Ozone Nonattainment Status: Moderate Contact Person: LeRoy H. Hinkle Telephone Number: (610) 916-4248	NOx SOx	9.42 51.05	11/22/2005	Trading
ERC Generating Facility: Fasson Div. of Avery Dennison Corp. Recipient/Holder of ERC: Coastal Aluminum Rolling Mills Inc. ERC-generating facility location: Quakertown, Bucks Ozone Nonattainment Status: Severe Contact Person: Jesse Hackenberg Telephone Number: (570) 323-4430	VOCs	3.62		Internal Use/ Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Baldwin Hardware Corporation Source Location: Reading County: Berks Ozone Nonattainment Status: Moderate Contact Person: D. David Hancock, Jr. Telephone Number: (215) 777-7811	VOCs	18.0	7/28/2005	Trading
Magee Rieter Automotive Systems Source Location: Bloomsburg County: Columbia Ozone Nonattainment Status: Moderate Contact Person: Tim Bergerstock Telephone Number: (717) 784-4100	NOx VOCs	0.39 0.02	4/17/2006	Internal Use
Congoleum Corporation Source Location: Marcus Hook County: Delaware Ozone Nonattainment Status: Severe Contact Person: Theresa C. Garrod Telephone Number: (609) 584-3000	NOx	5.2		Trading
CNG Transmission Corporation Source Location: Leidy Township County: Clinton Ozone Nonattainment Status: Moderate Contact Person: Sean R. Sleight Telephone Number: (304) 623-8462	NOx VOCs	39.28 0.55	10/27/2004	Internal use and trading
Bethlehem Structural Products Corp. Source Location: Bethlehem County: Northampton Ozone Nonattainment Status: Moderate Contact Person: Joseph E. Schindler Telephone Number: (610) 694-5104	NOx VOCs	1312.0 778.8	Varies from 3/28/2008 to 6/19/2008	Trading
Bethlehem Structural Products Corp. Source Location: Bethlehem County: Northampton Ozone Nonattainment Status: Moderate Contact Person: Joseph E. Schindler Telephone Number: (610) 694-5104	NOx	487.0	Varies from 11/18/2005 to 3/3/2007	Trading
Morgan Adhesives Company (MACTac) Source Location: Scranton County: Lackawanna Ozone Nonattainment Status: Moderate Contact Person: Tim Owens Telephone Number: (330) 688-1111	VOCs	75	6/30/2008	Trading
Meritor Heavy Vehicle Systems LLC Source Location: New Castle County: Lawrence Ozone Nonattainment Status: Moderate Contact Person: Harry Klodowski Telephone Number: (412) 281-7997	NOx	64.2	5/31/2003	Trading



<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
ERC Generating Facility: Superpac, Inc. Recipient/Holder of ERC: Dominion Energy, Inc. ERC-generating facility location: Southampton, Bucks County Ozone nonattainment status: Severe Contact Person: David H. Testa Telephone Number: (412) 690-1815	VOCs	0.28 3.90 4.20 4.70	11/15/2001 11/23/2002 1/8/2003 9/30/2003	
National Fuel Gas Supply Corporation Sources: Generators, # 1 Source Location: Ellisburg Station County: Potter Ozone Nonattainment Status: Moderate Contact Person: Gary A. Young Telephone Number: (814) 871-8657	NOx VOCs	16.14 1.80	2/1/2009	Internal Use
General Electric Company Source Location: Lawrence Park County: Erie Ozone Nonattainment Status: Moderate Contact Person: Scott Gowdy Telephone Number: (814) 875-2427	VOCs	44.2	Varies from 12/31/2003 to 12/31/2005	Internal Use/ Trading
Sun Company, Inc. Source: API Separator 10 & 1-F Source Location: Marcus Hook County: Delaware Ozone Nonattainment Status: Severe Contact Person: John A. Rossi	VOCs	2.37	9/30/2004	Internal Use
TYK America, Inc. Source Location: Irvona Facility County: Clearfield Ozone Nonattainment Status: Moderate Contact Person: David B. Orr Telephone Number: (412) 384-4259	NOx VOCs PM-10	0.30 0.02 0.24	11/6/2008	Trading
SmithKline Beechman Pharmaceuticals Sources: Two boilers and oxidizer Source Location: Spring Garden Street Facility Ozone Nonattainment Status: Severe Contact Person: Eileen Ackler Telephone Number: (610) 239-5239	NOx VOCs	5.72 0.1	12/31/2008	Trading
Merck and Company, Inc. Source Location: West Point County: Montgomery Ozone Nonattainment Status: Severe	NOx	119.8		Internal Use
Progress Lighting, Inc. Ozone Nonattainment Status: Severe County: Philadelphia Ozone Nonattainment Status: Severe Contact Person: John A. Miller Telephone Number: (215) 289-1200	VOCs	31.5	8/1/2001	Trading
Global Packaging, Inc. Source: Wolverine Press No. 1 & 2 Source Location: Oaks Plant County: Montgomery Ozone Nonattainment Status: Severe Contact Person: Gerald R. Lawrence Telephone Number: (610) 666-1608	VOCs	7.7	9/1/2006	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
The Procter & Gamble Paper Products Company Source Location: Mehoopany Plant County: Wyoming Ozone Nonattainment Status: Moderate Contact Person: Jim Brogan Telephone Number: (717) 833-6022	NOx VOCs PM	136.00 127.43 100.00	5/3/2009	Internal Use/ Trading

#### **QUARTERLY SUMMARY OF ERC TRANSACTION**

The following ERC transactions are approved by the Bureau of Air Quality, Department of Environmental Protection, Commonwealth of Pennsylvania. The ERC transaction requirements are specify in 25 Pa. Code § 127.208.

#### **ERC GENERATING FACILITY INFORMATION**

*ERC Generating Facility Name:* General Motors Corporation

*Location of Source:* North Tarrytown, Westchester, New York

*Certified ERCs (tpy):* 11.85 tpy of VOCs

*Amount of ERCs traded to Purchaser/Recipient:* 11.85 tpy of VOCs

*Date of ERCs Transfer:* May 21, 2001

*ERCs available for future use:* 0

#### **PURCHASER/RECIPIENT OF ERCs**

*Purchaser/Recipient of ERCs:* FPL Energy, Linfield L.L.C.

*Location of Source:* Limerick Township, Montgomery County, PA

*Plan Approval Number:* 46-0203

*VOCs credits used:* 0

*VOCs credits available for future use:* 11.85 tpy

#### **ERC GENERATING FACILITY INFORMATION**

*ERC Generating Facility Name:* Graphic Packaging Corporation

*Location of Source:* Saratoga Spring, Saratoga County, New York

*Certified ERCs (tpy):* 40 tpy of VOCs

*Amount of ERCs traded to Purchaser/Recipient:* 40 tpy of VOCs

*Date of ERCs Transfer:* May 22, 2001

*ERCs available for future use:* 0

#### **PURCHASER/RECIPIENT OF ERCs**

*Purchaser/Recipient of ERCs:* York Wallcoverings, Inc.

*Location of Source:* Linden Avenue, York County, PA

*Plan Approval Number:* 67-05027A

*VOCs credits used:* 0

*VOCs credits available for future use:* 40 tpy

#### **ERC GENERATING FACILITY INFORMATION**

*ERC Generating Facility Name:* Occidental Chemical Corporation

*Location of Source:* Montgomery County, PA

*Certified ERCs (tpy):* 71.4 tpy of NOx

*Amount of ERCs traded to Purchaser/Recipient:* 71.4 tpy of NOx

*Date of ERCs Transfer:* May 24, 2001

*ERCs available for future use:* 0

#### **PURCHASER/RECIPIENT OF ERCs**

*Purchaser/Recipient of ERCs:* FPL Energy, Linfield LLC

*Location of Source:* Limerick Township, Montgomery County, PA

*Plan Approval Number:* 46-0203

*NOx credits used:* 0

*NOx credits available for future use:* 71.4 tpy

#### **ERC GENERATING FACILITY INFORMATION**

*ERC Generating Facility Name:* Global Packaging, Inc.

*Location of Source:* Montgomery County, PA

*Certified ERCs (tpy):* 22.7 tpy of VOCs

*Amount of ERCs traded to Purchaser/Recipient:* 15 tpy of VOCs

*Date of ERCs Transfer:* June 4, 2001

*ERCs available for future use:* 7.7 tpy of VOCs

#### **PURCHASER/RECIPIENT OF ERCs**

*Purchaser/Recipient of ERCs:* Consolidated Edison Company of New York, Inc.

*Location of Source:* East River Generating Station, New York County, New York

*Plan Approval Number:* 2-6202-00012

*VOCs credits used:* 15 tpy

*VOCs credits available for future use:* 0

#### **ERC GENERATING FACILITY INFORMATION**

*ERC Generating Facility Name:* Julian B. Slevin Co. Inc.

*Location of Source:* Upper Darby, Delaware County, PA

*Certified ERCs (tpy):* 85.2 tpy of VOCs

*Amount of ERCs traded to Recipient:* 85.2 tpy of VOCs

*Date of ERCs Transfer:* June 21, 2001

*ERCs available for future use:* 0

**RECIPIENT OF ERCs**

*Recipient of ERCs:* Leonardo Academy Incorporated (charitable nonprofit organization)

*VOCs credits available:* 85.2 tpy of VOCs

**BUREAU OF DEEP MINE SAFETY  
REQUEST FOR VARIANCE**

The Department of Environmental Protection, Bureau of Deep Mine Safety, has received a request for variance from GM & S Coal Corporation. 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 in order 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 (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:* GM & S Coal Corporation requests a variance to use four entries in common with the belt conveyor entry with their previously approved common entry plan at the Geronimo Mine.

[Pa.B. Doc. No. 01-1420. Filed for public inspection August 3, 2001, 9:00 a.m.]

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**Availability of Technical Guidance**

Technical guidance documents are on DEP's website ([www.dep.state.pa.us](http://www.dep.state.pa.us)) at the Public Participation Center page. The "July 2001 Inventory" heading is the Governor's list of nonregulatory guidance 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 nonregulatory documents, as necessary, throughout 2001.

*Ordering Paper Copies of DEP Technical Guidance*

DEP encourages the use of the Internet to view guidance documents. When this option is not available, persons can order a bound paper copy of the latest inventory or an unbound paper copy of any of the final documents listed on the inventory by calling DEP at (717) 783-8727.

In addition, bound copies of some of DEP's documents are available as DEP publications. Check with the appro-

priate bureau for more information about the availability of a particular document as a publication.

*Changes To Technical Guidance Documents*

Following 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 is listed with each document. Persons who have questions or comments in general should call Joe Sieber at (717) 783-8727.

*Final Technical Guidance*

DEP ID: 563-2504-001 Title: *Conventional Bonding for Land Reclamation- Coal* Description: The Department will require coal mining activities to be bonded in an amount that covers the Department's cost to complete the site's reclamation plan. This guidance describes the regulatory and statutory requirements for determining bond amounts. It also establishes bond rates and the process for determining the bond for land reclamation. This document defines procedures for implementing a conventional (full-cost) bonding system for surface coal mining activities, and also constitutes public notice of DEP's bond rates for 2001. Effective Date: August 4, 2001 Contact: Scott Roberts at (717) 787-5015.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 01-1421. Filed for public inspection August 3, 2001, 9:00 a.m.]

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**Wetlands Protection Advisory Committee Meeting Cancellation**

The Wetlands Protection Advisory Committee meeting scheduled for Thursday, August 23, 2001, has been canceled. The next meeting is scheduled for Thursday, November 1, 2001, in the first floor conference room of the Rachel Carson State Office Building at 10 a.m. For information contact Kelly Heffner at (717) 787-6827.

DAVID E. HESS,  
*Secretary*

[Pa.B. Doc. No. 01-1422. Filed for public inspection August 3, 2001, 9:00 a.m.]

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**DEPARTMENT OF  
GENERAL SERVICES**

**State Surplus Property Division; Public Auction**

The Department of General Services, State Surplus Property Division is offering off-road equipment and dump trucks for sale at public auction on August 18, 2001, at 9 a.m. located at the Department of Transportation's equipment shed in Waynesburg, Greene County.

Some of the equipment for sale will be approximately 60 trucks. Other equipment will consist of loaders and dump trucks. The Commonwealth reserves the right to

withdraw any or all items from this sale. For more information, call (717) 787-4085.

GARY E. CROWELL,  
Secretary

[Pa.B. Doc. No. 01-1423. Filed for public inspection August 3, 2001, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Laboratories Approved to Determine Urine Controlled Substance Content Under the Clinical Laboratory Act, the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code

The following laboratories are licensed by the Department of Health (Department) under the Clinical Laboratory Act (35 P.S. §§ 2151—2165) and/or the Federal Clinical Laboratory Improvement Act of 1967 (42 U.S.C.A. § 263a) and are currently approved by the Department under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of urine for the determination of controlled substances or their biotransformation products. This approval is based on demonstrated proficiency in tests conducted by the Bureau of Laboratories of the Department. These laboratories are also approved and designated for purposes of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2502 (relating to hunting or furtaking under the influence of alcohol or controlled substance), as qualified to perform the types of services which will reflect the presence of controlled substances or their biotransformation products in urine.

Depending upon their capability and performance in proficiency surveys, laboratories are approved to perform screening and/or confirmatory urine drug analyses. Laboratories approved to perform screening tests only are designated on the approval list by an "S" after the laboratory's name. Laboratories approved to perform confirmatory testing only are designated by a "C" following the laboratory's name. Those approved to perform both screening and confirmatory analyses are designated by the letters "SC." Screening analyses provide a presumptive indication that a controlled substance is present. Confirmatory testing is used to substantiate screening results.

Persons seeking forensic urine drug analysis services from any of the listed laboratories should determine that the laboratory employs techniques and procedures acceptable for the purpose. They should also determine that the director of the facility is agreeable to performing analyses for that purpose. Persons seeking the analyses are responsible for specifying the extent to which the presence of a controlled substance is to be verified. That specification should be predicated upon the purpose for which the analysis is being sought.

The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*. Questions regarding this list should be

directed to M. Jeffery Shoemaker, Ph.D., Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464, ext. 3273.

Persons with a disability who require auxiliary aid service should contact Dr. Shoemaker at V/TT: (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT & T Relay Service at (800) 654-5984 [TT].

ABINGTON MEMORIAL HOSPITAL-S  
1200 OLD YORK ROAD  
ABINGTON, PA 19001  
(215) 576-2350

ACCU-CHEM LABORATORIES-SC  
990 NORTH BOWSER RD STE 800/880  
RICHARDSON, TX 75081  
(872) 234-5412

ACT LAB SERVICES INC-SC  
270 COMMERCE DRIVE  
FORT WASHINGTON, PA 19034  
(215) 283-6370

ADVANCED APPLIED SCIENCES INC-S  
4400 LINGLESTOWN ROAD  
HARRISBURG, PA 17112  
(717) 651-9377

ADVANCED TOXICOLOGY NETWORK-SC  
3560 AIR CENTER COVE SUITE 101  
MEMPHIS, TN 38118  
(901) 794-5770

ALBERT EINSTEIN MED CTR NORTH-SC  
5501 OLD YORK ROAD  
PHILADELPHIA, PA 19141  
(215) 456-6100

ALQUIPPA COMM HOSP PATHOLOGY DEPT-S  
2500 HOSPITAL DR-PATHOLOGY DEPT  
ALQUIPPA, PA 15001  
(724) 857-1238

ALLEG CNTY CORONERS DIV OF LABS-S  
10 COUNTY OFFICE BUILDING  
PITTSBURGH, PA 15219  
(412) 350-6873

ALTOONA HOSPITAL-S  
620 HOWARD AVENUE  
ALTOONA, PA 16601-4899  
(814) 946-2340

AMERGEN ENERGY COMPANY LLC-S  
P. O. BOX 480 ROUTE 441 SOUTH  
THREE MILE ISLAND  
MIDDLETOWN, PA 17057  
(717) 948-8880

AMERICAN MEDICAL LABORATORIES-SC  
14225 NEWBROOK DRIVE  
PO BOX 10841  
CHANTILLY, VA 20153-0841  
(703) 802-6900

AMMON ANALYTICAL LABORATORY-SC  
600 BLOY STREET  
HILLSIDE, NJ 07205  
(908) 624-0004

ANALYTIC BIO-CHEMISTRIES INC-SC  
1680-D LORETTA AVENUE  
FEASTERVILLE, PA 19053  
(215) 322-9210

ASSOCIATED CLINICAL LABORATORIES-SC  
1526 PEACH STREET  
ERIE, PA 16501  
(814) 461-2400

AUH-FORBES REGIONAL-S  
2570 HAYMAKER ROAD  
MONROEVILLE, PA 15146  
(412) 858-2560

AYER CLINICAL LAB-PENN HOSPITAL-S  
8TH & SPRUCE STS  
PHILADELPHIA, PA 19107  
(215) 829-3541

BARNES KASSON COUNTY HOSPITAL-S  
400 TURNPIKE STREET  
SUSQUEHANNA, PA 18847  
(570) 853-3135

BENDINER & SCHLESINGER INC-SC  
47 THIRD AVENUE  
NEW YORK, NY 10003  
(212) 254-2300

BIOREFERENCE LABORATORIES INC-SC  
481B EDWARD H ROSS DRIVE  
ELMWOOD PARK, NJ 07407  
(201) 791-3600

BON SECOURS-HOLY FAMILY REG HLTH-S  
2500 SEVENTH AVENUE  
ALTOONA, PA 16602-2099  
(814) 949-4495

BRADFORD HOSPITAL LAB-S  
116-156 INTERSTATE PKWY  
BRADFORD, PA 16701-0218  
(814) 834-8282

BRANDYWINE HOSPITAL-S  
201 REECEVILLE ROAD ATTN: LABORATORY  
COATESVILLE, PA 19320  
(610) 383-8000

BROWNSVILLE GENERAL HOSPITAL LAB-S  
125 SIMPSON RD  
BROWNSVILLE, PA 15417  
(724) 785-7200

CANONSBURG GENERAL HOSPITAL-S  
100 MEDICAL BOULEVARD  
CANONSBURG, PA 15317  
(724) 745-6100

CARLISLE REGIONAL MEDICAL CENTER-S  
246 PARKER ST  
CARLISLE, PA 17013  
(717) 249-1212

CEDAR CREST EMERGICENTER-S  
1101 SOUTH CEDAR CREST BOULEVARD  
ALLENTOWN, PA 18103  
(610) 433-4260

CENTRE COMMUNITY HOSPITAL-S  
1800 EAST PARK AVENUE  
STATE COLLEGE, PA 16803  
(814) 234-6117

CHAMBERSBURG HOSPITAL-S  
112 NORTH SEVENTH ST  
CHAMBERSBURG, PA 17201  
(717) 267-7152

CHARLES COLE MEMORIAL HOSPITAL-S  
1001 EAST SECOND STREET  
COUDERSPORT, PA 16915  
(814) 274-9300

CHESTER COUNTY HOSPITAL-S  
701 E MARSHALL ST  
WEST CHESTER, PA 19380  
(610) 431-5182

CHESTNUT HILL HOSPITAL-S  
8835 GERMANTOWN AVENUE  
PHILADELPHIA, PA 19118  
(215) 248-8630

CHILDRENS HOSP OF PHILADELPHIA-S  
ONE CHILDREN'S CENTER 34TH & CIVIC  
PHILADELPHIA, PA 19104  
(215) 590-1000

CLARION HOSPITAL-S  
1 HOSPITAL DRIVE  
CLARION, PA 16214  
(814) 226-9500

CLINICAL LABORATORIES INC-SC  
901 KEYSTONE INDUSTRIAL PARK  
THROOP, PA 18512-1534  
(717) 346-1759

CLINICAL SCIENCE LABORATORY INC-S  
51 FRANCIS AVENUE  
MANSFIELD, MA 02048  
(508) 339-6106

COMMUNITY HOSPITAL OF LANCASTER-S  
1100 EAST ORANGE STREET  
LANCASTER, PA 17602  
(717) 397-3711

COMMUNITY MEDICAL CENTER-S  
1800 MULBERRY STREET  
SCRANTON, PA 18510  
(570) 969-8000

CONEMAUGH VALLEY MEMORIAL HOSP-S  
1086 FRANKLIN STREET  
JOHNSTOWN, PA 15905-4398  
(814) 534-9000

CORPORATE HEALTH SERVICES-S  
1914 MERCER AVENUE  
PO BOX 330  
FARRELL, PA 16121  
(724) 346-6425

CORRY MEMORIAL HOSPITAL-S  
612 WEST SMITH STREET  
CORRY, PA 16407  
(814) 664-4641

CROZER CHESTER MED CENTER-S  
1 MEDICAL CENTER BOULEVARD  
UPLAND, PA 19013  
(610) 447-2000

DE JOHN MED LABORATORY INC-S  
1570 GARRETT ROAD  
UPPER DARBY, PA 19082  
(610) 626-2112

DELAWARE COUNTY MEMORIAL HOSP-S  
501 NORTH LANSDOWNE AVENUE  
DREXEL HILL, PA 19026-1186  
(610) 284-8100

DEPT OF PATHOLOGY & LAB MED-HUP-SC  
3400 SPRUCE STREET  
PHILADELPHIA, PA 19104  
(215) 662-6880

DEPT OF PATHOLOGY & LAB MEDICINE-S  
500 UNIVERSITY AVENUE  
PO BOX 850  
HERSHEY, PA 17033  
(717) 531-8353

DOYLESTOWN HOSPITAL-S  
595 W STATE ST  
DOYLESTOWN, PA 18901  
(215) 345-2250

DRUGSCAN INC-SC  
1119 MEARNES RD, PO BOX 2969  
WARMINSTER, PA 18974  
(215) 674-9310

DRUGSCAN INC—LIMERICK-S  
SANATOGA RD & EVERGREEN RD  
LIMERICK GENERATING STATION  
SANATOGA, PA 19464  
(610) 718-2055

DRUGSCAN INC—PEACH BOTTOM SITE-S  
1848 LAY ROAD (ATOM ROAD)  
DELTA, PA 17314  
(717) 456-3026

DYNACARE ALLEGHENY LABORATORIES-S  
320 EAST NORTH AVENUE  
PITTSBURGH, PA 15212  
(412) 359-3521

EASTON HOSPITAL-S  
250 SOUTH 21ST ST  
EASTON, PA 18042-3892  
(610) 250-4140

ELKINS PARK HOSPITAL-S  
60 EAST TOWNSHIP LINE ROAD  
ELKINS PARK, PA 19027  
(215) 663-6102

EPHRATA COMMUNITY HOSPITAL-S  
169 MARTIN AVE PO BOX 1002  
EPHRATA, PA 17522  
(717) 733-0311

EPISCOPAL HOSPITAL LABORATORY-S  
100 EAST LEHIGH AVENUE  
PHILADELPHIA, PA 19125-1098  
(215) 427-7333

ERHC RIDGWAY LABORATORY-S  
94 HOSPITAL STREET  
RIDGWAY, PA 15853  
(814) 788-5530

ERHC ST MARYS LABORATORY-S  
763 JOHNSONBURG RD  
SAINT MARYS, PA 15857  
(814) 788-8525

EVANGELICAL COMMUNITY HOSPITAL-S  
1 HOSPITAL DRIVE  
LEWISBURG, PA 17837  
(570) 522-2510

FITNESS FOR DUTY CENTER-S  
PA POWER & LIGHT CO PO BOX 467  
BERWICK, PA 18603  
(717) 542-3336

FRANKFORD HOSP BUCKS CO CAMPUS-S  
380 NORTH OXFORD VALLEY ROAD  
LANGHORNE, PA 19047-8304  
(215) 934-5227

FRANKFORD HOSPITAL FRANK DIV-S  
FRANKFORD AVE & WAKELING ST  
PHILADELPHIA, PA 19124  
(215) 831-2068

FRANKFORD HOSPITAL-TORRES DIV-S  
RED LION & KNIGHTS RDS  
PHILADELPHIA, PA 19114  
(215) 612-4000

FRICK HOSPITAL-S  
508 SOUTH CHURCH STREET  
MOUNT PLEASANT, PA 15666  
(724) 547-1500

FRIENDS HOSPITAL-S  
4641 ROOSEVELT BOULEVARD  
PHILADELPHIA, PA 19124-2399  
(215) 831-4771

FRIENDS MEDICAL LAB INC-SC  
5820 SOUTHWESTERN BLVD  
BALTIMORE, MD 21227  
(412) 247-4417

GEISINGER MEDICAL CENTER-SC  
N ACADEMY RD  
DANVILLE, PA 17822  
(717) 271-6338

GEISINGER WYOMING VALLEY MED CTR-S  
1000 E MOUNTAIN DRIVE  
WILKES BARRE, PA 18711  
(570) 826-7830

GERMANTOWN COMM HLTH WILLOW TERR-S  
ONE PENN BOULEVARD  
PHILADELPHIA, PA 19144  
(215) 951-8800

GHHA OCCUPATIONAL HEALTH-S  
1000 ALLIANCE DRIVE  
HAZLETON, PA 18201  
(570) 459-1028

GNADEN HUETTEN MEMORIAL HOSP-S  
11TH & HAMILTON STS  
LEHIGHTON, PA 18235  
(610) 377-1300

GOOD SAMARITAN HOSPITAL-S  
4TH & WALNUT STS PO BOX 1281  
LEBANON, PA 17042-1218  
(717) 270-7500

GOOD SAMARITAN REGIONAL MED CTR-S  
700 EAST NORWEGIAN STREET  
POTTSVILLE, PA 17901  
(570) 621-4032

GRADUATE HOSPITAL-S  
1800 LOMBARD STREET  
PHILADELPHIA, PA 19146  
(215) 893-2240

GRAHAM-MASSEY ANALYTICAL LABS-SC  
60 TODD ROAD  
SHELTON, CT 06484  
(203) 926-1100

GUTHRIE CLINIC PATH LAB-S  
GUTHRIE SQUARE  
SAYRE, PA 18840  
(717) 888-5858

HAHNEMANN UNIVERSITY HOSPITAL-S  
BROAD & VINE STS MS 113  
PHILADELPHIA, PA 19102  
(215) 762-1783

HANOVER GENERAL HOSPITAL-S  
300 HIGHLAND AVE  
HANOVER, PA 17331  
(717) 637-3711

HARRISBURG HOSPITAL LABORATORY-S  
SOUTH FRONT STREET  
HARRISBURG, PA 17101  
(717) 782-2832

HAZLETON GENERAL HOSPITAL-S  
EAST BROAD STREET  
HAZLETON, PA 18201  
(570) 501-4152

HEALTH NETWORK LABORATORIES-S  
1627 WEST CHEW STREET  
ALLENTOWN, PA 18102  
(610) 402-2236

HEALTH NETWORK LABORATORIES-S  
1200 SOUTH CEDAR CREST BLVD  
ALLENTOWN, PA 18103  
(610) 402-8150

HEALTH NETWORK LABORATORIES-S  
2545 SCHOENERSVILLE ROAD  
BETHLEHEM, PA 18017-7384  
(484) 884-2259

HEALTH NETWORK LABORATORIES-SC  
2024 LEHIGH STREET  
ALLENTOWN, PA 18103-4798  
(610) 402-8150

HEALTH QUEST MEDICAL LABS INC-S  
2089 EAST HIGH STREET  
WILLOWS PROFESSIONAL CAMPUS  
POTTSTOWN, PA 19464-5023  
(610) 327-2520

HOLY REDEEMER HOSPITAL-S  
1648 HUNTINGDON PIKE  
MEADOWBROOK, PA 19046  
(215) 947-3000

HOLY SPIRIT HOSPITAL-S  
503 N 21ST STREET  
CAMP HILL, PA 17011-2288  
(717) 763-2206

HORIZON HOSP SYS-GREENVILLE CMPS-S  
110 NORTH MAIN STREET  
GREENVILLE, PA 16125  
(724) 588-2100

HORIZON HOSP SYS-SHENANGO CAMPUS-S  
2200 MEMORIAL DRIVE  
FARRELL, PA 16121  
(724) 981-3500

INDIANA HOSPITAL DEPT OF LAB MED-S  
HOSPITAL ROAD PO BOX 788  
INDIANA, PA 15701-0788  
(724) 357-7167

J C BLAIR MEMORIAL HOSPITAL-S  
WARM SPRINGS AVE  
HUNTINGDON, PA 16652  
(814) 643-8645

JEANES HOSPITAL-S  
7600 CENTRAL AVE  
PHILADELPHIA, PA 19111  
(215) 728-2347

JEANNETTE DISTRICT MEMORIAL HOSP-S  
JEFFERSON AVE  
JEANNETTE, PA 15644  
(724) 527-3551

JERSEY SHORE HOSPITAL-S  
1020 THOMPSON STREET  
JERSEY SHORE, PA 17740  
(717) 398-0100

KENSINGTON HOSPITAL-S  
136 WEST DIAMOND STREET  
PHILADELPHIA, PA 19122  
(215) 426-8100

KROLL LABORATORY SPECIALISTS-SC  
1111 NEWTON STREET  
GRETNA, LA 70053  
(504) 361-8989

LAB CORP OCCUPATIONAL TEST SRVCS-SC  
1120 STATELINE ROAD WEST  
SOUTHAVEN, MS 38671  
(886) 827-8042

LABCORP OCCUPATIONAL TESTING SER-SC  
1904 ALEXANDER DRIVE  
RESRCH TRNGL PARK, NC 27709  
(919) 549-8263

LABCORP OF AMERICA HOLDINGS-SC  
69 FIRST AVE PO BOX 500  
RARITAN, NJ 08869  
(201) 526-2400

LABONE INC-SC  
10101 RENNER BOULEVARD  
LENEXA, KS 66219-9752  
(913) 888-1770

LANCASTER GENERAL HOSPITAL-S  
555 N DUKE ST PO BOX 3555  
LANCASTER, PA 17603  
(717) 299-5511

LANCASTER GENERAL HOSP-SUS DIV-S  
306 NORTH SEVENTH STREET  
COLUMBIA, PA 17512  
(717) 684-2841

LANCASTER REGIONAL MED CENTER-S  
250 COLLEGE AVENUE  
PO BOX 3434  
LANCASTER, PA 17604  
(717) 291-8022

LATROBE AREA HOSPITAL-S  
121 WEST 2ND AVENUE  
LATROBE, PA 15650  
(724) 537-1550

LEWISTOWN HOSPITAL-S  
HIGHLAND AVENUE  
LEWISTOWN, PA 17044  
(717) 248-5411

LOCK HAVEN HOSPITAL LABORATORY-S  
24 CREE DRIVE  
LOCK HAVEN, PA 17745  
(717) 893-5000

MAGEE WOMENS HOSPITAL-S  
FORBES AVE & HALKET ST  
PITTSBURGH, PA 15213  
(412) 647-4651

MAIN LINE CLIN LABS BRYN MAWR CP-S  
130 BRYN MAWR AVENUE  
BRYN MAWR, PA 19010  
(610) 526-3554

MAIN LINE CLIN LABS LANKENAU CP-S  
100 EAST LANCASTER AVENUE  
WYNNEWOOD, PA 19096  
(610) 645-2615

MAIN LINE CLIN LABS PAOLI MEM CP-S  
255 WEST LANCASTER AVENUE  
PAOLI, PA 19301  
(610) 648-1000

MARIAN COMMUNITY HOSPITAL-S  
100 LINCOLN AVENUE  
CARBONDALE, PA 18407  
(717) 281-1042

MEADVILLE MED CTR-LIBERTY ST-S  
751 LIBERTY STREET  
MEADVILLE, PA 16335  
(814) 336-3121

MEDICAL COLLEGE OF PA HOSPITAL-S  
3300 HENRY AVENUE  
PHILADELPHIA, PA 19129  
(215) 842-7306

MEDTOX LABORATORIES INC-SC  
402 WEST COUNTY ROAD D  
ST PAUL, MN 55112  
(612) 636-7466

MEMORIAL HOSPITAL LAB-S  
1 HOSPITAL DRIVE  
TOWANDA, PA 18848  
(717) 265-2191

MERCY HEALTH LAB/MCH-S  
2000 OLD WEST CHESTER PIKE  
HAVERTOWN, PA 19083  
(610) 853-7500

MERCY HEALTH LAB/MFH-S  
1500 LANSDOWNE AVENUE  
DARBY, PA 19023  
(610) 237-4262

MERCY HEALTH LAB/MHOP-S  
54 AND CEDAR AVENUE  
PHILADELPHIA, PA 19143  
(215) 748-9181

MERCY HEALTH LAB/MSH-S  
2701 DEKALB PIKE  
NORRISTOWN, PA 19401  
(610) 278-2090

MERCY HEALTH PARTNERS-S  
746 JEFFERSON AVE  
SCRANTON, PA 18510  
(570) 348-7100

MERCY HOSPITAL LABORATORY-S  
25 CHURCH STREET  
PO BOX 658  
WILKES BARRE, PA 18765  
(570) 826-3100

MERCY HOSPITAL LABORATORY-S  
PRIDE & LOCUST STS  
PITTSBURGH, PA 15219  
(412) 232-7831

METHODIST HOSP DIVISION/TJUH INC-S  
2301 SOUTH BROAD STREET  
PHILADELPHIA, PA 19148  
(215) 952-9059

MINERS HOSPITAL-S  
290 HAIDA AVENUE  
PO BOX 689  
HASTINGS, PA 16646  
(814) 948-7171

MONONGAHELA VALLEY HOSP INC-S  
COUNTRY CLUB RD RT 88  
MONONGAHELA, PA 15063  
(724) 258-1000

MONTGOMERY HOSPITAL LAB-S  
POWELL & FORNANCE STS  
NORRISTOWN, PA 19401  
(610) 270-2173

MUNCY VALLEY HOSPITAL-S  
215 EAST WATER ST  
MUNCY, PA 17756  
(717) 546-8282

NASON HOSPITAL-S  
NASON DRIVE  
ROARING SPRING, PA 16673  
(814) 224-6215

NATIONAL MED SERVICES INC LAB-SC  
3701 WELSH ROAD  
WILLOW GROVE, PA 19090  
(215) 657-4900

NAZARETH HOSPITAL-S  
2601 HOLME AVE  
PHILADELPHIA, PA 19152  
(215) 335-6245

NORCHEM DRUG TESTING LABORATORY-SC  
2016 NORTH FOURTH STREET STE 2  
PO BOX 70000  
FLAGSTAFF, AZ 86004  
(520) 526-1011

NORTH PENN HOSPITAL-S  
100 MED CAMPUS DRIVE  
LANSDALE, PA 19446  
(215) 368-2100

NORTHWEST MEDICAL CTR-FRANKLIN-S  
1 SPRUCE STREET  
FRANKLIN, PA 16323  
(814) 437-7000

OMEGA MEDICAL LABORATORIES INC-SC  
2001 STATE HILL ROAD SUITE 100  
WYOMISSING, PA 19610-1699  
(610) 378-1900

PARKVIEW HOSPITAL-S  
1331 EAST WYOMING AVENUE  
PHILADELPHIA, PA 19124  
(215) 537-7430

PARKWAY CLINICAL LABORATORIES-S  
3494 PROGRESS DRIVE SUITE A  
BENSALEM, PA 19020  
(215) 676-2296

PENNSYLVANIA DEPT OF HEALTH-SC  
110 PICKERING WAY  
LIONVILLE, PA 19353  
(610) 280-3464

PHARCHEM INC TEXAS DIVISION-SC  
7606 PEBBLE DRIVE  
FORT WORTH, TX 76118  
(817) 215-8826

PHARMCHEM LABORATORIES INC-SC  
1505A O'BRIEN DRIVE  
MENLO PARK, CA 94025  
(650) 617-9226

PHOENIXVILLE HOSPITAL LABORATORY-S  
140 NUTT RD DEPT OF PATHOLOGY  
PHOENIXVILLE, PA 19460-0809  
(610) 983-1612



PINNACLEHLTH/COMM GEN OSTEO HOSP-S  
4300 LONDONDERRY RD PO BOX 3000  
HARRISBURG, PA 17109  
(717) 657-7214

PITTSBURGH CRIMINALISTICS-SC  
1320 FIFTH AVENUE  
PITTSBURGH, PA 15219  
(412) 391-6118

POCONO MEDICAL CENTER LAB-S  
206 EAST BROWN STREET  
EAST STROUDSBURG, PA 18301  
(717) 476-3544

POLYCLINIC HOSPITAL-S  
2601 NORTH THIRD STREET  
HARRISBURG, PA 17110  
(717) 782-4141

POTTSTOWN MEMORIAL MED CENTER-S  
1600 E HIGH ST  
POTTSTOWN, PA 19464  
(610) 327-7111

POTTSVILLE HOSP AND WARNE CLINIC-S  
420 SOUTH JACKSON STREET  
POTTSVILLE, PA 17901  
(717) 621-5262

PRESBYTERIAN MED CENTER OF PHILA-S  
51 NORTH 39TH ST 5TH FLR RM 530  
DEPARTMENT OF PATHOLOGY & LAB  
PHILADELPHIA, PA 19104-2640  
(215) 662-3435

PRINCETON BIOMEDICAL LABS INC-S  
2921 NEW RODGERS ROAD  
BRISTOL, PA 19007  
(215) 785-5200

PSYCHEMEDICS COPORATION-SC  
5832 UPLANDER WAY  
CULVER CITY, CA 90230  
(800) 522-7424

PUNXSUTAWNEY AREA HOSPITAL-S  
81 HILLCREST DRIVE  
PUNXSUTAWNEY, PA 15767  
(814) 938-4500

QUEST DIAGNOSTICS-SC  
7470A MISSION VALLEY ROAD  
SAN DIEGO, CA 92108-4406  
(800) 446-4728

QUEST DIAGNOSTICS CLIN LABS INC-SC  
7600 TYRONE AVENUE  
VAN NUYS, CA 91405  
(818) 376-6195

QUEST DIAGNOSTICS CLINICAL LABS INC-S  
900 BUSINESS CENTER DRIVE  
HORSHAM, PA 19044  
(215) 957-9300

QUEST DIAGNOSTICS INC-SC  
400 EGYPT ROAD  
NORRISTOWN, PA 19403  
(610) 631-4219

QUEST DIAGNOSTICS INCORPORATED-SC  
ONE MALCOLM AVENUE  
TETERBORO, NJ 07608  
(201) 393-5602

QUEST DIAGNOSTICS INCORPORATED-SC  
4444 GIDDINGS ROAD  
AUBURN HILLS, MI 48326  
(800) 444-0106

QUEST DIAGNOSTICS OF PA INC-SC  
875 GREENTREE RD 4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7600

QUEST DIAGNOSTICS VENTURE LLC-SC  
875 GREENTREE ROAD  
4 PARKWAY CENTER  
PITTSBURGH, PA 15220-3610  
(412) 920-7631

QUINTILES LABORATORIES LTD-SC  
5500 HIGHLANDS PARKWAY SUITE 600  
SMYRNA, GA 30082  
(770) 434-8492

READING HOSPITAL & MED CTR-S  
6TH AND SPRUCE STREETS  
WEST READING, PA 19611  
(610) 988-8080

REDWOOD TOXICOLOGY LABORATORY-SC  
3650 WESTWIND BOULEVARD  
SANTA ROSA, CA 95403  
(707) 577-7958

RIDDLE MEMORIAL HOSPITAL-S  
BALTIMORE PIKE HIGHWAY 1  
MEDIA, PA 19063  
(610) 566-9400

ROXBOROUGH MEMORIAL HOSPITAL-S  
5800 RIDGE AVE  
PHILADELPHIA, PA 19128  
(215) 487-4394

SACRED HEART HOSPITAL-S  
4TH & CHEW STS  
ALLENTOWN, PA 18102  
(610) 776-4727

SAINT CLAIR MEMORIAL HOSPITAL-S  
1000 BOWER HILL RD  
PITTSBURGH, PA 15243  
(412) 561-4900

SAINT FRANCIS HOSPITAL OF NEW CASTLE-S  
1000 S MERCER ST  
NEW CASTLE, PA 16101  
(724) 656-6111

SAINT LUKES HOSPITAL-S  
801 OSTRUM ST  
BETHLEHEM, PA 18015  
(610) 691-4141

SAINT MARY MEDICAL CENTER-S  
LANGHORNE—NEWTOWN RD  
LANGHORNE, PA 19047  
(215) 750-2162

SCIENTIFIC TESTING LABS INC-SC  
463 SOUTHLAKE BOULEVARD  
RICHMOND, VA 23236  
(804) 378-9130

SERENITY HALL INC-S  
414 WEST 5TH STREET  
ERIE, PA 16507  
(814) 459-4775

SEWICKLEY VALLEY HOSPITAL LAB-S  
BLACKBURN RD & FITCH DRIVE  
SEWICKLEY, PA 15143  
(412) 741-6600

SHADYSIDE HOSPITAL-S  
5230 CENTRE AVENUE  
PITTSBURGH, PA 15232  
(412) 622-2315

SHARON REGIONAL HEALTH SYSTEM-S  
740 EAST STATE STREET  
SHARON, PA 16146  
(724) 983-3911

SKIPPACK MEDICAL LABORATORY-S  
3887 SKIPPACK PIKE  
SKIPPACK, PA 19474  
(610) 584-1669

SOLDIERS & SAILORS MEM HOSP-S  
CENTRAL AVE  
WELLSBORO, PA 16901  
(717) 724-1631

SOMERSET HOSPITAL LAB-S  
225 S CENTER AVE  
SOMERSET, PA 15501  
(814) 443-5000

SOUTH HILLS HEALTH SYS-JEFFERSON-S  
575 COAL VALLEY ROAD  
P. O. BOX 18119  
PITTSBURGH, PA 15236  
(412) 469-5723

SOUTHERN CHESTER COUNTY MED CTR-S  
1015 WEST BALTIMORE PIKE  
WEST GROVE, PA 19390  
(610) 869-1080

SPECIALTY LABORATORIES-S  
2211 MICHIGAN AVENUE  
SANTA MONICA, CA 90404  
(310) 828-6543

ST FRANCIS HOSPITAL CRANBERRY-S  
ONE ST FRANCIS WAY  
CRANBERRY TOWNSHIP, PA 16066  
(724) 772-5300

ST FRANCIS MEDICAL CENTER-S  
400-45TH STREET  
PITTSBURGH, PA 15201-1198  
(412) 622-4838

ST JOSEPH QUALITY MEDICAL LAB-SC  
215 NORTH 12TH STREET BOX 316  
READING, PA 19603  
(610) 378-2200

ST JOSEPH'S HOSPITAL-DIV NPHS-S  
16TH ST & GIRARD AVE  
PHILADELPHIA, PA 19130  
(215) 787-9000

ST LUKES HOSP ALLENTOWN CAMPUS-S  
1736 HAMILTON STREET  
ALLENTOWN, PA 18104  
(610) 439-4000

SUBURBAN GENERAL HOSPITAL-S  
100 SOUTH JACKSON AVENUE  
BELLEVUE, PA 15202  
(412) 734-6000

SUNBURY COMMUNITY HOSPITAL-S  
350 N 11TH ST  
SUNBURY, PA 17801  
(717) 286-3333

TAYLOR HOSPITAL DIV OF CCMC-S  
175 E CHESTER PIKE  
RIDLEY PARK, PA 19078  
(610) 595-6450

TECHNOW INC-S  
31 INDUSTRIAL HIGHWAY  
ESSINGTON, PA 19029  
(610) 362-0610

TEMPLE EAST INC NE-S  
2301 EAST ALLEGHENY AVENUE  
PHILADELPHIA, PA 19134  
(215) 291-3671

TEMPLE LOWER BUCKS HOSPITAL LAB-S  
501 BATH ROAD  
BRISTOL, PA 19007  
(215) 785-9200

TEMPLE UNIVERSITY HOSPITAL-S  
3401 N BROAD ST  
PHILADELPHIA, PA 19140  
(215) 707-4353

THE MEDICAL CENTER BEAVER PA-S  
1000 DUTCH RIDGE ROAD  
BEAVER, PA 15009-9700  
(724) 728-7000

THOMAS JEFFERSON UNIVERSITY HOSP-S  
125 SOUTH 11TH ST 204 PAVILION  
PHILADELPHIA, PA 19107  
(215) 955-6374

TITUSVILLE AREA HOSPITAL-S  
406 WEST OAK STREET  
TITUSVILLE, PA 16354  
(814) 827-1851

TOXI-CON LABORATORY-SC  
201 SMALLCOMBE DRIVE  
SCRANTON, PA 18508  
(570) 963-0722

UHS OF FAIRMOUNT INC-S  
561 FAIRTHORNE AVENUE  
PHILADELPHIA, PA 19128  
(215) 487-4078

UNITED COMMUNITY HOSPITAL-S  
631 NORTH BROAD STREET EXT  
GROVE CITY, PA 16127  
(724) 450-7125

UPMC BEDFORD MEMORIAL-S  
10455 LINCOLN HIGHWAY  
EVERETT, PA 15537  
(814) 623-3506

UPMC BRADDOCK-S  
400 HOLLAND AVENUE  
BRADDOCK, PA 15104  
(412) 636-5291

UPMC LEE REGIONAL HOSPITAL-S  
320 MAIN STREET  
JOHNSTOWN, PA 15901  
(814) 533-0130

UPMC PRESBYTERIAN CLINICAL  
LABORATORIES-SC  
ROOM 5929 MAIN TOWER CHP  
200 LOTHROP STREET  
PITTSBURGH, PA 15213-2582  
(412) 648-6000

UPMC SAINT MARGARET HOSPITAL-S  
815 FREEPORT ROAD  
PITTSBURGH, PA 15215  
(412) 784-4000

US DRUG TESTING LABORATORIES INC-SC  
1700 SOUTH MOUNT PROSPECT ROAD  
DES PLAINES, IL 60018  
(847) 375-0770

VALLEY FORGE MED CTR & HOSP-S  
1033 W GERMANTOWN PIKE  
NORRISTOWN, PA 19403  
(610) 539-8500

WARMINSTER HOSPITAL-S  
225 NEWTOWN ROAD  
WARMINSTER, PA 18974  
(215) 441-6700

WARREN GENERAL HOSPITAL-S  
2 CRESCENT PARK  
WARREN, PA 16365  
(814) 723-3300

WAYNESBORO HOSPITAL-S  
501 E MAIN STREET  
WAYNESBORO, PA 17268  
(717) 765-3403

WESTERN PENNSYLVANIA HOSPITAL-S  
4800 FRIENDSHIP AVE  
PITTSBURGH, PA 15224  
(412) 578-5779

WESTERN RESERVE CARE SYSTEM-SC  
500 GYPSY LANE  
YOUNGSTOWN, OH 44504  
(216) 740-3794

WESTMORELAND HOSPITAL-S  
532 W PITTSBURGH ST  
GREENSBURG, PA 15601  
(724) 832-4365

WILLIAMSPORT HOSP & MED CENTER-S  
777 RURAL AVENUE  
WILLIAMSPORT, PA 17701-3198  
(570) 321-2300

WVHCS HOSP PENNANT LABORATORY-SC  
575 NORTH RIVER STREET  
WILKES-BARRE, PA 18764  
(570) 829-8111

YORK HOSPITAL-S  
1001 SOUTH GEORGE STREET  
YORK, PA 17405  
(717) 771-2696

ROBERT S. ZIMMERMAN,  
*Secretary*

[Pa.B. Doc. No. 01-1424. Filed for public inspection August 3, 2001, 9:00 a.m.]

### Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established by section 8 of the Act of December 1, 1994 (P. L. 655, No. 102) (20 P. S. § 8622), will hold a public meeting on September 12, 2001, from 10 a.m. to 2 p.m. The meeting will be held in Room 812 Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA.

For additional information contact William J. Neil, Manager, Health Education and Information Program, Bureau of Chronic Diseases and Injury Prevention or Angela H. Anderson, Clerk Typist II, Health Education and Information Program, Bureau of Chronic Diseases and Injury Prevention, 1000 Health & Welfare Building, Harrisburg, PA at (717) 787-5900.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other

accommodation to do so, should contact William J. Neil or Angela H. Anderson at (717) 787-5900; 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. 01-1425. Filed for public inspection August 3, 2001, 9:00 a.m.]

### Preventive Health and Health Services Block Grant Advisory Committee Meeting

The Preventive Health and Health Services Block Grant Advisory Committee will hold a public meeting on Thursday, August 9, 2001, from 10 a.m. to 2:30 p.m. The meeting will be held in Room 812 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 1000 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, (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. 01-1426. Filed for public inspection August 3, 2001, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Approval of Ignition Interlock Systems

Notice is hereby given that pursuant to 42 Pa.C.S. § 7002(d), the following ignition interlock system devices are on the Department of Transportation's current approved list:

Alcohol Countermeasure Systems Corporation's—  
Ignition Interlock Model WR2.

Consumer Safety Technology, Incorporated's—  
Intoxalock<sup>®</sup>

LifeSafer Interlock, Incorporated's—FC100

BRADLEY L. MALLORY,  
*Secretary*

[Pa.B. Doc. No. 01-1427. Filed for public inspection August 3, 2001, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Acceptance of Rulemaking Petitions for Study

At its July 17, 2001, meeting, the Environmental Quality Board (EQB) accepted three rulemaking petitions for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy).

Two of the petitions request changes to the designated uses for streams in Wayne and Clearfield counties. A petition for Clarks Creek (Wayne County) was submitted by Glenn Abello of Forest City and requests a redesignation of the stream from Cold Water Fishes (CWF) to High Quality—Cold Water Fishes (HQ-CWF). A petition for Pine Run (Clearfield County), submitted by members of the Chest Township Road District, asks that this water body be upgraded from CWF to either HQ-CWF or Exceptional Value Waters.

The third petition was submitted by the Millcreek Township Board of Supervisors and requests clarification of bluff recession hazard areas designated for Millcreek Township, as identified in 25 Pa. Code § 85.26 (relating to designated municipalities and minimum bluff setback distances for identified categories of structures). Hazard areas under 25 Pa. Code Chapter 85 (relating to bluff recession and setback) were designated over 20 years ago based on a 1975 document entitled *Shoreline Erosion and Flooding, Erie County*, prepared by the Great Lakes Research Institute. The EQB's acceptance of the petition is based on the Department of Environmental Protection's

(DEP) intent to commission a study of all bluff areas listed in 25 Pa. Code Chapter 85. These areas are limited to Erie County. DEP will utilize the Commonwealth's Request for Proposals (RFP) process to retain an independent organization to perform the study. It is anticipated that the RFP process will begin this fall. Following completion of the study, DEP will make a recommendation on whether regulatory changes are necessary.

Copies of the petitions are available from the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, and on DEP's web site at <http://www.dep.state.pa.us/dep/subject/eqb/eqb01.htm> #July.

DAVID E. HESS,  
*Chairperson*

[Pa.B. Doc. No. 01-1428. Filed for public inspection August 3, 2001, 9:00 a.m.]

### Cancellation of Meeting

The August 21, 2001, Environmental Quality Board (Board) meeting has been canceled. The next meeting of the Board is scheduled for September 18, 2001, at 10 a.m. in Room 105, Rachel Carson State Office Building, Harrisburg.

DAVID E. HESS,  
*Chairperson*

[Pa.B. Doc. No. 01-1429. Filed for public inspection August 3, 2001, 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 non-regulatory documents such as policy statements, guidance manuals, decisions, rules and other written materials that provide compliance related information. The following compilation is the sixth list of the Administration's non-regulatory documents. This list will be updated and published annually on the first Saturday in August.

This catalog is being provided to 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, 2001; 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.



THOMAS J. RIDGE  
*Governor*

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### 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.

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### AGING

#### DECISIONS:

##### Office of Chief Counsel

Contact: Jacqueline Welby, Assistant Counsel (717) 783-2529

- Reynolds vs. Department of Aging, 570 A.2d 1373 (Pa. Commw. 1990).

- Pennsylvania Department of Aging v Lindbergh, 469 A.2d 1012 (Pa.1983).
- Suburban/Bustleton v Department of Aging, 579 A.2d 426 (Pa. Commw. 1990).
- McGuire v Department of Aging, 592 A.2d 830 (Pa. Commw. 1991).
- Dickey v Department of Aging, 615 A.2d 990 (Pa. Commw. 1992).
- In the Interest of M.B., 686 A.2d 87 (Pa. Commw. 1996).
- Calabro v Department of Aging, 689 A.2d 34 (Pa Commw. 1997).
- Calabro v Department of Aging, 698 A.2d 596 (Pa. 1997).
- Schaffren v Philadelphia Corporation for Aging, 1997 U.S. Dist. Lexis 17493 (Middle Dist. Pa., 1997).
- Scanlon v. Department of Aging, 739 A.2d 635 (Pa. Commw. 1999)).

#### INTERNAL GUIDELINES

##### • **Pharmaceutical Program (PACE)**

Contact: Gretchen Beard, Chief of Compliance Division (717)-787-7313

#### **PACE PROVIDER BULLETINS: 2001**

- January 26, 2001—Prescription Records: Notified Providers that the Department of Aging will accept the “daily hardcopy record” identified in Section 22.62, (c),(3) of Chapter 22, Pharmaceutical Assistance Contract for the Elderly, as being a certification statement which will contain verbiage clearly identifying the prescriptions and stating that the pharmacist, identified by his or her signature, attests to the identified prescriptions’ validity, accuracy and completeness. Reminder that Section 22.62 (c) and (d) state that “hardcopy prescriptions” and “other records necessary to disclose the full nature and extent of prescription drugs . . . dispensed by a provider shall be retained for 4 years. . .”.
- February 23, 2001—Sarafem®: Effective February 26, 2001, the PACE Program will deny all claims for Sarafem®. This action is being taken based on the manufacturer’s package insert which states, “Sarafem® is indicated for treatment of premenstrual dysphoric disorder (PMDD).”
- March 9, 2001—Immunosuppressants: Notified Providers that effective April 1, 2001, Medicare has eliminated the time limitation for Medicare recipients receiving immunosuppressant drug benefits. This change re-establishes coverage for disabled Medicare recipients as well as Medicare recipients over age 65 who had previously exceeded the Medicare time limit for immunosuppressant drug coverage. Effective April 1, 2001, all medical exceptions for immunosuppressants will calculate the PACE reimbursement based on the percentage NOT reimbursable by Medicare, which is currently 20%.
- March 16, 2001—Mandatory Substitution Coumadin®: Notified Providers that effective April 16, 2001, the PACE Program will mandate substitution for all new claims for Coumadin®.
- March 16, 2001—Ketoprofen Reminder: Notified Providers that as stated on page V.20 of your PACE Provider Manual, section m, “Ketoprofen being compounded for off-label use to treat arthritis will be disallowed when identified in utilization review reports.”
- March 23, 2001—PACE—CRDP Cardholders Reminder: Notified Providers that PACE is payor of last resort.
- March 30, 2001—Renagel®: Notified Providers that effective Monday, April 9, 2001, PACE will deny all claims for Renagel®. No additional medical exceptions will be approved prior to the receipt of supporting diagnostic and treatment information.
- April 20, 2001—Non-Participating Manufacturers: Notified Providers of manufacturers not participating in the PACE Program.
- April 20, 2001—Mandatory Substitution for Coumadin® Clarification: Notified Providers that Cardholders whose prescription history contains Coumadin® usage and therefore received a Medical Exception should submit the Coumadin® claim to PACE with a DAW code of “1”. PACE will not disallow Coumadin® claims on future audits in those instances in which a medical exception was granted to continue Coumadin® therapy even in the absence of Brand Medically Necessary documentation. Cardholders with no history of Coumadin® usage are subject to the Program’s mandatory substitution regulations unless a Medical Exception is authorized.
- May 11, 2001—Imitrex®: Notified Providers that effective May 14, 2001, PACE Will Deny Claims for all forms of sumatriptan (Imitrex®). No medical exceptions will be approved prior to the receipt of a cardiovascular evaluation stating the patient is free of cardiovascular disease.

#### **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-steroidal 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 thirty days until July 1, 2000.

- June 9, 2000—Provider Update: Generic substitution for Dilantin®: Notified Providers as stated in the Provider Bulletin of May 12, 2000, PACE notified the physicians of all PACE cardholders currently receiving Dilantin® of the impending mandatory substitution and provided a Medical Exception Form if the prescriber did not wish the cardholder to receive the generic.
- July 14, 2000—PACENET Deductible Reminder: Notified Providers that any providers refusing to submit PACENET deductible claims through the on-line claims adjudication system at the time of presentation or prior to dispensing the prescription are in violation of their PACE/PACENET Provider Agreement. Failure to abide by the terms and conditions of the Provider Agreement could result in provider termination and/or suspension of payments by the Department of Aging until such non-compliance is corrected.
- August 4, 2000—Dispensing Date & Nursing Home Providers: Notified Providers our Bulletin of April 7, 2000, instructed that all claims for cardholders residing in nursing homes are to be submitted to PACE on the date that they are dispensed. Subsequently, the Department has reviewed issues raised by nursing home providers and providers who service nursing homes regarding this requirement. Although the Department recognizes that it cannot dictate a nursing home's medication dispensing policy, the Program does encourage the submission of claims for those chronic maintenance drugs to be on a monthly basis. The authorizations apply ONLY to those cardholders residing in nursing homes who are subject to the nursing home's controlled environment and internal drug utilization review policy.
- August 18, 2000—Vaniqa®: Notified Providers that PACE will NOT reimburse for Bristol-Myers Squibb and Gillette's Vaniqa® (eflornithine HCL) cream recently approved by the FDA for the treatment of unwanted facial hair in women.
- September 15, 2000—Other Prescription Coverage: Notified Providers that effective October 16, 2000, PACE will edit claims for PACE cardholders with dual coverage. Providers enrolled in other third party point-of-sale prescription plans must have the ability to "dual bill." PACE is to be billed after the claim is adjudicated by the primary insurer but prior to dispensing.
- November 10, 2000—Reminder of Other Prescription Coverage: Notified Providers that PACE denies claims for cardholders identified as having other insurance if the provider submits the claim with an incorrect "other coverage" value.
- December 1, 2000—Manufacturers' Rebate: Notified Providers that Act 128-1992 amending the Lottery Fund Preservation Act, in part, requires all pharmaceutical manufacturers to have in effect a rebate agreement with the PACE Program if they wish to have their products covered. Sidmak Laboratories, Labeler Code 50111 is being added to PACE's non-participating list. Sidmak's products are no longer reimbursable effective December 18, 2000.
- December 15, 2000—Sidmak Laboratories Reinstatement: Notified Providers that the Department of Aging advises that Sidmak Laboratories, Labeler Code 50111 will continue to participate in the Manufacturers' Rebate Program. Providers should disregard the previous December 18, 2000 termination announcement.

#### **PACE Provider Bulletins: 1999**

- February 19, 1999—Optometrists'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.
- February 19, 1999—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".
- March 5, 1999—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.
- April 9, 1999—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.
- April 9, 1999—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.
- April 30, 1999—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.
- May 7, 1999—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.
- July 2, 1999—Trovan®(Trovfloxacin/Alatrofloxacin 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.
- July 2, 1999 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 Claims 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 deny.
- 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**

- February 13, 1998—PACENET Deductible: Reminder to Providers that the PACENET \$500 deductible is accumulated based on each individual's enrollment year, not the calendar year.
- February 13, 1998—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.”
- February 13, 1998—Clozapine (Clozaril): Notified Providers that Clozaril is subject to the PACE Program's mandatory substitution requirement. Generic clozapine is available from Zenith Goldline Pharmaceuticals.
- February 13, 1998—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.
- February 20, 1998—Other Prescription Coverage: Notified Providers that EOB Message “041—Billable to Other Payor” will soon be rejected with an Error Code 041.
- February 27, 1998—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.
- February 27, 1998—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.
- April 10, 1998—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.
- April 17, 1998—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 is 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.



- April 25, 1998—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.
- May 8, 1998—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.
- May 22, 1998—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.
- June 1, 1998—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.
- June 12, 1998 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.
- June 12, 1998—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 will be denied.
- June 19, 1998—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.
- June 26, 1998—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.
- June 26, 1998—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.
- December 11, 1998—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 two 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.
- December 31, 1998—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 is as follows: Maximum Daily Dose—50 mg; Duration of Therapy decreased from thirty to eight tablets per month.

**PACE Provider Bulletins: 1997**

- February 7, 1997—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.
- February 14, 1997—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.
- March 1, 1997—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.
- March 28, 1997—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.
- May 9, 1997—PACENET Claim Submission: Provides explanation to Providers regarding the \$500 deductible and submission of out-of-pocket prescription expenses for PACENET cardholders.
- June 20, 1997—Claim Timeliness: Reminder to Providers that PACE claims are to be submitted on the date of dispensing.
- July 11, 1997—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 (five to ten days), PACE would apply a duration of therapy edit of not greater than 14 days to all incoming claims.

- August 7, 1997—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.
- August 7, 1997—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."
- August 15, 1997—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.
- August 15, 1997—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.
- August 15, 1997—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).
- August 29, 1997—Updated listing of Non-Participating Manufacturers.
- September 12, 1997—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.
- September 19, 1997—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.
- September 19, 1997—DAW/Product Selection Code: Reminder to Providers of the five codes used by POCAS.
- October 3, 1997—Injectable Chemotherapy Antineoplastics: Reminder to Providers that Injectable chemotherapeutic antineoplastic claims are only reimbursed based on the 20% not covered by Medicare.
- October 3, 1997—Claim Submission Timeliness: Reminder to Providers that they are required by contract to submit claims prior to dispensing.
- October 17, 1997—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."
- November 14, 1997—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.
- November 14, 1997—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.
- November 21, 1997—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.
- November 21, 1997—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.
- December 26, 1997—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**

- January 8, 1996—Prilosec and Prevacid: Notified Providers these drugs would be edited for maximum duration for all claims dispensed on or after January 8, 1996.

- January 26, 1996—Non-Participating Manufacturer List.
- May 24, 1996—Biaxin Filmtabs (NDC: 00074248660): Notified providers of an error on the formulary file from 1/22/96 to 3/21/96.
- May 24, 1996—Solopak Pharmaceuticals: Notified providers that Labeler Codes 39769 and 59747 would be participating in the PACE Program.
- July 12, 1996—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.
- August 2, 1996—Other Insurance Coverage: Reminder to Providers to exercise reasonable diligence in ascertaining the existence of other prescription benefits before billing the PACE Program.
- October 18, 1996—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.
- October 18, 1996—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.
- October 18, 1996—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%.
- November 21, 1996—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.
- November 21, 1996—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.
- November 22, 1996—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.
- November 22, 1996—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.
- November 22, 1996—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.
- November 22, 1996—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.
- November 22, 1996—Non-Participating Manufacturers effective November 27, 1996.
- December 1, 1996—Processing PACENET Claims: Provides information to assist pharmacies in the processing of claims for cardholders enrolled in PACENET.
- December 13, 1996—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.
- December 13, 1996—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.
- December 13, 1996—Revision: Non-Participating Manufacturer List.
- December 20, 1996—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**

- January 1, 1995—Drug Utilization Review Program: Addition of new criteria for antidepressants, antipsychotics and benzodiazepines.
- February 17, 1995—Antidepressants, Antipsychotics and Benzodiazepines: Reminder to Pharmacy to carefully review both the reject codes and accompanying messages.
- February 24, 1995—Toradol: Reimbursement restrictions.
- February 24, 1995—Minitran: 30-day supply limit.
- March 1995—PACE Drug Utilization Review Criteria.
- March 3, 1995—Medicare Update: Extended coverage for prescription drugs used in immunosuppressive therapy to three years following hospital discharge for an organ transplant.
- March 3, 1995—Maximum Initial Dose for selected antipsychotic, antidepressant or benzodiazepine agents.
- March 27, 1995—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.
- March 1995—Third Party Billing Reminder: PACE is payer of last resort, pharmacy must bill other third parties first.
- May 5, 1995—Brand Patent Expirations/Generic Substitutions.
- July 1995—CellCept Billing Instructions.
- July 1, 1995—Claims Submissions: 90-day limit to file claims for reimbursement.
- August 1, 1995—Injectable Chemotherapeutics: Effective 9/1/95 PACE Reimbursement for list of injectable chemotherapeutics limited to 20% of AWP.
- August 18, 1995—Non-Participating Manufacturer List.
- August 18, 1995—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.
- September 1, 1995—Common Package Size Reimbursement Listing.
- September 1, 1995—Epoetin Alfa (EPO) Injections: Effective 9/11/95 PACE reimbursing only 20% of AWP for Epogen and Procrit.
- September 6, 1995—Early Refill Edit: Additional classes added to the Early Refill Edit.
- September 22, 1995—Drug Utilization Review Program: Effective 9/25/95 duplicate therapy edit applied to the following class of drugs: Proton Pump Inhibitors—Prilosec and Prevacid.
- October 1995—PACE POCAS Telecommunications Number: New direct number available to pharmacy providers for Primary Claim Submission: 950-5545.

**PACE Provider Bulletins: 1994**

- February 8, 1994—Reimbursement Criteria for Temazepam (effective 3/1/94).
- May 23, 1995—Glyburide: Mandatory Substitution of Micronase and Diabeta.
- May 1994—Prograf Billing Instructions
- May 1995—Ophthalmics: Days Supply Provisions
- May 1994—Betaseron Billing Instructions
- July 1, 1994—Ophthalmics: Noted billing discrepancies regarding pharmacies reporting of the days supply.
- July 23, 1994—Narrow Therapeutic Index Exemption Listing (Revised)
- August 1994—Incorrect Physician License Numbers: Notice to Pharmacy Providers of Procedures to Disallow Claims Submitted with Wrong Prescriber I.D.
- August 19, 1994—Physician/Medical Assistants: PACE Reimbursement of Prescriptions Written by Physician Assistants.
- September 23, 1994—PACE will no longer reimburse for more than 13 gm of Serevent per prescription.
- September 26, 1994—Febatol—No PACE Reimbursement after 12/26/94.
- September 30, 1994—Manufacturers' Rebate Update
- October 3, 1994—DAW/Product Selection Code (Revised)
- October 21, 1994—Oral Contraceptives: Effective 10/30/94 PACE no longer reimburses except through the Medical Exception process.
- October 21, 1994—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).
- November 18, 1994—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.
- December 2, 1994—30-Day Supply Requirement: Humulin and Solganal.

**PACE Provider Bulletins: 1993**

- January 1, 1993—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
- February 28, 1993—Deadline for PACE Provider Reenrollment and Conversion to 3.2 NCPDP Telecommunications Standard for PACE. Telecommunications Standard for Claims Submission.
- March 1, 1993—Standard Error Codes
- March 1, 1993—Early Refill Edit
- March 1, 1993—Halcion Error Code Revisions
- March 1, 1993—Processing Requirements: Conversion to NCPDP Version 3.2
- March 19, 1993—POCAS System Maintenance on 4/10/93 and 4/11/93.
- May 14, 1993—Delay in Provider Reimbursement
- May 21, 1993—Change in the ProDUR screening criteria for H2 Receptor Antagonists effective 6/1/93.
- June 28, 1993—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.
- June 28, 1993—Claims Processing Procedures When POCAS Is Not Available.
- July 1, 1993—Non-Participating Manufacturers List
- July 23, 1993—30-Day Supply Requirements
- July 23, 1993—Narrow Therapeutic Index Exemption Listing (Revised)
- September 28, 1993—Manufacturers Rebate Update (Non-Participating Manufacturer List, effective 10/5/93 was attached.)

**PACE Provider Bulletins: 1992**

- April 1992—Provider Training Seminars (5/11/92 through 7/2/92)
- May 29, 1992—Manufacturers' Rebate News: Center Laboratories
- June 19, 1992—Manufacturers' Rebate News: Roxane Laboratories, Inc.  
—Astra Pharmaceutical Products  
—Ocumed  
—IPR Pharmaceutical  
—Immunex Corporation
- August 16, 1992—PACE Rescue Plan: Implementation of ProDUR; NCPDP Version 3.2 and related Program Changes
- September 1992—Dixon-Shane recoupments/pharmacy credits.
- November 9, 1992—PACE Pharmacy Provider Manual
- December 23, 1992—Narrow Therapeutic Index Exemption Listing
- December 1992—Generic Substitution on Oral Prescriptions (Included Poster and Informational Flyers).

**PACE Provider Bulletins: 1991**

- June 21, 1991—Co-Pay Change (\$4 to \$6 effective 7/1/91)
- August 14, 1992—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).
- August 21, 1991—Final Instructions Concerning the PACE On-line Claims Adjudication System (POCAS).
- September 27, 1991—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)-783-6207

**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)
- 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
- 95-01-09 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
- 98-01-02 Area Agency on Aging Program Income Policies
- 00-01-01 FY 2000-2004 Four-Year Plan Requirements
- 00-01-04 PDA Waiver Paid Claims Reconciliation
- 00-01-06 PDA Contract Procurement Requirements for Area Agencies on Aging
- 00-01-07 OPTIONS Procedures Manual
- 01-01-01 FY 2000-2001 Block Grant Amendments
- 01-01-02 AAA Utilization of Federal Funds in Provision of Caregiver Services
- 01-01-03 AAA Program Requirements, Planning Allocations, and Aging Services Block Grant Format
- 01-01-04 FY 2001-2002 Program and Financial Reporting Requirements

**Program Area 02—"Home Delivered Meals"**

See Program Area 03.

**Program Area 03—"Congregate Meals"**

- 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 #00-01-07.

**Program Area 23—"Care Management"**

- See APD #00-01-07.

**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 #00-01-07.

**Program Area 12—“Home Health”**

—See APD #00-01-07.

**Program Area 19—“Home Support”**

—See APD #00-01-07.

**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

—00-25-01 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 #00-01-07.

**Program Area 18—“Medical Equipment, Supplies and Adaptive Devices”**

—See APD #00-01-07.

**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

—00-29-01 Department of Aging Energy Emergency Response Plan

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**CURRENT OPTIONS/LONG-TERM CARE ASSESSMENT AND MANAGEMENT PROGRAM (LAMP) Bulletins**


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—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)

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**AGRICULTURE****POLICY STATEMENTS:****Bureau of Animal Health and Diagnostic Services**

- Scrapie Containment and Eradication Strategy

Contact: Phillip Debok (717-783-8300)

- Chronic Wasting Disease Containment and Eradication Strategy

Contact: Phillip 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)

**Pennsylvania State Conservation Commission**

- Pennsylvania's Nutrient Management Plan Implementation Grants Program Application Form and Guidelines  
Contact: Karl Brown (717-787-8821)

**GUIDANCE MANUALS:****Bureau of Animal Health and Diagnostic Services**

- Pennsylvania Animal Diagnostic Laboratory System User Guide  
Contact: Dr. Helen Acland (717-787-8808)

**Bureau of Food Distribution**

- Farmers Market Nutrition Program—Farmer/Vendor Procedure Manual
- Woman, Infants and Children ("WIC") Clinic Procedure Manual
- 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**

- Guidelines for Medications in Racehorses  
Contact: Anton J. Leppler (717-787-5196)
- 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)
- IPM for Pennsylvania Schools: A How-To Manual  
Contact: Lee B. Bentz (717-772-5204)



**Bureau of Ride and Measurement Standards**

- Amusement Ride Operators' and Attendants' Manual

Contact: Charles Bruckner (717-787-6772)

**Pennsylvania State Conservation Commission**

- Best Management Practices Manual for Pennsylvania Livestock and Poultry Operations

Contact: Karl Brown (717-787-8821)

- Pennsylvania's Nutrient Management Act Technical Manual

Contact: Karl Brown (717-787-8821)

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**INTERNAL GUIDELINES:**

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**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)

**Bureau of Market Development**

- Agricultural Fair Program State Premium Guideline Book

Contact: Ron Miller (717-787-5342)

**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)

**Pennsylvania Harness Racing Commission**

- Procedures with respect to Unlicensed Owners

Contact: Anton J. Leppler (717-787-5196)

**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)

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**BANKING**


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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.

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**SECRETARIES' LETTERS**


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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.

**2001**

- 3-13-01 Department's position is that partially-exempt entities under the MBBA may request and be granted relief from the requirement that they maintain an office in Pennsylvania, provided that each partially-exempt entity receives approval from and enters into an agreement with the Department to maintain its records at a particular out-of-state location pursuant to Section 8(a)(2) of the MBBA, 63 P.S. § 456.089a(2).

**2000**

- 1-18-00 Department's General Position on Internet Banking  
 3-30-00 Pennsylvania State-Chartered Banks, Bank and Trust Companies and Savings Banks May Establish and Operate Messenger Services Branches.  
 11-29-00 Governor Ridge signed into law as Act 89 of 2000, the Bank Parity Bill, HB 2533 of 2000.

**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.  
 3-29-99 Partially Exempt Entity Version of the MBBA Record Keeping Guidelines is intended to be a progressive step towards enhancing the ability of partially exempt entities to conduct business in Pennsylvania and offer competitive products and services to Pennsylvania consumers.  
 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.  
 5-26-99.1 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.
- 3-24-95 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.
- 8-9-95 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.
- 8-22-95 Letter to Chief Executive Officers of Pennsylvania Banking Institutions regarding bank holidays.
- 10-5-95 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.

**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 PaCS § 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 Accountants.

**1989**

- 4-13-89 Letter discusses House Bill 979, Act 173 of 1988 which makes several significant changes to the Banking Code including provisions which provide real estate investment and development authority to commercial savings banks; permit commercial and mortgage-backed securities powers; and, permit commercial and savings banks to make investments not presently permitted under statute in amounts up to 3% of assets with no more than 1% in any one investment.
- 8-11-89 Letter to PA savings associations which are insured by the Pennsylvania Savings Association Insurance Corporation regarding Section 222 of the Financial Institutions Reform, Recovery and Enforcement Act, entitled "Activities of Savings Associations" which requires certain disclosures be made by non-federally insured savings associations.
- 9-28-89 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(c) and 610(c) of the Banking Code.
- 11-20-81 Letter lists legal bank holidays for 1982.
- 1980**
- 1-2-80 Letter discusses federal law preemption of first lien residential mortgage rate portion of Pennsylvania Usury Law.
- 2-4-80 Letter discusses 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*

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**INDEX OF GUIDANCE AVAILABLE REGARDING COMPLIANCE WITH DEPOSITORY  
INSTITUTION STATUTES AND REGULATIONS**

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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

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**INDEX OF GUIDANCE AVAILABLE REGARDING COMPLIANCE WITH LICENSEE  
STATUTES AND REGULATIONS**

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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.

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**COMMUNITY & ECONOMIC DEVELOPMENT**

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**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:****Travel, Film, and Economic Development Marketing Office**

Regional Marketing Initiative  
Rick Dunlap (717-787-5453)

Tourist Promotion Agency Matching Fund Program Manual  
Keith Gingrich (717-787-5453)

**Center for Entrepreneurial Assistance**

Entrepreneurial Guide: Starting and Growing a Business in Pennsylvania  
Neil Fowler (717-720-7423)

**Office of Community Development**

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 (717-720-7402)

**III. DECISIONS:****IV. INTERNAL GUIDELINES:****Economic Development Assistance Office**

Customized Job Training  
Educational Improvements Tax Credits  
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)  
Local Government Capital Project Loan Program  
Sharon Grau (1-888-223-6837)  
Municipalities Financial Recovery Act Program  
Fred Reddig (1-888-223-6837)  
Regional Police Assistance Program  
Bill Gamble (1-888-223-6837)  
Shared Municipal Services Program  
Fred Reddig (1-888-223-6837)

**Office of Community Development**

Community Development Block Grant  
Community of Opportunities  
Emergency Shelter Grant Program  
Home Investment Partnerships Program  
Housing and Community Development Program  
Pennsylvania Access Grant 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 Services**

Community Services Block Grant Program  
Community Services Block Grant Discretionary Grants  
Employment and Community Conservation Program  
Family Savings Account  
Neighborhood Assistance Comprehensive Service Program  
Neighborhood Assistance Enterprise Zone Tax Credit Program  
Neighborhood Assistance Program

Weatherization Program  
 Dennis Darling (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 Development**

Export 2000 Block Grant  
 Market Access Grant  
 Lois Batcheler (717-787-7190)

**Office of Policy and Technology**

Ben Franklin Technology Center Program for Technological Innovation  
 Bill Cook (717-787-4147)  
 Pennsylvania Industrial Resource Center Program  
 Tom Palisin (717-787-4147)

**Private Capital and Loans Office**

*Pennsylvania Economic Development Financing Authority:*

Conventional Bond Financing (Taxable)

Exempt Facility & Small Issue Bonds

Tax-Exempt Bond Financing

Kim Kaufman (717-783-1109)

Industrial Development Bond Financing:

Revenue Bond & Mortgage Program

Kim Kaufman (717-783-1109)

Pennsylvania Capital Access Program

Carlton Ketchen (717-783-1109)

Community Development Bank Program:

Accreditation Standards

Capacity Building Grants

Pennsylvania Community Development Bank Business Plan

State Accreditation Guidelines and Application

Underwriting

Carlton Ketchen (717-783-1109)

*Pennsylvania Industrial Development Authority:*

Machinery and Equipment Loan Fund Program

Pennsylvania Industrial Development Authority Program

Kim Kaufman (717-783-1109)

**Small Business Financing Office**

Childcare Challenge Grant Program

Community Economic Development Loan Program

Export Finance Program

Non-Profit Day Care Loan Program

Pennsylvania Minority Business Development Authority

Pollution Prevention Assistance Account

Small Business First Program

Underground Storage Tank Upgrade Loan Program

**Strategic Planning and Program Operations**

Enterprise Zone Program

David Messner (717-787-7400)

Keystone Opportunity Zone

Richard Hudic (717-787-7400)

**IV. OTHER**

**Office of Community Development and Housing**

Community Development Block Grant Program Description

Consolidated Plan

Ed Geiger (717-787-5327)

**CONSERVATION AND NATURAL RESOURCES**

**POLICY STATEMENTS:**

**Bureau of Forestry**

State Forest Natural Areas

Contact: Dan Devlin (717-787-2105)

Transfer or Exchange of State Forest Land

Contact: Dan Devlin (717-787-2105)

**Bureau of State Parks**

State Park User Fees

Contact: Gary Smith (717-783-3303)

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 Conservation**

Land Acquisition Grants

Contact: Darrel Siesholtz (717-783-2661)

**GUIDANCE MANUALS:****Bureau of Forestry**Cooperative Forest Insect Pests Suppression Program—Procedure for Cooperator Participation Manual—County/  
Municipal CooperatorCooperative Forest Insect Pests Suppression Program—Procedure for Cooperator Participation Manual—Other Agency  
CooperatorCooperative Forest Insect Pests Suppression Program—Procedure for Cooperator Participation Manual—Forest  
Stewardship Cooperator

Cooperative Gypsy Moth Suppression Program Operating Procedure and Deadlines Manual

Contact: Larry Rhoads (717-948-3941)

Forest Fire Warden Manual

Contact: Fred Wilcox (717-783-7956)

Wildland/Urbanface Guidance Document

Contact: Fred Wilcox (717-783-7956)

Forest Camp Lease Manual

Right-of-Way Manual

Contact: C. Edward Bortzfield (717-787-2014)

Snowmobile Instructor's Manual

ATV 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 Agreement

Oil and Gas Leases

Surface Use Agreements

Gas Storage Leases

Agreements of Consent to Assignments

Coal Agreements

Contact: John Walker (717-787-4835)

Hard Mineral Agreement

Contact: Roger Dorsey (717-787-4835)

**Bureau of Recreation and Conservation**

Pennsylvania Scenic Rivers Program Guidelines

Pennsylvania Scenic Rivers Program Management Guidelines

Contact: Marian Hrubovcak (717-787-2316)

Community Conservation Partnership Grants Manual and Forms

Contact: Darrel Siesholtz (717-783-2661)

Procedures Manual for Pennsylvania Recreation Trails Program

Contact: Greg Gove (717-787-2662)

Swimming Pool Management Manual  
Contact: Greg Gove (717-787-2662)

Heritage Parks Program Manual and Forms  
Contact: Tim Keptner (717-772-3839)

**Bureau of State Parks**

Boat Docks  
Rights-of-Way and Antenna Sites  
Marina Manuals  
Contact: Gary Smith (717-783-3303)

**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: Kim Swarner (717-783-6777)

**Bureau of Teacher Certification and Preparation**

- Pennsylvania Department of Education Standards, Policies and Procedures for State Approval of Certification Programs and for the Certification of Professional Educators for the Public Schools of Pennsylvania  
Contact: J. Frank Meehan (717-772-4737)

- 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 provide for new processing procedures for Emergency Certificates.
- Memorandum to Pennsylvania teacher preparation institutions announcing changes to the Pennsylvania Certification Testing program effective September 1, 2001.
- 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)
- Memorandum: Important Notice on Tests Required (March 2001)
- Memorandum: Important Notice on Tests Required (April 2001)  
Contact: Frank Reardon (717-783-4313)

- Memorandum: Important Notice Regarding Title II, Section 207 of the Higher Education Act of 1998
- Guidelines for Reporting Pennsylvania Institutions of Higher Education Responses to Title II, Section 207 of the Higher Education Act of 1998 & General Standards for the Institutional Preparation of Professional Educators—Chapter 354  
Contact: Marjorie Blaze (717-783-6794)

- Professional Educator Memorandum-01 (February 2001) Guide to Interpreting Chapter 354  
Contact: Frank Meehan (717-782-4737)

- Specific Program Guidelines for State Approval of Professional Educators (January 2001)  
Contact: Clifton Edwards (717-782-2499)

**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 1, 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)

#### **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: Sandra Edmunds (717-787-4313)

- Community College Workforce Development Challenge Grants Application Guidelines 2000-2002

Contact: Richter L. Voight (717-787-5041)

- Education for Corporations Interested in Receiving Authority to Offer Academic Programs in Pennsylvania Leading to Collegiate Level Degrees

Contact: Dr. Warren D. Evans (717-787-7572)

#### **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
- Private Licensed School Memoranda—Return of Title IV Funds—Definition of Withdrawal Date
- Private Licensed School Memoranda—Board; Calendar; Act 174; Procedures
- Private Licensed School Memoranda—Bonds, Statement of Reasonable Service and Business Ethics, Multi-branch Training Schools
- Private Licensed School Memoranda—Applications for Approval of New Programs
- Private Licensed School Memoranda—Review Form for New Program
- Private Licensed School Memoranda—Student Information Publications
- Private Licensed School Memoranda—License and User Fees
- Private Licensed School Memoranda—Clock Hour/Lesson/Semester Credit/Quarter Credit
- Private Licensed School Memoranda—Statement Concerning Transfer of Credit Hours
- Private Licensed School Memoranda—Act 174 of 1986 and Chapter 73 Regulations
- Private Licensed School Memoranda—Tuition Change Report—Description and Instructions
- Private Licensed School Memoranda—Contract Bond Form
- Private Licensed School Memoranda—Board-Approved Private Surety Fund
- Private Licensed School Memoranda—Termination; Leave of Absence
- Private Licensed School Memoranda—Financial Reporting—Annual Reporting Rescinded; Biennial Reporting Reinstated
- Private Licensed School Memoranda—Revised Qualification Form for Instructional Staff
- Private Licensed School Memoranda—Allowable Administrative Fee and Refunds of \$25.00 or Less

Contact: Patricia Landis (717-783-8228)

#### **Scranton State School for the Deaf**

- Various internal and external policy statements relating to the operation of Scranton State School for the Deaf, such as: Student Immunization, Child Abuse, AIDS, Human Growth and Development, Admission Policy, the Recognition of Scranton State School for the Deaf as a Magnet School and Student Drug and Alcohol Policy, etc.

Contact: Dorothy S. Bambach (570-963-4040)

#### **Bureau of Career and Technical Education**

- Pennsylvania State Plan for the Administration of the Carl D. Perkins Vocational and Technical Education Act of 1998

Contact: Jane Acri (717-772-4177)

#### **Bureau of Career and Technical Education**

- Pennsylvania State Plan for the Administration of the Carl D. Perkins Vocational and Technical Education Act of 1998

Contact: Jane Acri (717-772-4177)

#### **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: Shirley A. Black (717-772-0067)
- Driver and Traffic Safety Education Program Guide
  - Procedures for Establishing a Private Driver Training School
- Contact: Robert Roush (717-783-6595)

**Bureau of Special Education**

- 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)
  - Revised Policy on Transfer of Records from MAWAs to School Districts (August 31, 2000)
- Contact: Dr. Richard Price (717-783-6879)
- 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: Patricia Hozella (717-783-6137)
- Memorandum to Local Education Agencies: Transition Individualized Education Program (IEP) Format
- Contact: Patricia Hozella (717-783-6137)
- 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 (717-783-6137)
- Memorandum to Local Education Agencies (Penn\*Link): Reporting Students Assigned to Instruction in the Home and Homebound Instruction (April 3, 2000)
- Contact: Dr. Dennis McLaughlin (717-783-6877)

**Bureau of Budget and Fiscal Management**

- School Construction Policies and Procedures (This booklet describes how reimbursement is calculated along with examples and formulas.)
- Contact: Carle Dixon Earp (717-787-5480)
- Community Colleges Reimbursement for Equivalent Full-Time Students Enrolled in Stipend Programs
  - Debt Service at Community Colleges
- Contact: Larry Snell (717-787-5993)

**GUIDANCE MANUALS:****Bureau of Special Education**

- Early Intervention Guidelines
- Contact: Dr. Richard Price (717-783-6879)
- 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)
- Effective Behavior Support
  - Guidelines for Intermediate Unit Special Education Plans, 2000-2001
- Contact: Patricia Hozella (717-783-6137)

- Special Education Mediation Services

Contact: John Tommasini  
(717-783-6134)

- 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

Contact: Patricia Hozella (717-783-6137)

- Education of Mentally Gifted Students

Contact: Barbara Thrush (717-783-6881)

- Disabilities Education Act-Part B Program Guidelines for Local Education Agency Applications for 2001/2002

Contact: Dr. Dennis McLaughlin(717-783-6877)

### **Bureau of Information Systems**

- Secondary Career and Technical Education Instruction Manual for the Individual Student Data System, 2000-2001

Contact: Rosemary Tatkovski (717-787-2644)

- Adult Career and Technical Education Instruction Manual, 2000-2001

Contact: John S. Creason (717-787-7289)

- Elementary/Secondary Professional Personnel Instruction Manual, 2000-01

Contact: Jeanne S. Hobaugh (717-783-6761)

- Postsecondary Career and Technical Education Instruction Manual, 2000-2001

Contact: Marcia McCormick (717-783-6763)

- Elementary/Secondary Professional Personnel Instruction Manual, 2000-01, Charter Schools

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: Douglas Long (717-783-5727)

### **Bureau of Community and Student Services**

- Pregnant and Parenting Teen Evaluation Packet
- Education Leading to Employment and Career Training Monthly Attendance Instructions

Contact: Dorothy Hershey (717-783-7089)

- Education for Homeless Children and Youth Application for Continuation Funds, Fiscal Year 2001-02

Contact: Sheldon Winnick (717-772-2066)

- Safe & Drug-Free Schools & Communities Guidelines and Related Laws
- Safe & Drug-Free Schools & Communities Guidelines and Local Educational Need Proposal
- Guidelines for the Commonwealth Student Assistance Training System

Contact: Kim Swarner (717-783-6777)

### **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 (717-787-4860)

- 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: Nancy Avolese (717-705-6908)

#### **Bureau of Teacher Certification and Preparation**

- 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: J. Frank Meehan (717-772-4737)

- 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: J. Frank Meehan (717-772-4737)

- Certification for Charter School Professional Staff
- Application Booklets (revised April 2001)
  - Applicant Prepared Outside of Pennsylvania
  - Emergency Permits and Act 97 Waivers
  - Letter of Equivalency for Master's Degree
- Professional Educator Certificate (Revised 4/01)
- Letter of Equivalency for Master's Degree (issued 3/00)
- Letter of Equivalency for Bachelor's Degree (issued 3/00)
  - 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
  - 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 Career and Technical Education**

- Guidelines for Community College Variable Stipend Program

Contact: Barry Oswald (717-787-8804)

- Application Information on Federal Career and Technical Education State Leadership Funding
- Application Information on Federal Career and Technical Education State Leadership Funding for Graduate Research
- Application Information on Career and Technical Education State Economic Development Funding
- Application Information on Innovative Learning and Workforce Development Grants
- Application Information on Innovative Learning and Workforce Development Grants for Agriculture Programs

Contact: John Bonchalk (717-772-4177)

- Application Information on Career and Technical Education Registered Apprenticeship Programs
- Cooperative Education Guidelines for Administration

Contact: Rebecca Burns (717-787-8804)



- Guidelines for Submission of Applications for Approval of Nurse Aide Training Program  
Contact: Carlyn Forlizzi (717-772-0814)
- Implementing a Statewide System of Core Performance Measures and Standards for Vocational-Technical Education in Pennsylvania
- A Guide to Student Occupational Competency Testing in Pennsylvania
- Pennsylvania Student Occupational Competency Testing  
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: Emmanuel Constantine (717-787-8804)
- 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 (717-772-4177)
- Secondary Vocational-Technical Education Program Approval Application Procedure  
Contact: Forrest Keiser (717-787-8804)
- Innovative Learning and Workforce Development Funding  
Contact: Jane Acri (717-772-4177)
- New Choices/New Options Career Development for Single Parents, Displaced Homemakers, Single Pregnant Women and Individuals Interested in Nontraditional Vocational Education  
Contact: Glendean Davis (717-787-8022)
- National Skill Standards Provider List: A Resource Guide  
Contact: David Closky (717-772-0814)

#### **Bureau of Curriculum and Academic Services**

- 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 (717-772-4177)
- Secondary Vocational-Technical Education Program Approval Application Procedure  
Contact: Forrest Keiser (717-787-8804)
- Innovative Learning and Workforce Development Funding  
Contact: Jane Acri (717-772-4177)
- New Choices/New Options Career Development for Single Parents, Displaced Homemakers, Single Pregnant Women and Individuals Interested in Nontraditional Vocational Education  
Contact: Glendean Davis (717-787-8022)
- National Skill Standards Provider List: A Resource Guide  
Contact: David Closky (717-772-0814)
- 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  
Contact: Carol Bellew (717-783-2960)
- Induction and Professional Development Guidelines, May 1993  
Contact: Carol Bellew (717-783-2960)

#### **Thaddeus Stevens College of Technology**

- View Book
- Student Handbook, 2001-02  
Contact: Paul Cameron (717-299-7751)
- School Catalog, Autumn 2000-2001  
Contact: Donn E. Pittenger (717-299-7793)

#### **Bureau of Budget and Fiscal Management**

- Planning and Construction Workbook. (Forms Used to Apply for Commonwealth Reimbursement for a School Construction Project)  
Contact: Carle Dixon Earp (717-787-5480)
- 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) 2001-2002 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) 2001-2002 Administrative and Fiscal Guidelines for Approved Private Schools
- Individuals with Disabilities Education Act Part B (IDEA-B) 2001-2002 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. Dale Baker (717-787-9819)

#### **Empowerment Office**

- Applications Mandate Waiver Mandate Application Instructions for Mandate Waiver Programs Application

Contact: Ron Stainbrook (717-705-8014)

- Guidelines

Education Empowerment: a Guide for Pennsylvania School Districts Mandate Waiver Mandate Application Instructions for Mandate Waiver Programs Applications

Contact: Ron Stainbrook (717-705-8014)

#### **DECISIONS:**

##### **State Charter School Appeal Board**

- Vitalistic Therapeutic Center Charter School (Bethlehem Area SD) CAB # 1999-6
- William Bradford Academy Charter School (Keystone Oaks SD) CAB # 1999-8
- Wonderland Charter School (State College Area SD) CAB # 1999-3
- Sugar Valley Rural Charter School (Keystone Central SD) CAB # 1999-4
- Phoenix Academy Charter School (Phoenixville Area SD) CAB # 1999-10
- Hills Academy Charter School (Penn Hills SD) CAB # 1999-12
- Collegium Charter School (West Chester Area SD) CAB # 1999-9
- Vitalistic Therapeutic Center Charter School (Allentown City SD) CAB # 1999-5
- Shenango Valley Regional Charter School (Hermitage and Sharon City SD) CAB # 1999-11
- Ronald G. Brown Charter School (Harrisburg City SD) CAB # 1999-1
- Edith & Eloise Academy (Steel Valley and Pittsburgh School Districts) CAB # 1999-13
- Creative Educational Concepts Charter School (Chester Upland SD) CAB # 1999-15
- Souderton Charter School Collaborative (Souderton Area SD) CAB # 1999-2
- Bucks County Montessori Charter School (Pennsbury SD) CAB # 1999-7
- Environmental Charter School (Palisades SD) CAB # 1999-14
- W.E.B. Dubois Charter School (Philadelphia SD) CAB # 2000-10
- William Bradford Academic Charter School (Philadelphia SD) CAB # 2000-1
- Dimensions of Learning Academic Charter School (Philadelphia SD) CAB # 2000-7
- Rising Sun Academy Charter School (Philadelphia SD) CAB # 2000-4
- Leadership Learning Partners Charter School (Philadelphia SD) CAB # 2000-8
- Delaware Valley High Charter School (Philadelphia SD) CAB # 2000-5
- Lincoln-Edison Charter School (York SD) CAB # 2000-11
- Independence Charter School (Philadelphia SD) CAB # 2000-2
- Kemetic Institute charter School (Philadelphia SD) CAB # 2000-6
- Genesis Charter School (Philadelphia SD) CAB # 2000-9
- Legacy Charter School (Council Rock SD) CAB # 2000-14
- Lehigh Valley Academy Regional Charter School (Bethlehem Area SD) CAB # 2000-12
- Vitalistic Therapeutic Center Charter School (Bethlehem Area SD) CAB # 2000-15
- Dr. Lorraine K. Monroe Academy Charter School (Millcreek Township SD) CAB # 2000-16

Contact: Ernest N. Helling (717-787-5500)

##### **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

Contact: Karen Feuchtenberger (717-787-5500)

- 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
- Dale Clymer v. Berks County Intermediate Unit, Teacher Tenure Appeal No. 2-00
- Nancy J. Zelno v. Lincoln Intermediate Unit, Teacher Tenure Appeal No. 3-00
- Colleen Sheptock v. Muncy School District, Teacher Tenure Appeal No. 4-00
- Priscilla Barto v. Williamsport Area School District, Teacher Tenure Appeal No. 3-99
- Priscilla Barto v. Williamsport Area School District, Teacher Tenure Appeal No. 3-99
- Margaret McMackin v. Pittsburgh School District, Teacher Tenure Appeal No. 5-99

Contact: Linda C. Barrett (717-787-5500)

#### **Certification Appeal Committee Decisions**

- Michael Lechliter, 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
  - Michael Lowe Certification Appeal #00-26
  - David Momper Certification Appeal #00-15
  - Richard Spires Certification Appeal #00-20
  - Joan Awkward-Young Certification Appeal #00-27
  - John Spaulding Certification Appeal #00-22
  - Shadrach Boyer Certification Appeal #00-21
  - Lawrence Barlow Certification Appeal #00-24
  - Cynthia Wright-Richard Certification Appeal #00-32
  - David Zuilkoski Certification Appeal #00-33
  - Suzanne Mayberry Certification Appeal #00-34
  - Rebecca Draper Certification Appeal #00-28
  - Harry Miller Certification Appeal #00-31
  - Theodore Wing Certification Appeal #00-25
  - Erin Breault Certification Appeal #00-29
  - James Dennion Certification Appeal #00-30
  - Andrew Igbineweka Certification Appeal #01-08
  - Kim Cuff Certification Appeal #01-11
  - Frances Santiago Certification Appeal #01-09
  - Mary Lamm Certification Appeal #01-15
  - John Hillard Certification Appeal #01-12
  - Shirley Dickinson Certification Appeal #01-14
  - Ronald Duska Certification Appeal #01-10
  - Thomas Podpora Certification Appeal #01-16
  - Dianne Hammett Certification Appeal #01-19
- Contact: Bette H. Williams (717-705-7787)

#### **School Certification Audit Decisions**

- Berwick Area School District Certification Audit #98-49
  - Montour School District Certification Audit #98-47
  - Keystone Central School District Certification Audit #98-42
  - St. Marys Area School District Certification Audit #98-36
  - Millcreek Township School District Certification Audit #98-46
  - Spring Grove Area School District Certification Audit #99-24
  - Punxsutawney Area School District Certification Audit #97-76
  - Susquenita School District Certification Audit #98-13
  - West Shore School District Certification Audit #98-38
  - Austin Area School District Certification Audit #20-02
- Contact: Bette H. Williams (717-705-7787)

#### **Certification Audit Appeals**

- Lancaster School District
- Contact: Linda McKay (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  
Contact: Ernest Helling (717-787-5500)
- Tots Yearn to Learn, Inc.  
Contact: Ernest Helling (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**

- Andrews, David, DI-92-21
- Andrews, Gregory M, DI-00-35
- Arnold, David Allen, DI-90-01
- Aucker, Raymond, DI-00-41
- Baker, John D., DI-99-25
- Baney, Todd, DI-92-09
- Baracca, Martin, RE-99-01
- Baracca, Martin, DI-92-08
- Barber, Carol, RE-92-03
- Beich, Michael, DI-98-21
- Berner, William, DI-98-24
- Bickel, Joseph, DI-97-38
- Binder, Robert, DI-95-06
- Blimmel, Kimberly, RE-99-04
- Blimmel, Kimberly Ann, DI-98-41
- Bonello, Robert, DI-95-13
- Bonow, Beth G., DI-97-06
- Boyce, William, DI-92-02
- Brose, Matthew K., DI-97-33
- Brown, Nathaniel, DI-97-28
- Buchalter, Sandra, DI-95-04
- Bult, Anthony G., DI-94-17
- Bumbera, Patricia, DI-94-15
- Burris, Jeremy, DI-98-38
- Byrne, Andrew, DI-92-27
- Caliguiri, Clyde, DI-92-19
- Callahan, Kevin, RE-00-04
- Callahan, Kevin T., DI-99-28
- Cammisa, Gary, DI-98-29
- Campbell, William, DI-96-05
- Cangie, Michael P., DI-96-14
- Cappellini, Joseph, DI-96-32
- Carroll, John, DI-97-22
- Carroll, John A., DI-96-16
- Ceraso, Frank, DI-96-19
- Christensen, Lisa M., DI-97-41
- Ciabattoni, Christopher, DI-98-03
- Cicero, James, DI-94-12
- Colelli, Richard, DI-94-05
- Coleman-Brown, Cynthia, DI-99-06
- Colledge, Michael A., DI-92-04
- Comer, Jr, Ulysses, RE-93-02
- Conrad, William, DI-94-07
- Consentino, Vernon, DI-99-12
- Cooper, John, DI-95-18
- Cortez, Carmen, DI-00-07
- Crawley, Sandra Spicer, DI-93-23
- Cressler, Alfred B., DI-97-29
- Curtis, David E., DI-92-18
- Dalinka, Lynne, DI-92-06
- Daniels, Todd D., DI-00-40
- Danner, Jack, DI-98-25
- Davidson, Steven, DI-98-27

- Davis, Thomas B., DI-96-04
- Decker, Albert, DI-93-05
- Dempsey, Timothy, RE-99-03
- Dennison, William, DI-95-07
- Derck, David Allen, DI-93-10
- Deromo, Michael, DI-93-01
- Diamond, Stanley, DI-95-12
- Dibenedetto, John, Jr, DI-93-24
- Dickinson, James Brann, DI-98-04
- Dimarino, David C., DI-97-07
- Dohanic, Michael, RE-92-04
- Doherty, Joseph, DI-99-20
- Doll, Jason, DI-99-21
- Dombloski, Robert A., DI-97-23
- Donnelly, Michael, DI-95-08
- Doud, John, DI-91-02
- Duffy, Alfred P., DI-00-02
- Durland, Lyle, DI-93-22
- Ellis, Carl, DI-97-42
- Evans, Monique, DI-98-43
- Falabella, William, DI-94-11
- Farley, Richard, DI-99-24
- Farr (Kauffman), Denise, DI-95-27
- Feola, Leighann, RE-93-03
- Ferron, Onzelo, DI-93-06
- Foose, Donald R., DI-00-15
- Francis, David, DI-98-14
- Franczyk, Lee E., DI-00-08
- Fridy, James Thomas, DI-94-16
- Fuller, Richard, DI-93-29
- Fuller, Richard, RE-96-02
- Fuller, Susan, DI-00-42
- Gable, Amy J., DI-00-32
- Gabriel, Anthony, RE-95-01
- Garcia, Juan E., DI-97-18
- Gates, Robin B., DI-96-08
- Gatto, Joseph, DI-92-01
- Gatto, Joseph, RE-97-02
- Gotwals, Michel J. Hoover, DI-96-09
- Greytock, John M., DI-97-10
- Griffin, Geoffrey, DI-99-01
- Grygo, Raymond, DI-00-24
- Gunoskey, Sr, Joseph, RE-92-02
- Guzzo, James, DI-98-02
- Hahn, Robert Jr., DI-96-03
- Hardy, David, DI-96-30
- Hasson, Jerome, DI-96-25
- Hecht, Herbert, DI-93-13
- Heitzman, Gary, DI-95-32
- Heller, Roger, DI-98-31
- Herrick, Charles, DI-93-12
- Herrington, James, DI-99-04
- Hicks, Anthony, DI-98-13
- Hileman, Rian, DI-93-19
- Hill, Nancy J., DI-00-22
- Hoag, Thomas, DI-97-01
- Holmes II, Westley, DI-91-01
- Hopkins, Valerie, DI-99-13
- Hovington, John, DI-91-05
- Hunter, Randall, DI-00-10
- Hutchinson, Mary Elizabeth, DI-98-19
- Johnson, Jill, DI-98-35
- Jordan, Thomas E., DI-95-30
- Kaiser, Paul F., DI-00-39
- Kalko, John Claude, DI-94-04
- Karuza, Kit, DI-92-26
- Keck, Norman, DI-93-21
- Kellogg, Laurie, DI-91-18
- Kellogg, Laurie, DI-92-24
- Kelly, Andrew, DI-92-17

- Kinniry, Francis, DI-94-23
- Knaper, Robert, DI-99-23
- Knox, Stephen A., DI-95-26
- Lambright, Randy, DI-93-27
- Landini, Stephen, RE-97-01
- Landini, Stephen, DI-96-07
- Loughner, Kenneth, DI-00-18
- Lyon, John W., DI-99-27
- Madden, Walter, DI-99-22
- Maroni, Mark D., DI-97-08
- Martin, Alexander B., DI-95-24
- Martino, Michael, DI-96-28
- Maxson, Mary D., DI-00-09'
- Mayes, David, DI-99-18
- Mcknight, Lances, DI-92-25
- Mcknight, Lances T., DI-92-05
- Medvidovich, Joel, DI-97-12
- Melesenka, Timothy J., DI-96-36
- Merker, Jr, Robert, DI-93-17
- Merker, Jr, Robert A., DI-91-14
- Merrell-Thomas, James A., RE-00-03
- Milano, Christine, DI-99-17
- Miller, David J., DI-96-01
- Miller, Melvin L., DI-97-02
- Miller, Rodney, RE-94-01
- Miller, Walter T., DI-97-11
- Miscavage, Edward, DI-96-06
- Missimer, Michael, RE-92-01
- Montanero, John J., DI-00-04
- Montgomery, Robert, DI-91-08
- Monyer, Henry P., DI-95-25
- Mooney, Hugh A., DI-97-03
- Mosley-Baker, Elizabeth, DI-97-34
- Moyer, Jeffrey, DI-99-09
- Moyer, Jeffrey, DI-00-37
- Munley, John, DI-98-36
- Nagar, Vasanti, DI-91-10
- Nanko, Regina, DI-92-22
- Nedley, Richard A., DI-95-09
- Nelson-Lott, Bonnie, DI-97-36
- Neuman, James, RE-95-02
- Neuman, James, DI-94-09
- Newell, Curtis, Jr, DI-94-01
- Noe, Chris, DI-94-13
- Novotny, Stephen, DI-96-11
- O' Herrick, William, DI-93-15
- O'connor, James, DI-98-26
- Offfutt, Stephen B., DI-96-23
- Ogrizek, M. Barbara, DI-97-40
- Opalek, Alan A., DI-92-10
- Overley, Benjamin D., DI-96-35
- Owens, Alma, DI-95-10
- Pagnani, Santo, DI-96-33
- Palmer, Lisa M., DI-98-08
- Pardue, Jane E., DI-97-31
- Parks, Lawrence J., DI-97-27
- Paulina, Vicki Lee, RE-96-01
- Paulina, Vickie Lee, DI-92-03
- Peterson, Vincent, DI-92-23
- Petron, Joseph M., DI-97-21
- Plano, Ronald, DI-96-24
- Pollock, Ronald C., DI-00-26
- Ponder, Sally Ann, DI-95-28
- Poole, Daniel G., DI-00-11
- Popsack, Allan, DI-96-27
- Rankin, Kevin J., DI-95-20
- Rankowitz-Mezzy, Mindy, DI-97-20
- Reid, James Frances, RE-90-02
- Reitz, David Gerald, DI-94-10
- Richards, Suzanne, DI-98-09

- Rigby, Alan, DI-95-11
  - Robinson, John, DI-98-10
  - Robison, Andrew, DI-99-29
  - Rosenberger-Hable, Kristine, DI-97-19
  - Ruediger, James, DI-99-16
  - Russell, Robert, Peter, DI-91-17
  - Savage, Edward Floyd, DI-97-39
  - Saveri, David, DI-92-11
  - Sbuscio, Raymond, DI-00-34
  - Schade, Jere, DI-98-20
  - Scull, Barbara B., DI-96-34
  - Seitz, Jan, DI-93-25
  - Sensor, Stephen, DI-94-03
  - Serlo, Gary M., DI-97-35
  - Shaffer, Jane, DI-99-11
  - Sharp (Crawley), Sandra Spicer, RE-94-02
  - Shilling, Lynn, DI-97-16
  - Shipley, Kenneth, DI-98-07
  - Shultz, David A., DI-00-13
  - Silvestri, Michael, DI-93-20
  - Silvestri, Michael, DI-91-09
  - Sledelmilch, Lindalee, RE-99-02
  - Smith, Jr, Homer, RE-96-03
  - Spallone, Richard, DI-91-03
  - Spicer, Marilyn, DI-93-28
  - Spicer, Marilyn, DI-93-07
  - Spicer-Sharp, Sandra, RE-00-01
  - Spicher, Kenneth, DI-95-02
  - Startzel, Ronald, RE-90-01
  - Stella, Marisa, DI-95-05
  - Stockbine, Michael, DI-92-20
  - Stoudt, Alfred L., DI-91-20
  - Strimel, Florine M., DI-00-14
  - Summers, Carl Carlito, DI-94-06
  - Suppan, Keith, DI-99-07
  - Tabor, John, DI-92-15
  - Tazel, Johnnie E., DI-96-13
  - Teaf, Adrian, DI-96-38
  - Tolliver, Reginald, DI-93-14
  - Van Dyke, Ned, RE-91-01
  - Vance, Joseph, RE-98-01
  - Vanderveen, Eric, DI-93-18
  - Venuto, Joseph, DI-94-02
  - Venuto, Joseph L., DI-93-11
  - Verga, Anthony J., DI-00-03
  - Volkman, Alan, RE-93-01
  - Volkman, Alan Henry, DI-91-12
  - Wagner, Jeffrey L., DI-00-16
  - Walker, Arnard M., DI-92-14
  - Wallace, Jane M., DI-96-02
  - Walters, Dennis, DI-00-43
  - Wanner, Joseph, DI-93-03
  - Warren, Deborah E., DI-00-23
  - Washington, Marilyn, DI-98-05
  - White, Russell, DI-91-07
  - Wilkes, Stanley, DI-91-06
  - Wilson, Belinda, DI-94-19
  - Wilson, Julio W., DI-96-21
  - Wilson, Merton, DI-94-14
- 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
- Philadelphia Wireless Technical Institute, 99-14



- Computer Assistant, Inc., 00-02
  - J.J. Trucking Consultants, 00-14
- Contact: Patricia Landis (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
- John K., #972
- Andrew K., #973
- Robert K., #974
- Steven K., #975
- Scott C., #976
- Alfred M., #977
- Kenneth F., #978
- Andrew S., #979
- Derek B., #980
- Jillian B., #981
- Mark D., #982
- Russell S., #983
- Jeremy C., #984
- Morgan B., #985
- Katie K., #986
- Joseph A., #987
- Andrew P., #988
- Sara K., #989
- Anthony K., #990
- Carla B., #991
- Warren B., #992
- Tiffani L., #993
- Cindy D., #994
- Yacine M., #995
- Matthew Z., #996
- Lance P., #997
- Ashley C., #998
- Alfred M., #999
- Zachary S., #1000
- 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
- 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
- Lonny K., #765
- Christopher M., #766
- Shane A., #767
- Michael G., #768
- Tiffani L., #769
- Matthew K., #770
- Richard N., #771
- Miranda J., #772
- Jesse R., #773
- Haven L., #774
- Bryan K., #775
- Sarah E., #776
- Gregory B., #777
- 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
- Joshua P., #802
- Jason S., #803
- Michael R., #804
- Michael R., #804-A
- Anthony R., #805
- Rairdan M., #806
- 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 L., #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
- Michael F., #1019
- Anna D., #1024
- Derek B., #1028
- Briana B., #1029
- Samantha C., #1030
- Kristi H., #1031
- Charles F., #1032
- Aram W., #1033
- Charles G., #1034
- Tiffany B., #1035
- Steven A., #1036
- Deborah M., #1037
- Meghan G., #1038
- Tyler B., #1039
- Todd H., #1040
- Michael H., #1041
- Shayla D., #1042
- Justin O., #1043

- Derrick B., #1044
- Teddy P., #1045
- David S., #1046
- Jared M., #1047
- Meredith R., #1048
- Ryan V., #1049
- Shayla D., #1050
- Michael H., #1051
- Adam W., #1052
- Kevin M., #1053
- John A., #1054
- Alex L., #1055
- Jacob H., #1056
- Jessica R., #1057
- Michael S., #1058
- Sarah W., #1059
- Brendan E., #1060
- Ashley C., #1061
- Sara K., #1062
- Eric V., #1063
- Joseph A., #1064
- Hannah J., #1065
- Timothy B., #1066
- Michael H., #1067
- Kaitlin O., #1068
- Kaitlin O., #1068A
- Kaitlin O., #1068B
- Kara S., #1069
- Victor B., #1070
- Kevin B., #1071
- Laura C., #1072
- Jacob G., #1073
- Edward H., #1074
- Terrance H., #1075
- Darius M., #1076
- Jamal H., #1078
- Andrew S., #1079
- Jonathan A., #1080
- Christopher E., #1081
- David M., #1082
- Louis C., #1083
- Ryan L., #1084
- Michael H., #1085
- Rebecca S., #1086
- Steven S., #1087
- Aisha C., #1088
- Dennis B., #1089
- Jason O., #1090
- Leah Z., #1091
- Jessica G., #1092
- Kristin S., #1093
- Kaitlin O., #1094
- Michael H., #1095
- Erin B., #1096
- Jan B., #1097
- Travis W., #1098
- Vanessa S., #1099
- Robert P., #1100
- Shayla D., #1101
- Benjamin R., #1102
- Sean D., #1103
- Mason S., #1104
- Emmanuel R., #1105
- John T., #1106
- Adam Z., #1107
- Scott C., #1108
- Jamie S., #1109
- Thomas M., #1110
- Kelsey B., #1111
- Bridget L., #1112

- Mark S., #1113
- Colleen Z., #1114
- Ari T., #1115
- Carolyn S., #1116
- Daniel G., #1117
- Melissa A., #1118
- Damarcus J., #1119
- Jaime D., #1120
- Anthony H., #1121
- Christopher B., #1122
- Jonathan A., #1123
- Karyn S., #1124
- Kenton W., #1125
- John B., #1126
- Sean M., #1127
- Sean M., #1127A
- Derrick F., #1131

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: Patricia Landis (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: Linda Barrett (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: Patricia Hozella (717-783-6137)

- Higher Education Initiative Grant Application Form

Contact: Loujeania Bost (717-783-6917)

- 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 Guideline
- Contact: Maritza Robert (717-783-3755)
- Education Mentoring Grant Application Guidelines
- Shirley Gould (717-787-4605)

#### **Bureau of Teacher Certification and Preparation**

- 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: J. Frank Meehan (717-772-4737)

#### **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 Career and Technical Education**

- Self Study and On-Site Review of Approved Nurse Aide Training Programs

Contact: Carlyn Forlizzi (717-772-0814)

- Federal Carl Perkins Vocational and Technical Education Local Performance Review/Report

Contact: Carroll A. Curtis (717-772-4177)

- Program Administration Manual: Policy and Procedures for Perkins Subgrants and Related State Grants

Contact: Allan Mensky (717-772-4177)

- Establishing & Operating Effective Local Advisory Committees

Contact: Glendean Davis (717-787-8022)

- 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 Certification and Preparation**

- Certification Testing Booklets

Contact: J. Frank Meehan (717-772-4737)

##### **Deputy Secretary's Office of Postsecondary and Higher Education**

- Higher Education Gift Disclosure

Contact: Richter L. Voight (717-787-5041)

- Professional Standards and Practices Commission—Pa. Code Title 22—Chapter 233 Bylaws—Statement of Policy, Annual Report, Statute (22 P.S. [00a7][00a7]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 Career and Technical Education**

- The Area Vocational-Technical School Organization—A Technical Assistance Manual

Contact: Glendean Davis (717-787-8022)



- Community College Variable Stipend Program  
Contact: Barry Oswald (717-787-8804)

#### **Bureau of Curriculum and Academic Services**

- Pennsylvania Comprehensive Reading Plan II, Reading, Writing and Talking Across the Curriculum  
Contact: Diane Dickson (717-787-5482)

- “Blue Ribbon Schools, Elementary & Secondary School Recognition Programs” United States Department of Education Publication
- “Blue Ribbon Schools Nomination Packet” United States Department of Education Publication  
Contact: Marian Sutter (717-772-4944)

#### **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  
Contact: Dale Baker (717-787-9819)
- School Performance Funding Reporting Documents  
Contact: Dale Baker (717-787-9819)
- Pennsylvania Charter School Directory  
Contact: Dale Baker (717-787-9819)

### **EMERGENCY MANAGEMENT AGENCY**

#### **2001**

- C2001—1 Weather Emergency Preparedness Exercise (BOOT)
- C2001—2 Hazardous Material Response Fund Guidance and Grant Application (BOA)
- C2001—3 Radiation Emergency Response Fund (RERF) Grant Guidance (BOA)
- C2001—4 Emergency Management Performance Grant Annual Submission (BOA)

#### **2000**

- C2000-1 Radiological Preparedness Program (BOOT)
- C2000-4 Guidance for Enforcement of the Hazardous Material Emergency Planning and Response Act (Act 1990-165) (BOP)
- C2000-6 Planning Guidance For Mass Fatalities Incidents (BOP)
- C2000-8 Radiation Transportation Emergency Response Fund (RTERF) Grant Guidance (BOA)
- C2000-9 Hazardous Materials Emergency Preparedness (HMEP) Planning and Training Grant Guidance (BOA) Grants Management
- C2000-10 Evacuation Authority (EO)
- C2000-11 Requirements for Preparation of Annual Update of County Hazardous Material Emergency Response Preparedness Assessment—Reporting Year 2000 (BOP)
- C2000-12 Movement of Authorized Persons on Commonwealth Highways During a Blizzard or Major Winter Storm (EO)

#### **1999**

- C99-4 Nuclear Power Plant Accident Emergency Worker Dosimetry and Potassium Iodide (KI) (BOP)
- C99-5 Emergency Management Exercise Program (BOOT)

#### **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**

- 89-7 PEMA's Correspondence Courses (BOOT)

#### **EMERGENCY MANAGEMENT DIRECTIVES (Revised 7/25/01)**

#### **2001**

- D2001-1 Expenditure of Act 165-Generated Revenues At The County Level (BOP)

- D2001-2 Preparation, Review, and Maintenance of SARA Title III Off-Site Response Plans and the State SARA Facility Database. (BOP)
- D2001-3 Certified Hazardous Material Response Teams In Pennsylvania (BOP)
- 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 (PEIRS) (BOOT)
- D2000-7 Emergency Equipment, Materials and Supplies (BOA)
- 1995**
- D95-2 Instructor Classification System and Code of Professionalism (SFCO)
- 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

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### ENVIRONMENTAL HEARING BOARD

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#### 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.

Temporary Guidance for Electronic Filing effective May 15, 2000 and Instructions for Use Effective September 12, 2000.

Practice and Procedure Manual effective January 2000.

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](http://www.verilaw.com).

Contact: William T. Phillipy (717) 787-3483

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### ENVIRONMENTAL PROTECTION

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#### Policy Office

- Interim Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances in Permit Review 012-0200-001
- Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances in Review of Grants for Facilities and Infrastructure 012-0200-002
- 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 Mgt./Technical Services Deputate 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
- 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
Contact: Joe Sieber 717-783-8727	
<b>Office of Information Technology</b>	
Data Standards for Names and Addresses	013-0830-001
Data Standards for PA Municipality Codes	013-0830-002
DEP Locational Data Po	013-0830-003
Loan of DEP Personal Computers to Local Procurement Units	013-0830-004
Policy for the DEP Money-Back Guarantee Permit Review Program	013-2000-001
Policy for Implementing the Pennsylvania Natural Diversity Index	013-2000-002
Contact: Gail Jackson 717-772-4786	
<b>Management and Technical Services</b>	
DEP Policy on Professional Work Assignments Conducted by Licenses Professional Engineers, Geologists	150-0200-001
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 the Approval and Accreditation of Laboratories in PA, Utilizing the NELAC Standards	150-2302-004
Contact: Lisa Miller 717-787-7193	
<b>Land Recycling and Waste Management</b>	
Permit Applications with Out-of-State Notarization	250-2100-751
Draft Guidance on Radioactivity Monitoring at Muni. and 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
Closure Requirements for Underground Storage Tank Systems	253-4500-601
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
Policy for Implementing the General Operating Permit Strategy for Aboveground Storage Tanks	257-2318-005
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 Est. Criteria for use of Uncontaminated Soil, Rock, Stone etc	258-2182-773
Cleanup Standards under the Residual Waste Regulations	258-5100-761

Contact: Michele Tate 717-787-9871

### **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 Monitoring System 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
AQ Operating Permit—Continuous Source Monitors	275-2101-016

Contact: Ralph Scanlan 717-787-1548

#### **Radiation Protection**

P & P Summary, Radiation Control Division	291-0400-001
Compliance and Enforcement Policy	291-4100-001
Nuclear Power Generating Station Incident Manual	292-0400-002
Policy and Procedures, Nuclear Safety Division	293-0400-001
Low Level Radioactive Waste Section Policies and Procedures	293-0400-002
Conducting Radiological Performance Assessments For LLRW Disposal in PA	293-2400-001
Enhanced Containment through Engineered Barriers Staff Technical Report	293-2400-002
Requirements for LLRW Minimization Plan	293-2400-003
Radon Certification Policy	294-2309-001
Radon Mitigation Standards	294-2309-002
Pennsylvania Radon Certification Guide	294-2309-003

Contact: David Allard 717-787-2480

#### **Waterways Engineering**

Interagency Agreement with the Susquehanna River Basin	310-0600-002
Land Aquisition Policies	310-2139-002
Criteria and Fees for Dam Safety Limited Power Permits	310-2140-001
Annual Dam Inspection Report Policy	310-3120-001
Category 3 Dam Inspection Program	310-3140-002
Compliance Assistance and Enforcement Manual	310-4000-001

Contact: Don Martino 717-787-6826

#### **Water Supply and Wastewater Management**

Conservation District Fund Allocation Program	361-0100-001
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Water Quality Toxics Management Strategy	361-0100-003
Chesapeake Bay Nonpoint Source Pollution Abatement Program	361-0100-002
Manure Management for Environmental Protection	361-0300-001
Field Application of Manure	361-0300-002
Chesapeake Bay Financial Assistance Funding Program Guidelines	361-5500-004
Domestic Wastewater Facilities Manual	362-0300-001
Guidelines for Design, Installation and Operation of Small Flow Treatment Facilities	362-0300-002
Sewage Facilities Planning: Preparing Act 537 Update Revisions	362-0300-003
Agronomics Loading Rate Calculations for Biosolids	362-0300-004
A Guide To Requirements and Procedures For Obtaining Permits etc for Industrial Wastewater Mgt System	362-0300-004
Handbook—NPDES Permit for POTW and Non-Municipal Wasterwater Dischargers	362-0300-005
Handbook—NPDES Permit for Industrial Wasterwater Dischargers	362-0300-006
Alternate and Experimental Systems Guidance	362-0300-007
NPDES Program Implementation—MOU Concerning WQM, NPDES Program Implementation, and Related Matters	362-0400-001
National Pollutant Discharge Elimination System Program Implementation	362-0600-001
Agreement Between Oil/Gas Mgmt and Water Quality on Pollution Discharge	362-0600-002
MOU for the use of Biosolids at Mined Sites	362-0600-003
Guidelines for the Development and Implementation on Writing Emergency Response Plans	362-2000-001
Permitting Policy and Procedure Manual	362-2000-001
Policy for Permitting Surface Water Diversions	362-2000-003
Subsurface Disposal of Carwash Waste	362-2000-005
Conducting Technical Reviews of Water Quality Management (Part II) Permit	362-2000-007
Conducting Technical Reviews of Minor NPDES Renewal Applications	362-2000-008
Manual for Land Application of Treated Sewage and Industrial Wastewaters	362-2000-009
Interim CAFO Policy	362-2000-010
Technical Guidance for Permitting Landfill Leachate Discharges	362-2183-001
Technology-Based Control Requirements for Water Treatment Plant Wastes	362-2183-003
Technical Guidance for Development of NPDES Permit Requirements Steam Electric Industry	362-2183-004
Biosolids Program Implementation Guidance	362-2192-001
Guidance for the Storage of Biosolids	362-2192-002
Guidelines for Agricultural Utilization of Sewage Sludge	362-2192-003
Review and Coordination of Chapter 94 Reports and Act 537 Planning	362-2206-001
Policy Establishing New Program Direction for Act 537 Comprehensive Planning	362-2206-007
Guidelines for the Development and Implementation of Environmental Emergency Response Plans	362-2200-001
Impact/Subsurface Disposal on Ground Water Nitrate-Nitrogen Levels	362-2207-004
Administration of Fee Collection for Planning Module Reviews	362-2207-008
Municipal Guidance—Reconstructive Planning	362-2208-002
Calculation of Contingent Penalties for Effluent Violations	362-4000-001
Field Manual for Compliance Orders	362-4000-002
Guidance for Civil Penalty Calculation for Effluent Violations	362-4180-001
Civil Penalty Assessment Procedures for Pollution Incidents	362-4180-002
Calculation of Civil Penalties for Willfulness	362-4180-003
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Contact: Frank Bialas 717-772-2199	
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Contact: Evan Shuster 717-787-4924	

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Clarification of Pertinence of DEP Statutes re: Coal Processing Facilities	580-3000-005
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Contact: Matt Bertovich 724-439-7304	

**Pollution Prevention**

Technology Management Process	700-0200-001
Guidance for Pollution Prevention and Energy Efficiency Site Visits	700-5600-001
Contact: Cal Kirby 717-772-5834	

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**GENERAL SERVICES**


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**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 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**

- Building Evacuation—Emergency Action Plan
  - 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 (02/3/98)  
 —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)  
 —00-32 Christmas Trees and Decorations (10/16/00)  
 (Contact: Thomas Stanbeck 787-3893)

**Bureau of Financial and Management Services**

—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 Contract 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)

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—215.16 Contract Compliance Program (6/30/99)  
 (Contact: Gary Lee 783-3119)

**Bureau of Professional Selections & Administrative Services**

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 —00-15 Submission of Construction Requisitions Financed by Lapsing Funds (5/30/01)  
 (Contact: Ann Fischer 787-7156)

**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 (8/29/00)  
 —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 (2/28/01)
- 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 (12/21/00)  
(Contact: Michael E. Adams 787-2834)

#### **Bureau of Supplies and Surplus Operations**

- 01-6 Calendar Bases, Calendar Refills, Diaries and Date Books for 2001 (2/14/01)
- 00—NAvailability—Commonwealth Telephone Directory (7/24/00)  
(Contact: Ronald Wolf 787-5940)

#### **Bureau of Vehicle Management**

- 615.1 Temporary Assignment of Commonwealth Automotive Fleet (12/2/92)
- 615.2 Motor Vehicle Liability Insurance and Accident Reporting (6/17/96)
- 615.3 Rates and Billing for Motor Vehicles of the Commonwealth Automotive Fleet (6/29/01)
- 615.6 License Plates for Commonwealth-Owned Vehicles (6/30/97)
- 615.7 Commonwealth Vehicle Invoices (7/3/97)
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- 615.11 Use and Condition Inspections of Commonwealth-Owned Motor Vehicles (4/21/82)
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- 01— Refueling of Commonwealth Automobile Fleet Vehicles (7/5/01)
- 01— State Employees Purchasing Vehicles at the Commonwealth Garage (7/5/01)  
(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 Office
- Application and Instruction Guide for Certification as a Minority/Women Business Enterprise  
(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)

##### **Bureau of Publications and Paperwork Management**

- State Publications Directory (7/00)
- Bookstore Pricelist  
(Contact: Donald E. Gibas 787-3707)

##### **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)

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**HEALTH**


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**POLICY STATEMENTS****Bureau of Drug and Alcohol Programs**

- Approval Process for Halfway Houses (9/00)

- Client Information System Reporting (10/00)
- Waiver Procedure (1/98)
- 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 Chronic Diseases and Injury Prevention**

- Position Statement on Skin Cancer (9/99)
- Position Statement on Colorectal Cancer Screening (9/98)
- Position Statement on Prostate Cancer Screening (Revised 3/00)
- Position Statement on Cervical Cancer Screening (Revised 3/00)
- Position Statement on Sun Safety (9/99)
- Policy Statement on Clinical Trials (10/00)
- Policy Statement on Unsolicited Proposals Requesting Funding From the Cancer Control Program (2/00)

Contact: Emilie Tierney (717) 787-6214

#### **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
- Staffing Requirements for Drug and Alcohol Activities Guidelines

Contact: Cheryl Williams (717) 783-8765

##### **Emergency Medical Services Office**

- Overview of Pennsylvania Department of Health Ambulance Licensure Program
- EMS Investigation Manual
- EMS Continuing Education Manual
- EMS Training Manual—Guidelines for Medical Command Authorization for Prehospital Personnel
- 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
- Overview of Pennsylvania Department of Health Quick Response Service 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 Brochure (3/01)
- 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: Marine Matthew (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

- Abortion Control Act (footnoted)
  - Ambulatory Gynecological Surgery in Hospitals and Clinics Regulations (footnoted)
- Contact: John Hair (717) 783-8665

#### **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**

#### **Division of Nursing Care Facilities**

- 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. [00a7]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 (6/4/00)
  - Metallic Mercury Precautions (6/13/00)
- Contact: Susan Getgen (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
  - Guidelines to Determine the Issuance of Single or Multiple Hospital Licenses(s)
- Contact: William A. Bordner (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 Department)
  - 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
- Death Correction Statement, Form H105.135

The following forms are electronically available at [www.health.state.pa.us/vitalrecords](http://www.health.state.pa.us/vitalrecords):

- Application for Certified Copy of Birth Record-Mail Requests, Form HD1105F
  - Application for Certified Copy of Birth Record-FAX Request, Form HD1106F
  - Application for Certified Copy of Death Record-Mail Requests, Form HD1107F
  - Application for Certified Copy of Death Record-Fax Request, Form HD1108F
- Contact: Donna Ritchie (724) 656-3287
- 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
  - Laboratory Submission Form for Viral Encephalitis/Meningitis
- 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

#### **Deputy Secretary for Quality Assurance**

- Abortion: Making a Decision
  - A Guide to Services for Pregnant Women
  - Application of Abortion Control Act to Abortions Induced by Drugs
- Contact: (717) 783-5900

#### **Bureau of Chronic Diseases and Injury Prevention**

- Why We Recommend Community Water Fluoridation
- 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](http://www.health.state.pa.us)

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### INSURANCE

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#### **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
	03/20/1996	Deregulation of Accident and Health 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
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
2000-07	06/10/2000	Record Retention
2000-08	09/30/2000	Compliance Date for the Privacy Provisions of the Gramm-Leach-Bliley Act
2000-10	12/30/2000	Codified Statutory Accounting Principles Statutory Issue Paper No. 107—Health Care Receivables
2001-01	02/03/2001	Act 132 of 2000—Amendments to Insurance Holding Companies Law

<i>No.</i>	<i>Date</i>	<i>Description</i>
2001-02	02/03/2001	Act 132 of 2000—Amendments to Insurance Holding Companies Law (PPOs)
2001-03	04/07/2001	List of Approved Data Service Vendors
2001-04	04/21/2001	Book Transfers
2001-05	05/19/2001	Per Diem Charges for Financial Examinations Conducted by the Pennsylvania Insurance Department
2001-06	05/19/2001	Per Diem Charges for Market Conduct Examinations Conducted by the Pennsylvania Insurance Department
2001-07	06/30/01	Deregulation of Life Insurance Forms

### **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 CAT Fund Adjudications*

Insurance Commissioner Decisions on Automobile CAT Fund 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: Apprenticeship Office Toll-Free (1-877-803-8560)

**Bureau of Occupational and Industrial Safety**

- Universal Accessibility Interpretation

- |                      |                      |                      |
|----------------------|----------------------|----------------------|
| 1) April 3, 1995     | 4) November 20, 1996 | 6) July 28, 1997     |
| 2) April 24, 1995    | 5) April 15, 1997    | 7) December 4, 1997  |
| 3) February 29, 1996 |                      | 3) February 29, 1996 |

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**

- 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: Bureau of Labor Law Compliance Toll-Free (1-800-932-0665)

**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: Bureau of Labor Law Compliance Toll-Free (1-800-932-0665)

**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: Kathleen Dupin (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)

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### **MILITARY & VETERANS AFFAIRS**

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#### **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: Cecil Hengeveld (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: Cecil Hengeveld (717) 861-8903
- Standard Operating Procedure for Armory Rentals  
Contact: Duke Munford (717) 861-2915

#### **INTERNAL GUIDELINES:**

- Adherence to Work Hours/Wear of Military Uniform
- Bomb Threat Plan—DMVA contains classified information.
- Curtailment of Activities at FTIG Due to Inclement Weather.
- 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: Cecil Hengeveld (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
- Contact: Cecil Hengeveld (717) 861-8903

- Hollidaysburg Veterans' Home
  - Northeastern PA Veterans' Center
  - PA Soldiers' and Sailors' Home
  - Southeastern PA Veterans' Center
  - Southwestern PA Veterans' Center
- Contact: Cecil Hengeveld (717) 861-8903

- Standard Operating Procedure for Armory Rentals
- Contact: Duke Munford (717) 861-2915

- PA Air National Guard Fact Sheet
  - PA Army National Guard Fact Sheet
- Contact: LtCol Cleaver (717) 861-8468

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#### PENNSYLVANIA BOARD OF PROBATION AND PAROLE

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##### **Policy Statements:**

- Bias Free Work Environment Policy
- Equal Employment Opportunity Policy
- HIV/AIDS Policy
- Prohibition of Discrimination Against Parolees, their Families and the General Public
- Policy on the Elimination of Sexual Harassment in the Workplace
- Substance Abuse in the Workplace Policy

##### **Other:**

Annual Report (1995-1997)

##### Brochures

- General Information on Parole Supervision
- General Information on the Board
- SAVE (Substance Abuse Violators Effort)
- County SAVE Program
- RSAT (Residential Substance Abuse Treatment)
- Pre-Parole Bulletin
- Parole Plan Investigations
- PBPP Fatherhood Initiative

Contact: Keldeen Zellers Stambaugh, 717-787-6208

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#### PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

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##### **Civil and Criminal Training Division**

- Constables' Training Bulletins, August 1994 to present.
- Deputy Sheriffs' Training Bulletins, April 1990 to present.
- Statement of policy on basic training at 37 Pa. Code 421.103.
- Criteria for instructors as listed on constables' certification application.
- Constables' Education and Training Board (CETB) instructor information produced solely for contractor schools.
- Code of Conduct for deputy sheriff's training, drafted by Pennsylvania State University in July 2000 and distributed to trainees in each basic training and waiver class.

##### **Drug Control and System Improvement (DCSI) Division**

- U.S. Department of Justice, Bureau of Justice Assistance, "Byrne Formula Grant Program Guidance."

- U.S. Department of Justice Bureau of Justice Assistance, State and Local Assistance Division (SLAD) Information Memorandums.
- U.S. Department of Justice, Bureau of Justice Assistance, Fact Sheets

Funding Guidelines that are the responsibility of the DCSI Division:

- Child Abuse Investigation and Prosecution Initiative
- County Criminal Justice Planning Initiatives

#### **Community Corrections Division**

- Index of grant funding announcements, April 2001

#### **Grant Administration Division**

- PCCD Applicant's Manual on PCCD website, revised May 2001
- U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, Financial Guide
- Commonwealth of Pennsylvania, Governor's Office, Management Directive 305.20 Grant Administration
- Funding Guidelines disseminated as needed by various divisions

#### **Evaluation, Research and Statistics Division**

- Funding guidelines for research/evaluation projects, April 9, 2001

#### **Victims Compensation Division**

- Victims Compensation Claim Form
- Claim Form Instruction Booklet
- Victims Compensation Brochure (English and Spanish)
- Victim Advocate Manual—revised April 18, 2000
- Compensation Action Bulletins, January 2000 to present on an "as needed" basis.
- Pathways and Partnership Newsletters, August 1999 to present-quarterly
- Victims Compensation Policy and Procedure Manual, revised July 20, 2000
- Annual Report for FY 1999-2000

#### **Victims Services' Division**

- Local Policy Board Requirements, revised June 2001
- Federal STOP Funding Guidelines relating to domestic violence
- STOP Funding Announcement, revised July 2000
- Rights and Services Act (RASA) Funding Announcement, revised June 2001
- State Victim/Witness Standards and Procedures Manual, April 1999
- Victims of Juvenile Offenders (VOJO) Standards and Procedures, effective December 2000
- VOJO Funding Announcement, revised June 22, 2001
- Comprehensive Victim Service Center Standards, revised February 2001
- Monitoring tools for DCSI, VOJO, revised July 2001; RASA, revised June 2001; Victims of Crime Act (VOCA), revised April 2001
- Subgrantees' Training Guide published by U.S. Department of Justice, Office of Victims of Crime, September 1999
- DCSI federal guidelines, June 6, 2001
- Concept paper formats
- VOCA Funding Announcement, January 16, 2001

#### **Pennsylvania Weed and Seed Program**

- Operations Manual, current for 2001-2002

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### **PENNSYLVANIA HOUSING FINANCE AGENCY**

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#### **POLICY STATEMENTS:**

##### **Rental Housing Program**

12 Pa. Code, Section 31.11-31.25

Contact: William Koons (717-780-3882)

##### **Owner-Occupied Residential Housing Program**

12 Pa. Code, Section 31.101-31.105

Contact: Donald Plunkett (717-780-3871)

##### **Programs Generally**

12 Pa. Code, Section 31.111-31.117

Contact: Donald Plunkett (717-780-3871)

##### **Policy Statement on Homeowners' Emergency Mortgage Assistance Program (including Program Guidelines, Act 91 Notice, and list of counseling agencies)**

12 Pa. Code, Section 31.201 et. seq.

Contact: Daryl Rotz (717-780-3922)

#### **GUIDANCE MANUALS:**

##### **Development Division**

PHFA Multifamily Housing Loan Application Package and Guidelines (contains PennHOMES and Tax Credit Guidelines)

PHFA Preprocessing Manual for Projects with Agency Federal HOME Funds

PHFA Preprocessing Manual for Projects with Agency Reserve Funds

Contact: William Koons (717-780-3882)

PHFA Low-Income Housing Tax Credit Program Guide

PHFA Low-Income Housing Tax Credit Program Allocation Plan

Contact: Jennifer Rodichok (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: Dottie Shipley (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  
 Contact: Donna Farnham (717-780-3814)  
 PHFA PennHOMES Financial Reporting Manual  
 Contact: Carol Carroll (717-780-3811)

**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:**

Homeowners' 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 Report  
 2001 Pennsylvania Housing Study (available only on Web site at [www.phfa.org](http://www.phfa.org))  
 Inventory of Assisted Rental Housing  
 Funding Affordable Housing (resource guide)  
 PHFA Statewide Homeownership Program Homebuyers Workbook  
 Report on the Economic Benefits of Affordable Housing Development in Pennsylvania  
 Report on the Use of Act 137  
 Report on the Implementation of Pennsylvania's County Housing Trust Fund Legislation  
 PHFA Possibilities (newsletter)  
 Pathway to Senior Activities (resource guide)  
 PHFA Service Connections (supportive services newsletter)  
 Answers to Common Questions About the Homeowners' Emergency Mortgage Assistance Loan Program (fact sheet)  
 Home Equity Conversion Mortgage Lenders List (reference sheet)  
 Contact: Paula Brightbill (717-780-3915)

**PHFA Brochures**

Programs of the Pennsylvania Housing Finance Agency  
 Statewide Homeownership Program  
 Lower Income Homeownership and Closing Cost Assistance Programs  
 Homeownership Opportunities for Persons with Disabilities  
 Questions & Answers about the Federal Recapture Tax  
 Home Energy Efficiency and Home Buying  
 Homeowners' Emergency Mortgage Assistance Program  
 Tax Credit Program  
 Contact: Paula Brightbill (717-780-3915)

Additional information is available on PHFA's website ([www.phfa.org](http://www.phfa.org)) from time to time (including funding notices, Requests For Proposals, and news and public notices)

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**PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY**  
**—PENNVEST—**

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**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](http://www.pennvest.state.pa.us)

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**PUBLIC SCHOOL EMPLOYES' RETIREMENT SYSTEM  
PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM**

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**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](http://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

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**PUBLIC WELFARE**


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*(Editor's Note: Statements of Policy are in upper and lower case. Notices of Rule Change are in all capitals. Notices of Rule Change adopted more than 180 days before deposit are starred (\*).*

**Office of Income Maintenance—Contact: Edward J. Zogby (717-787-4081)****POLICY STATEMENTS:**

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1983	Ch. 166	Computation of CWEP Hrs.	10/25/83	166-83-57
	Ch. 275	Postmark Date as the Recept. Indicator for Appeals and for Requests for Reconsideration	03/15/84	275-84-10
1984	Ch. 297	Change in Reimbursement Policy for AFDC/SSI	03/15/84	297-84-1
1985	Ch. 187	Definition of Child Born Out-of-Wedlock	11/08/85	00-85-23(T)
1988	Ch. 100	Health Insurance Provisions for Single Point of Contact (SPOC)	05/25/88	100-88-2
1989	Ch. 275	Instructions for Applying the Court Ruling in Juras vs. DPW	06/30/89	275-89-1
1990	Ch. 183	Additions to/Deletions from a Budget Group	01/08/90	183-90-01
	Ch. 183	Cash Assistance Clarifications: Residence and Income	12/28/90	183-90-05
1991	*CH. 140	MANDATORY CONTINUATION OF MA THROUGHOUT PREGNANCY AND POSTPARTUM PERIOD	08/20/91	0140-91-01
1993	*CH. 166	PROVIDING SUPPORTIVE SERVICES TO PARTICIPANTS IN THE COMMUNITY WORK EXPERIENCE PROGRAM	08/21/93	166-93-01
1994	*CH. 257	REVISIONS TO 55 PA. CODE CHAPTER 177 (RESOURCES) AND 257 (REIMBURSEMENT)	06/24/94	257-94-01
1995	*CH. 257	MA ESTATE RECOVERY—CHAPTER 178—MEDICAL ASSISTANCE RESOURCES; CHAPTER 257—REIMBURSEMENT	06/01/95	257-95-01

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1996	Ch. 125	ACT 1995-20 PROVISIONS RELATING TO PERSONS SENTENCED OR CHARGED FOR A FELONY OR MISDEMEANOR	04/05/96	125-96-01
2000	Ch. 153 Ch. 178	EMPLOYMENT REQUIREMENTS FOR TWO-PARENT HOUSEHOLDS: REVISING THE DEFINITION OF UNEMPLOYMENT	06/10/00	
	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	
2001	TANF STATE PLAN	TANF HARDSHIP EXCEPTIONS	03/24/01	
	TANF STATE PLAN	TANF TIME-OUT	03/24/01	

**GUIDANCE MANUALS:**

- Cash Assistance Handbook
- Food Stamp Handbook
- Medical Assistance Eligibility Handbook
- Nursing Care Handbook
- Supplemental Handbook
- Medicaid in Pennsylvania
- Low-Income Home Energy Assistance Program Final State Plan
- Actions for Support

Office of Medical Assistance—  
Contact: Suzanne Love (717-787-1870)

**POLICY STATEMENTS:**

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1981	Ch. 1251	Clarification of M.A. Bulletin # 22-80-01	08/19/81	22-81-01
	Ch. 1121	Info. Concerning Claims Submitted as Compounded Prescriptions	06/30/82	19-82-02
1984	Ch. 1101	Third Party Resource and Copay	11/01/84	99-84-15
	Ch. 1163	Physician Attestation Statement	12/31/84	01-84-15 11-84-25
1985	Ch. 1141	Decision Concerning Prof. Component Billing	01/25/85	01-85-01
	Ch. 1141	Physician Assistant Use	04/22/85	01-85-05
	Ch. 1245, 1163	Ambulance Transportation	04/22/85	11-85-08
	Ch. 1163	Psych. Inpatient Adm of Patients with D/A and Psychiatric Diagnoses	05/31/85	13-85-04
	Ch. 1101	Copayments/Guidelines/ Exemption for Pregnancy & Ability to Pay	10/17/85	99-85-12
	Ch. 1153	Require. for Treatment Plans & Doc. of Treatment	10/31/85	29-85-01 33-85-02
	Ch. 1149	Clarification of Treatment Plan Requirements for Orthodontists	02/11/86	03-86-1
	Ch. 1163 Ch. 1151 Ch. 1151	Offset of Investment Income	02/21/86	11-86-04 12-86-02 13-86-01
1986	Ch. 1101.75 (a)(5)	Policy Clarification	07/23/86	19-86-06
	Ch. 1101	Policy Clarification Re: Provider's Signature	09/19/86	99-86-06



<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
	Ch. 1101	Professional License No.	10/13/86	11-86-12 12-86-05
	Ch. 1101	Preclusion of Convicted Persons, Not Providers, from Participation or Involvement in the MA Prg.	10/24/86	99-86-09
	Ch. 1123	Durable Medical Equipment Warranties	10/28/86	05-86-02 19-86-07
	Ch. 1101	Records Maintenance and Avail. Requirements	11/05/86	23-86-02
1987	Ch. 1101	Physicians' Response. Home Health Services	01/12/87	01-87-01
	Ch. 1223	Letter of Agreement—D&A Single County Authorities	01/23/87	11-87-01 12-87-01 13-87-01
	Ch. 1223	Contractual Agreement Single County Authority	02/12/87	28-87-01
	Ch. 1149	Palliative Emerg. Treat.	04/24/87	03-87-02 27-87-01
	Ch. 1101	Records Maint. and Avail. Require. for Chiropractors	04/27/87	07-87-01
	Ch. 1249	Reimbursement—Home Health Services in PCH	05/22/87	23-87-01
	Ch. 1101	Professional Lic. No.	06/10/87	10-87-01
	Ch. 1223	Nonrecompensable Services Drug Screens	07/29/87	11-87-05 12-87-04 16-87-01 28-87-02
	Ch. 1101/ Ch. 1123	Coverage for Motorized Wheelchairs	07/30/87	05-87-02 01-87-08 19-87-06
	Ch. 1101	Policy Relating to Apnea Monitors	09/02/87	01-87-15 05-87-04 19-87-09
	Ch. 1150	Spec. Enroll. Req. to Bill Tech. Comp. of Ped. Pneumograms	10/07/87	05-87-05
1988	Ch. 1101	Policy Clarification Regarding Physician License	07/01/88	1101-88-01
	Ch. 1249	Clarification of Condition Under Which MA Recipients Are Considered Homebound	09/26/88	1249-88-01
1989	Ch. 1101	Policy Reminder Regarding Practitioner License Requirements	09/09/89	1101-89-02
	Ch. 1163	Assignment of DRG (Neonate)	11/18/89	1163-89-01
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 CH. 1121 CH. 1123 Ch. 1241	EPSDT—OBRA '89	08/02/91	1101-91-01 1121-91-02 1123-91-01 1241-91-01
1992	*CH. 1141 *CH. 1153	CLOZAPINE SUPPORT SERVICES	01/31/92	1141-92-01 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

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
	*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
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	Regulation Changes Regarding "Emergency Medical Condition"	07/01/98	1101-98-01
	Ch. 1141			1141-98-01
	Ch. 1150			1150-98-01
	Ch. 1221			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

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
2001	Ch. 1101	Clarification of Coverage for Motorized Wheel-chairs and Other Durable Medical Equipment	02/16/01	01-01-02 05-01-01 17-01-01 19-01-02 49-01-02 50-01-01 1101-01-01 1123-01-01

**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:**

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1993	Ch. 2620	Increase in Personal Needs Allowance for Residents of Personal Care Homes	08/16/93	2620-93-02
1998	Ch. 2620	Licensing Compliance Prediction System for the Personal Care Home Regulations	06/30/98	99-98-01
1999	Ch. 2620	Office of Social Programs Bulletin Clarifying Permissibility of Electronic Monitoring/Recording In Personal Care Homes	10/30/99	99/99/01
2000	Ch. 2620	Personal Care Home Planned, Intermittent, or Holiday Closures	03/01/00	99-00-01

**GUIDANCE MANUALS:****Bureau of Home and Community Based 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
- Interpretive Guidelines for Personal Care Home Regulations—Chapter 2620
- Operating A Personal Care Home
- Personal Care Home Administrator Training Requirements

**Bureau of Supportive Services**

- Homeless Assistance Program—Instructions and Requirements for 2001-2002 (Note: Revised/Reissued Annually)
- Human Services Development Fund—2001-2002 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)

**Office of Children, Youth & Families—Contact: Sue Tunis 717-705-8098**

**POLICY STATEMENTS:**

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1980	Ch. 3140	Funding of Basic Ed. Components of Private Day Treatment Center Programs	10/29/80	99-80-22
1981	—	OCYF Licensing Procedures: Clarification of Provider's Right to Appeal DPW Issuance of a Provisional Certification of Compliance	10/29/81	99-81-38
1982	Ch. 3140	Elig. Reg. Relating to Adjudicated Delinquent Youth Under the Title IV-E Placement Maint. Prog.	10/01/82	3140-82-01
1983	Ch. 3130	Clarification of the Definition of "Accept for Service"	02/04/83	3130-83-03
	Ch. 3700	Waiver for Foster Family Homes by Foster Family Care Agencies	02/04/83	3700-83-01
	Ch. 3130	Clarification of County C & Y Agency Requirements with Respect to Fee Setting	02/04/83	3130-83-04
	Ch. 3130	Participation on Agency Administrative Review Panel	02/04/83	3130-83-06
	Ch. 3130	Clarif. on Caseworker-to- Family Case Load Ratio & Case Management Functions	02/04/83	3130-83-07
	Ch. 3130	Case Management Responsibilities When a Report of Suspected Child Abuse is Received Involving a Case Already Accepted for Service	02/04/83	3130-83-01
	Ch. 3140	Clarif. of Adoption Asst. to Relatives in Adoption Cases	05/02/83	3140-83-07
	Ch. 3140	Clarif. of Adoption Asst. to Relatives in Adoption Cases	05/02/83	3140-83-07
	Ch. 3140	Response. of the Co. for Legal Representation for Children and Parents	06/10/83	3140-83-09
	Ch. 3140	Reimbursement to Parents for the Cost of Child Visits	08/15/83	3130-83-11
	Ch. 3140	Chapter 3140.22 Reimbursement Regulations Alternative Programs 3140.22(e)	02/04/83	3140-83-02
	Ch. 3140	Chapter 3140.22 Reimbursement Regulations Community Residential Service 3140.22(d)(3)	02/04/83	3140-83-03
	Ch. 3140	3130.64(b)(2), 3130.67(9), 3140.131(7), 3700.35(b)(1) Reimbursement to Parents for the Cost of Child Visits	08/15/83	3130-83-11 3140-83-13 3700-83-03

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
	Ch. 3130	Child Placement Regist. Index	08/29/83	99-83-18
1984	Ch. 3140	Reimbursement Rates for Placements in VisionQuest Wilderness & Wagon Train Programs	01/12/84	3140-84-01
	Ch. 3130	Application of Chapter 3700 Regulations When Relatives Provide Substitute Family Care	09/01/84	3130-84-06 3700-84-01
	Ch. 3130	Reimbursement for Relative Foster Care	09/01/84	3130-84-07 3700-84-02
	Ch. 3001	Transmittal of Interdpt. Memo. on Nonimmunized Students Excluded from Attending School	07/08/84	99-84-13
	Ch. 3490	Release of Child Abuse Info. to the Media	08/15/84	99-84-20
	Ch. 3700	Reimbursement for Relative Foster Parents	09/01/84	3130-84-07 3700-84-02
	Ch. 3140	VisionQuest Policy	09/07/84	3140-84-05
1985	Ch. 3001.5	Unannounced Visits to Licensed & Approved Facilities/Agencies	08/20/85	99-85-18
	Ch. 3130	Non-Mandatory Regis. Requirement for Individ. 18 Yrs. & Older with PA Adoption Cooperative Exch.	09/16/85	99-85-24
	Ch. 3130	Interstate Compact on Juveniles	09/30/85	99-85-27
	Ch. 3490	Providing Copies of Child Abuse Reports to Subjects	11/20/85	99-85-28
1986	Ch. 3140	Continuing Eligibility for Adoption Assistance	04/15/86	3140-86-02
	Ch. 3490	Law Enforcement Officials as Perpetrators of Suspected Child Abuse	07/15/86	3490-86-04
	Ch. 3490	Policy Clarifications Regarding Child Protective Services Law and Regulations as Related to Act 33	04/01/86	3490-86-02
	Ch. 3490	Policy Clarifications Regarding Child Protective Services Law and Regulations as Related to Act 33—Part II	06/16/86	3490-86-05
	Ch. 3490	Policy Clarifications Regarding Child Protective Services Law and Regulations as Related to Act 33—Part III	11/01/86	3490-86-08
	Ch. 3350	Screening Prospective Adoptive Parents Pursuant to Act 33 of 1985	09/02/86	3350-86-01
	Ch. 3140	Title IV-E Elig. Issues	09/18/86	3140-86-05
1987	Ch. 3490	Implementation of Child Protective Svc. Policies Relating to Alleged Medical Neglect of Disabled Infants	05/01/87	3490-87-01
	Ch. 3490	Sharing Child Abuse Info Among DPW Offices	09/01/87	3490-87-03
	Ch. 3490	Policy Clarification of the Child Protective Services Law and Regulations	06/01/87	3490-87-02
	Ch. 3140	Personal Incident Costs OCYF Financial Participation in Costs of County Human Service Departments	10/01/87	3140-87-05
	Ch. 3140		08/31/87	3140-87-02
	Ch. 3130	Child Placements with Emergency Caretakers	10/15/87	3130-87-07
	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
	Ch. 3490	Screening Student Interns	05/88	3490-88-01
1989	Ch. 3350	Adoption Record Disclosure	06/06/89	3350-89-01
	Ch. 3130	Statements of Policy—Amendments to Chapter 3130 Due Process Protections for Parents and Children	10/10/89	3130-89-01

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
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
	—	Site Visits and Access to Records by PA Protection and Advocacy, Inc.	08/22/94	00-94-19
1995	Ch. 3270 Ch. 3280 Ch. 3290	Certified Childcare Professional Credential	11/01/95	3001-95-01
	Ch. 3490	Supreme Court Decision A.Y. vs. DPW and Allegheny County Children and Youth	06/14/95	3490-95-01
	Ch. 3490	Amendments to the Child Protective Services Law that Become Effective July 1, 1995	09/95	3490-95-02
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. 3490	Certification and Training for Children and Youth Workers		3490-96-03
	00	OCYF Bulletin Board Systems		00-96-02
	00	Update of Policies and Procedures for Juveniles in Detention		00-96-03
	00	Maximization of the OCYF's Grant Funds		00-96-04
	00	Surveying and Evaluating Child Welfare Agencies Implementation and Compliance with MEPA	00-96-06	
	00	Title IV-E and Title IV-A Invoicing/Two Year Limit		00-96-09
1997	Ch. 3001	Day Care—Exemption from Immunization Requirements	03/29/97	3001-97-01
	Ch. 3001	Day Care—Ground Surface Requirements	06/01/97	3001-97-02
	Ch. 3140	Availability of Federal Financial Participation For Profit Residential Child Care Facilities	3140-97-02	
	Ch. 3140	AFCARS/SACWIS		3140-97-03
	Ch. 3140	Instructions—Random Moment Time Study	12/01/97	3140-97-11
	—	Megan's Law		00-97-03
	Ch. 3350	Statewide Adoption Network (SWAN) Policies and Procedures	01/15/98	3350-97-01
	—	Kinship Care Guidelines	10/01/97	00-97-06
	—	Access to Pennsylvania State Police Records	10/01/97	00-97-09
	—	Megan's Law—Providing Information Regarding Sexually Violent Offenders, Releasing Case Record Information	10/14/97	00-97-11
	—	Priority Placement Request Procedures for the Interstate Compact on the Placement of Children	12/01/97	00-97-12
1998	Ch. 3140	NMEPA 1994—Small Business Job Protection Act of 1996	02/07/98	3140-98-03

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	—	Children Placed a Substantial Distance From Home	02/01/98	00-98-03
	—	1997 Association of Juvenile Compact Administrators Rules and Regulations Amended Travel Permit	06/01/98	00-98-06
	Ch. 3490	Certification and Training Requirements for Children and Youth Supervisors	10/01/98	3490-98-01
1999	Ch. 3001	Release of Children	09/07/99	3001-99-01
	Ch. 3140	Adoption Assistance Questions and Answers		3140-99-01
	Ch. 3140	Policies and Procedures for Claiming Title IV-E Administrative Costs for Non-Residential Purchase of Service Contracts	06/09/99	3140-99-03
	Ch. 3140	Act 148 Invoicing Procedures for County Child Welfare Services	03/31/99	3140-99-04
	Ch. 3490	Drug Convictions Prohibiting Hiring and Approving Foster/Adoptive Parent Applications	02/03/99	3490-99-01
	Ch. 3490	Implementation of Revisions to the Child Protective Services Law as Amended by Act 127 of 1998	10/01/99	3490-99-02
2000	Ch. 3140	YDC/YFC Interim Per Diem Rate	03/31/00	00-00-01
	Ch. 3140	TANF—Retroactive Eligibility Determinations	04/15/00	3140-00-01
	Ch. 3140	Invoicing Procedures—Child Welfare TANF	04/15/00	3140-00-03
	Ch. 3140	Needs-Based Instructions - FY 2001-02 Plan and FY 2000-01 Implementation Plan	05/09/00	3140-00-04
	Ch. 3140	County Children and Youth Program Title XX and Title IV-B Procedures	05/22/00	3140-00-05
	Ch. 3140	Federal Financial Participation Rate Change for Title IV-E Placement Maintenance and Adoption Assistance Costs	12/29/00	00-00-05
	Ch. 3140	AFCARS Planning, Budgeting and Invoicing Procedures	08/15/00	3140-00-02
	Ch. 3140	Youth Development Centers/ Youth Forestry Camps—Interim Per Diem Rates	05/18/01	00-01-02
	Ch. 3270 Ch. 3280	Overpopulation of Indoor Child Care Space	06/01/00	3001-00-01
	Ch. 3490	Child Death Review and Report Protocols	10/10/00	3490-00-01
	Ch. 3490	Safety Assessment and Safety Planning Protocol and Format	11/13/00	3490-00-02
2001	Ch. 3130	The Second Revised Interim Guidelines for the Adoption and and Safe Families Act of 1997	01/02/01	3130-01-01
	Ch. 3140	Youth Development Centers/ Youth Forestry Camps—Interim Per Diem Rates	5/18/01	00-01-02

**GUIDANCE MANUALS:**

- Update of Policies and Procedures for Juveniles in Detention
- Clearance Statements for School Employees
- Office of Children, Youth and Families Bulletin Board System
- 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*
- 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
- 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
- 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
- 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
- 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:**

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
		Collecting of Tuition Expenses for School-Age Residents in MR & MH Residential Facilities		
1982	Ch. 4000	Respon. for Collection of Tuition Exp. Under Act 199 of 1980 for Out-of-State Residents	03/17/82	199-82-01
	Ch. 4000	Notice of Assessments (Joint MH/MR Bulletin)	04/16/82	99-82-15
1985	Ch. 4000	County Indirect Cost Allocation Plan Guideline Update--Maintenance In Lieu of Rent as a Direct Cost (Joint MH/MR Bulletin)	8/22/85	99-85-17
1986	Ch. 6000	Procedures for Review of Service Eligibility and Termination Decisions	01/17/86	99-86-01
1987	Ch. 4305	Community MH/MR Liability	05/21/87	4305-87-2
1988	Ch. 4305	Quarterly Liability Summaries	01/29/88	4305-88-01

**Office of Mental Health and Substance Abuse Services—Contact: Kathy Raptosh (717) 787-4114**

**POLICY STATEMENTS:**

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
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. MH/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
		Emerich v. Philadelphia Center for Human Development 720 A.2d 1032 (Pa. 1998) (Duty to Ward Third Parties—Tarasoff in Pennsylvania)	09/15/99	OMHSAS-99-09

**POLICY STATEMENTS:****Office of Mental Retardation—Contact: Mel Knowlton (717) 783-5764**

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1981	Ch. 6000	Policies and Procedures Governing Admissions, Commitment, Transfers, and Discharges at State-Operated Mental Retardation Facilities	12/01/81	99-81-51
1984	Ch. 6000	Therapeutic Leave Gdlines for 2176 Waiver Facilities & State/ Non-State ICFs/MR	08-01/84	99-84-08
	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
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	99-97-15
	Ch. 6000	Submission of Cost Rpts (MA-11s) to OMR	10/09/87	99-87-16
	Ch. 6000	Conversion of Comm. Res. MR Facilities to ICF/MR	10/23/87	99-87-17
	Ch. 6000	DPW Reimbursement Guide. Hepatitis B in Comm. MR Fac.	11/25/87	99-87-06
1988	Ch. 6000	Mandatory Child Abuse and Criminal History Clearances	05/31/88	6000-88-02
	Ch. 6000	Preventing, Managing and Reporting Unusual Incidents and Deaths	08/01/88	6000-88-04
	Ch. 6000	Licensing Policy and Procedure Manual	08/30/88	6000-88-03
	Ch. 6000	Administration and Management of Client Funds	10/05/88	6000-88-08
1989	Ch. 6000	Guidelines for Enhancing and Conducting Direct and Independent Assessment	10/16/89	6000-89-01
1990	Ch. 6000	Provider Agreements Under the 2176 Waiver	09/18/90	6000-90-04
	Ch. 6000	Family-Driven Family Support Services	12/12/90	6000-90-01
	Ch. 6000	Support for Independent Living	12/12/90	6000-90-02
	Ch. 6000	Therapy and Other Specialized Services	12/18/90	6000-90-05
	Ch. 6000	Policy on Employment for Persons with Mental Retardation	12/26/90	6000-90-06
1991	Ch. 4000	Services for Children in Foster Family Care Who Are Placed Out-of-County	11/22/91	4000-91-01
1996	Ch. 6000	Criteria for Approval of New Intermediate Care Facilities for People with Mental Retardation	04/06/96	6000-96-01
	Ch. 6000	Procedures for Funding Reserved Hospital and Leave Days Under 2176 Waiver	04/15/96	6000-96-02
1998	Ch. 6000	Guidelines To Supporting People Moving From State Centers Into The Community	03/27/98	00-98-03
	Ch. 6000	Waiver Funding For Prevocational, Supported Employment And Educational Services	04/07/98	00-98-04
	Ch. 6000	Supplemental Grant Agreement Medicaid Waiver For Infants, Toddlers and Families	05/07/98	00-98-05
2000	Ch. 6000	Service Preference in Medicaid Waivers for Individuals with Mental Retardation	08/04/00	11-01-00
	Ch. 6000	Person/Family Directed Support Waiver Supplemental Grant Agreement for 1999-2002	04/06/00	04-06-00

**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
- Domiciliary Care for Persons 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
- Act 28 of 1995
- Reorganization of the Office of Mental Retardation
- 2001 FTA Section 5310 Capital Assistance Program
- Announcement—Medications Administration Training
- 1998-99 Annual Report
- Medicaid Waiver for Infants, Toddlers and Families

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**REVENUE**


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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), or FAX request to (717) 985-3234.

- 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)
- PAKOZ—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-now part of REV1200 book)
- 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(I) Estimated PIT Replacement Coupon for Individuals
- PA-40ESR(F/C) Estimated PIT Replacement Coupon for Fiduciaries/Corporations
- 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-181 Application for Tax Clearance
- REV-183 Affidavit 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-330 Electronic Filing Program Guide
- REV-330I Introducing e-Tides
- 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-491 PA TIDES/EDI Brochure (Electronic Data Interchange)
- REV-493 Prop. Tax/Rent Rebate Insert (PATAXES)
- REV-502 FACT Line Brochure/ PATAXES

- 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-580- CAQ-Employer Withholding Brochure
- REV-581 CAQ-Personal Income Tax Brochure
- REV-582 CAQ-Corporation Taxes
- REV-584 CAQ-Inheritance Tax Brochure
- REV-585 CAQ-Sales & Use Tax Brochure
- REV-588 Starting a Business in PA (A Beginner's Guide)
- REV-591 CAQ-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-696 Brochure-Who is an Independent Contractor (PENDING)
- 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-717 Retailer's Information Booklet
- REV-721 Corp. Tax Bulletin #121/Estimated Settlement
- REV-741 Insert on Tax Forgiveness
- REV-744 Brochure/Sales Tax PC Holiday
- REV-745 Brochure/Paperless Filing
- REV-748 Brochure/Services for E-Business
- REV-749 Electronic Signature
- REV-758 Brochure-PA PIT for College Students
- REV-816G Corp Tax Bulletin #92, Act 90 of December 1983
- REV-816I Corp Tax Bulletin #94, Shares Tax-Banks & Title Insurance Co.
- REV-816M Corp Tax Bulletin #108, Act 21,1989 Shares Tax Base Rate REV-816N Corp Tax Bulletin #95 Credits/Gross Premiums Tax Liability
- REV-851B PA Inheritance & Estate Tax Act, 1982
- REV-851C PA Inheritance & Estate Tax Act, 1991
- REV-851D PA Inheritance & Estate Tax Act, 1994
- REV-851E PA Inheritance & Estate Tax Act, 1995
- REV-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
- SEC32.38 Commercial Motion Pictures
- 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 Prothesis
- 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
- SEC55.06 Lawn Care Services
- 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
- SEC60.03 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
- SEC60.23 Pronouncement/Electric Utility Services
- SEC71.04 Cigarette Tax
- SEC85.02 Pronouncement/Master Settlement Agreement
- 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-331A Authorization Agreements for EFT Payments
- REV-335 Payment by EFT Regulation

**BUREAU OF CORPORATION TAXES, DEPT. 280700, HARRISBURG, PA 17128-0700, TELEPHONE (717) 787-8211.**

- E69 Important 1967 Legislative Changes
- E70 Important 1969 Legislative Changes
- E71 Important 1970 Legislative Changes
- E72 Important 1970 Legislative Changes
- E73 Important 1971 Legislative Changes-Tentative Tax-Reports & Payments
- F74 Important 1971 Legislative Changes
- F75 1972 Disaster Relief Policy with respect to CNI/CIT
- F76 1973 CNI/CIT
- F77 1974 CNI/CIT
- F78 1974 Tentative Tax-Reports & Payments Rates/CNI/CIT
- F79 1975 CNI/CIT
- F81 1976 Recycling Process
- F82 1977 New Address for Mailing Tax Reports and Remittances
- F83 1978 Important 1977 Legislative Changes Tax Rate
- F84 1979 Addressing Report and Remittances
- REV-816 Corp Tax Bulletin F-85 1982 CNI/CIT
- REV-816A Corp Tax Bulletin F-86 1982 CNI Tax, Delays application of depreciation changes in 1981 Federal Economic Recovery Tax Act
- REV-816B Corp Tax Bulletin F-87 1982 Gilbert Asso, Inc. v. Commonwealth
- REV-816C Corp Tax Bulletin 88 1983 CNI/Interest Rate/Oil Franchise Rate/Installment Payment of Tentative CNI Tax/Mutual Thrift Inst./PURTA/Employment Incentive Payments Credits
- REV-816D Corp Tax Bulletin 89 1983 Tentative CNI/Method 2 Election
- REV-816E Corp Tax Bulletin 90 1983 CNI Tax
- REV-816F Corp Tax Bulletin 91 1984 Act No. 90/Election to be Taxed as a PA S Corp.
- REV-816H Corp Tax Bulletin 93 1984 Act No. 29/Reporting and Payment of Public Utility Realty Tax Liability
- REV-816J Corp Tax Bulletin 96 Fixed Formula-Valuation of Capital Stock/Domestic and Foreign Corporations
- T-CT-1 Corp Tax Bulletin 98 1985 Gross Premiums Tax-Foreign Fire Insurance Co.
- T-CT-2 Corp Tax Bulletin 99 1985 Economic Revitalization Tax Credit



- T-CT-3 Corp Tax Bulletin 100 1985 Estimated CNI System
- T-CT-4 Corp Tax Bulletin 101 1986 Capital Stock/Franchise Tax Regulated Investment Co.
- T-CT-5 Corp Tax Bulletin 102 1986 Act No. 77-Reduction in rates for CNI/\$50,000 Deduction Capital Stock Value/Change in Definition of Net Worth
- T-CT-6 Corp Tax Bulletin 103 1987 Act No. 58-Reduction in Capital Stock/Foreign Franchise/Tentative Capital Stock/Tentative Franchise Tax Rates
- T-CT-7 Corp Tax Bulletin 104 1988 Notice to Mutual Thrift Institution Taxpayers
- REV-1743 Corp Tax Bulletin 105 1988 Tentative Capital Stock/Franchise Tax Method 2 Election
- DCT09 Corp Tax Bulletin 106 Notice to Mutual Thrift Institution Taxpayers
- REV-816L Corp Tax Bulletin 107 1989 Shares Tax-Banks, Bank & Trust Co., Trust Co.
- DCT13 Corp Tax Bulletin 109 Notice to Mutual Thrifts Inst./ Change in Base Rate
- DCT18 Corp Tax Bulletin 110 Major Filing Changes for 1991
- REV-176 Corp Tax Bulletin 111 1991 Major Changes on or after January 1, 1991
- REV-173 Corp Tax Bulletin 112A Notice regarding Recomputation of Safe Harbor and Recovery Payments
- REV-174 Corp Tax Bulletin 112B Notice of PA Corporations Fiscal Years beginning in July 1991 through and including December 1991
- DCT27 Corp Tax Bulletin 113 1991 Utilities Gross Receipts/PURTA
- DCT28 Corp Tax Bulletin 115 1991 Tax for Financial Inst. for Shares Tax/Mutual Thrift
- DCT29 Corp Tax Bulletin 114 1991 Annuities for Gross Premiums Tax Retroactive to July 1, 1991
- REV-440 Corp Tax Bulletin 116A 1994 Act 48 Changes
- REV-440A Corp Tax Bulletin 116B 1994 Act 48 Amended Shares Tax/Allowing Apportionment
- REV-440C Corp Tax Bulletin 116C 1995 Act 48 Concerning Business Trusts
- REV-440D Corp Tax Bulletin 117 1995 Double Weighted Sales Factor, Tax Rate Changes Fixed Formula, Processing Exemptions, Insurance Gross Premiums Tax, Utilities Gross Receipts Tax Commercial Printers & Tax Amnesty
- REV-440E Corp Tax Bulletin 118, Limited Liability Companies (LLC's) Reporting Requirements
- REV-525 Corp Tax Bulletin 119, Motor Vehicle Gross Receipts/Ambulance Services
- 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
- DPO22 Brochure/Working Together (also available from Community/Econ. Development)

**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
- DOP9—Statistical Report-Capital Stock/Franchise Tax/CNI Tax
- 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
- \*Instant Ticket Game Brochure
- \*Winning Numbers Lists
- Winners Newsletter
- Lottery Line-Retailer Newsletter
- PA Lottery Game Guide
- Compulsive Gambling Brochure
- Benefits and Rights for Older Pennsylvanians Booklet
- \*RSL-3 Lottery Retailer License Application

- \*RSL-209 Standard Claim Form
- \*RSL-291 On-Line Payout Odds Card
- \*RSL-355 Beneficiary Statement
- \*RSL-400 Lottery Fund Benefits Programs Brochure Comparative Statement of Income and Expenditures

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**PENNSYLVANIA SECURITIES COMMISSION**

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**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
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**STATE**

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**POLICY STATEMENTS:****Secretary of the Commonwealth**

- Use of Public Areas Outside the Capitol, 49 Pa. Code, Chapter 61
- Contact: Peter Dalina (717) 783-1775

**State Athletic Commission**

- Athletic Agents, 58 Pa. Code [00a7]§ 41.1-41.3
- Contact: Gregory Sirb (717) 787-5720

**Bureau of Professional and Occupational Affairs****State Board of Cosmetology**

- Use of Nail Enhancement Products Containing Methyl Methacrylate, 49 Pa. Code § 7.143
- Contact: Sara Sulpizio (717) 783-7130

**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 Examiners of Nursing Home Administrators**

- Temporary Permits, 49 Pa. Code § 39.17
  - Subordinate Supervision, 49 Pa. Code § 39.18
- Contact: Chris Stuckey (717) 783-7155

**State Board of Examiners in Speech-Language and Hearing**

- Disclosure of Financial or Ownership Interest, 49 Pa. Code § 45.3
- Contact: Clara Flinchum (717) 783-1389

**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

**State Board of Nursing**

- Scope of Practice Interpretations, 49 Pa. Code §§ 21.401-21.414
- Contact: Ann Steffanic (717) 783-7142

**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**

- Radiopharmaceutical Prescriptions, 49 Pa. Code § 27.101
- Contact: Melanie Zimmerman (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: Chris Stuckey (717) 783-7155

**State Real Estate Commission**

- Guideline: Assistants
  - Guideline: Home Offices
  - Guideline: Team Advertising
- Contact: Deborah Sopko (717) 783-3658

**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) 783-4866

**State Board of Cosmetology**

- Policy Manual
- Contact: Sara Sulpizio (717) 783-7130

**State Board of Dentistry**

- Assignment of Duties to Assistive Personnel: Guidelines
- Contact: Lisa Burns (717) 783-7162

**State Board of Medicine**

- Policy Manual
- Contact: Cindy Warner (717) 783-1400

**State Board of Nursing**

- Staff Suggestions for Nursing Education Curriculum Proposals (2000)
  - Curriculum Guidelines for the Approval of a CRNP Program (1993)
  - LPN and Central Venous Lines (1999)
  - Mechanisms for Ensuring Continued Competence/Reactivation Programs (1993)
  - Nursing Practice Guide RN/LPN (1999)
  - Alternative/Complementary Therapies (1997)
  - Criteria for a Pennsylvania Board Approved Intravenous Therapy Education Program for the Student/Graduate/Licensed Practical Nurse (1995)
- Contact: Ann Steffanic (717) 783-7142

**State Board of Physical Therapy**

- Policy Manual
- Contact: Robert Kline (717) 783-7134

**State Board of Psychology**

- Guidance Manual
- Contact: Chris Stuckey (717) 783-7155

**State Real Estate Commission**

- Guidance Manual
- Contact: Deborah Sopko (717) 783-3658

**Bureau of Commissions, Elections and Legislation**

- PA Voter Registration Act: Implementation Manual for County Election Officials
- Contact: Ted Koval (717) 787-5280

**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**

- Guidelines for Continuing Education Audit
- Contact: Chris Stuckey (717) 783-7155

**State Board of Medicine**

- Probable Cause Screening Committee
- Contact: Cindy Warner (717) 783-1400

**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: Chris Stuckey (717) 783-7155

**State Board of Veterinary Medicine**

- Probable Cause Screening Committee  
Contact: Robert Kline (717) 783-7134

**State Real Estate Commission**

- Internal Operating Guidelines  
Contact: Deborah Sopko (717) 783-3658

**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
- Instructions for Filing as an Independent Candidate
- Nomination Petitions
- Nomination Papers  
Contact: Monna Accurti (717) 787-5280
- Campaign Finance Reporting Law Pamphlet  
Contact: Mary Heinlen (717) 787-5280

**Bureau of Charitable Organizations**

- Registration Packets for Charitable Organizations, Professional Solicitors and Professional Fundraising Counsels  
Contact: Elissa Brown (717) 783-1720

**Corporation Bureau**

- A Guide to Business Registration in Pennsylvania  
Contact: Travis Blouch (717) 783-9310

**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**

- List of Approved Programs for RN, CRNP and LPN Education (updated as needed)
- List of Approved LPN Intravenous Therapy Education Programs (updated as needed)
- NCLEX Jurisdiction Program Summary of All First Time Candidates (updated quarterly)  
Contact: Ann Steffanic (717) 783-7142

**State Real Estate Commission**

- Applications: Experience Requirements and Point System for Applicants for Broker's Licenses  
Contact: Deborah 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. 14 390 1611 87 J (Thomas J. DiLauro, Chair)
- The "SERS News" member newsletter
- SERS Information Bulletins
- SERS Comprehensive Annual Financial Report
- Sample Domestic Relations Order and Instruction Letter
- Power of Attorney form
- 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.

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**TRANSPORTATION**

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**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, Dual Units (Pub. 13M)
- Design Manual Part 3, Dual Units (Pub. 14M)
- Pile Load Test Summaries (Pub. 15A)
- Design Manual Part 4, Dual Units (Pub. 15M)
- Design Manual Part 5 (Pub. 16)
- Design Manual Part 5, Metric (Pub. 16M)
- Design of Local Roads, Dual Units (Pub. 70M)
- Roadway Construction Standards, Dual Units (Pub. 72M)
- Bridge Design Standards, Dual Units (Pub. 218M)
- Bridge Construction Standards, Dual Units (Pub. 219M)
- Right-of-Way Encroachments and Outdoor Advertising Sign Control (Pub. 266)
- Roadway Specifications (Pub. 408/2000)

**Bureau of Environmental Quality**

- Waste Site Evaluation Procedures for the Highway Project Development Process (Pub. 281)

**Bureau of Maintenance & Operations**

- Pavement Policy Manual (Pub 242)
- Oversize/Overweight Special Hauling Permits Holiday Movement Restrictions (annual letter)

**Bureau of Construction & Materials**

- Geo-technical 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

**Bureau of Equal Opportunity**

- Minority/Female Resource Guide, 3/99
- OJT—Training Manual
- DBE Directory
- Highway and Bridge Subcontractor's Manual (Pub. 412)

**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, (Dual Units) (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)
- Guide to Roundabouts (Pub. 414)
- Specifications for Consultant Engineering Agreements (Form 442)

**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**

- Procedures for Administration for Municipal Projects (Pub. 39)

**Center for Program Development and Management**

- Congestion Management System (CMS) Planning Guidance
- 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 Driver Licensing**

- Physician Reporting Packet to Determine Medical Competency for Drivers
- Tutor's Guide for Young Drivers

**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**

- Administration of Consultant Agreements (Pub. 93)
  - Appraisal Guide (Pub. 94M)

**Bureau of Environmental Quality**

- Design Manual Part 1A. Environmental Impact Assessment and Related Procedures (Pub. 24)
- 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)
- Agriculture Resources Evaluation (Pub. 324)
- Wetlands Resource Handbook (Pub. 325)
- 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
- 2000 PA Traffic Data Book

**Center for Program Development and Management**

- Single Occupancy Vehicle Capacity Adding Project (SOVCAP) Guidance
- Rail-Highway Grade Crossing Safety Program Guidance
- HOP Land Use Questionnaire

**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)
- 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)

**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 1998-99 and 1999-00 (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 Department of Transportation Contract Sales Store, P.O. Box 2028, Keystone Bldg., 5th Floor, Harrisburg, PA 17120-0095; 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. 01-1430. Filed for public inspection August 3, 2001, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

Section 5(d) and (g) of the Regulatory Review Act (71 P. S. § 745.5(d) and (g)) provides 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 committees' comment period. The Commission's Comments are based upon the criteria contained in section 5.1(h) and (i) of the Regulatory Review Act (71 P. S. § 745.5a(h) and (i)).

The Commission issued comments on the following proposed regulations. The agencies must consider these

comments in preparing the final-form regulations. 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>
7-362	Environmental Quality Board Stream Redesignations, Little Bush Kill, et al.  (31 Pa.B. 2375 (May 5, 2001))	07/19/01	06/19/03
15-416	Department of Revenue Master Settlement Agreement  (31 Pa.B. 2582 (May 19, 2001))	07/19/01	06/18/03

**Environmental Quality Board Regulation No. 7-362  
Stream Redesignations, Little Bush Kill, et al.**

**July 19, 2001**

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 Environmental Quality Board (EQB) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by June 19, 2003, the regulation will be deemed withdrawn.

**1. Criteria used to determine designations—Feasibility; Reasonableness.**

The Department of Environmental Protection uses comparisons between creeks to evaluate them for redesignation. We question the value of percentage comparisons between creeks because a succession of percentage comparisons could lead to degenerative criteria. For example, if Creek B meets 92% of Creek A criteria, Creek C could qualify by meeting 92% of Creek B criteria, even though Creek C only meets 85% of Creek A criteria. The data used to support a redesignation should be compared to more uniform benchmarks. An explanation is needed for why it is appropriate and reasonable to rely on percentage comparisons between creeks to support redesignations.

**2. Designation of a portion of Browns Run as Exceptional Value (EV)—Economic Impact; Reasonableness.**

The proposed regulation would redesignate approximately 25 stream miles in Browns Run, Dutchman Run and Morrison Run as EV. We have two questions.

First, the EV designations are based on biological condition scores greater than 92% of the reference stations in a reference stream. On what basis was East Hickory Creek selected as the reference stream?

Second, what economic impact will this have on the area surrounding Browns Run basin? Commentators are concerned that the proposed EV designations will interfere with completion of a large sewer project in Mead Township and the Borough of Clarendon, and with future development that would be possible as a result of the sewer project. Commentators are further concerned that the EV designations will negatively affect the timber harvesting and oil and gas production industries through more rigorous National Pollutant Discharge Elimination System permit requirements which will result in delays and increased costs.

The Regulatory Review Act criteria require consideration of the economic impact of a regulation. The supporting documentation for the proposed EV designations does not address the impact of the rulemaking on existing businesses and proposed development in the Browns Run watershed. Prior to submitting a final-form regulation, the economic impact of the proposed EV designations should be evaluated.

**3. Redesignation of the upper and lower segments of Little Bush Kill to EV—Reasonableness.**

The proposed regulation would redesignate approximately 27 stream miles in the upper and lower segments of Little Bush Kill as EV. The middle portion of the stream would retain the current High Quality—Cold Water Fishes designation (HQ-CWF). The result would be HQ-CWF waters flowing into EV waters. The criteria for

EV are more stringent than the criteria for HQ-CWF. Consequently, it does not appear logical to have HQ-CWF waters flow into EV waters. An explanation is needed for why this proposed redesignation is reasonable.

**4. Reference stream used for the Smithtown Creek water quality analysis—Reasonableness.**

In its comments, the Tincum Township Board of Supervisors opposes the use of Pine Creek and South Branch French Creek as reference streams. It asserts that Beaver Creek and Tincum Creek would be more appropriate. On what basis were Pine Creek and South Branch French Creek selected as reference streams?

**5. Bundling stream redesignations—Reasonableness.**

The EQB typically includes several stream redesignations in a single regulatory package. We recognize the administrative economy of this approach. However, including controversial stream redesignations with noncontroversial redesignations at the final-form rulemaking stage can delay approval of the noncontroversial redesignations.

To avoid delaying approval of noncontroversial redesignations, we urge the EQB to unbundle any redesignations which are identified as controversial at the proposed rulemaking stage. These redesignations could then be submitted as separate final-form rulemakings. The EQB could identify in the Preamble to the final-form rulemakings any redesignations which have been separated due to their controversial nature.

**Department of Revenue Regulation No. 15-416**

**Master Settlement Agreement**

**July 19, 2001**

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 Department of Revenue (Department) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by June 18, 2003, the regulation will be deemed withdrawn.

**1. Section 71.31. Definitions.—Clarity.**

The definitions in the regulation of *Affiliate*, *Cigarette*, *Qualified escrow fund*, *Tobacco product manufacturer* and *Units sold* repeat or modify the definitions in the Tobacco Settlement Agreement Act (Act) (35 P. S. § 5673). These definitions should be referenced rather than repeated in regulation.

Also, the term "person" is used in the regulation, but is not defined. For clarity, this term should be added to the definitions with a reference to the Act.

**2. Section 71.32. Additional cigarette stamping agent responsibilities.—Economic impact; Need; Clarity.**

There are two concerns.

First, subsection 71.32(a) requires reporting in addition to the information already reported under an existing provision at section 71.9(a). Section 71.9 is titled "Cigarette stamping agent report requirements." Since section 71.32(a) is adding new informational requirements to section 71.9, the Department should amend section 71.9 by adding a cross-reference to section 71.32(a).

Second, section 71.32(a)(2) requires a listing of "suppliers, other than nonparticipating tobacco product manufacturers. . . ." Read in conjunction with the proposed definition of "nonparticipating tobacco product manufacturers," the stamping agent would be required to report on both participating and nonparticipating tobacco product manufacturers. It is our understanding that the intent of this provision is to require reporting of merchants or suppliers who obtained tobacco products from nonparticipating tobacco product manufacturers. Subsection (a)(2) should be revised to clearly state who must be included in a report.

**3. Section 71.33. Tobacco product manufacturer responsibilities.—Statutory authority; Need; Duplication of statute; Clarity.**

The Department's statutory authority to promulgate regulations is contained within the definition of "units sold" at 35 P. S. § 5673. The relevant language in this definition limits the Department's authority to promulgate regulations "as are necessary to ascertain the amount of State tax paid on the cigarettes of such tobacco product manufacturer for each year."

This section repeats the statutory provisions in 35 P. S. § 5674 (relating to requirements), which outline the functions of the Attorney General. Nothing in this provision relates to the Department's authority to ascertain the amount of state tax paid on tobacco products. Therefore, we question the Department's statutory authority for this section.

In addition to our concern about the Department's statutory authority, we question the necessity for this provision. It merely duplicates self-executing statutory provisions. If this section is retained, the Department should explain how it is authorized, why it is needed, and how it will be enforced.

If section 71.33 is retained, it should be amended. As of the date of these comments, the deadline in subsection (a)(2)(i), of April 15, 2001, has passed. Similarly, subsection (a)(2)(ii)(A) covers the period June 22, 2000, through December 31, 2000, which has expired. The Department should delete references to these dates or explain why they are needed.

JOHN R. MCGINLEY, Jr.,  
*Chairperson*

[Pa.B. Doc. No. 01-1431. Filed for public inspection August 3, 2001, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Redomesticate

Triumpher Casualty Company, a Texas stock casualty insurance company, has submitted a Plan of Redomestication, whereby it proposes to redomesticate from the State of Texas to this Commonwealth. The filing was made under the requirements set forth under the Business Corporation Law of 1988 (15 Pa.C.S. § 1 *et. seq.*). Persons wishing to comment on the redomestication 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 the 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 statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax to (717) 787-8557 or e-mail to rbrackbill@state.pa.us.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1432. Filed for public inspection August 3, 2001, 9:00 a.m.]

### Highmark Inc. d/b/a Pennsylvania Blue Shield; Non-Group Direct Pay Medical/Surgical Plans; Filing No. 200136

Highmark Inc., d/b/a Pennsylvania Blue Shield, requests approval to increase its base rates for Non-Group Direct Pay Medical/Surgical Plans in the Capital Blue Cross, Independence Blue Cross and Blue Cross of Northeastern Pennsylvania regions. Increases will vary as shown.

<i>Region</i>	<i>Percentage Increase</i>	<i>Increase PCPM</i>
Capital Blue Cross	12.45%	\$14.29
Independence Blue Cross	6.12%	\$5.01
Blue Cross of Northeast PA	6.79%	\$5.76

The filing requests an overall average increase of about 7.53% of developed premium. This will affect about 17,220 contract holders and produce additional annual base premium income of about \$1.4 million. The requested effective date of the change is January 1, 2002.

Copies of the filing are available for public inspection during normal working hours, by appointment, at the Insurance Department's regional offices in Harrisburg and Philadelphia.

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. 01-1433. Filed for public inspection August 3, 2001, 9:00 a.m.]

### Highmark Inc. d/b/a Pennsylvania Blue Shield; Non-Group Security 65 Medicare Supplement Rate Increase (Medicare Part B); Filing No. 200137

Highmark Inc. d/b/a Pennsylvania Blue Shield requests approval to increase its base rates for its Direct Pay Non-Group Security 65 Medicare Supplement plans in the Capital Blue Cross, Blue Cross of Northeastern Pennsylvania, and Independence Blue Cross regions. Increase vary Security 65 plan, and are summarized as follows:

<i>Region</i>	<i>Average Percentage Increase</i>	<i>Average Monthly Increase</i>
Capital Blue Cross	12.6%	\$5.83
Blue Cross of Northeastern Pennsylvania	4.5%	\$2.33
Independence Blue Cross	7.3%	\$5.50

The filing requests an overall increase of about 8.2% of developed premium. This will affect about 207,160 contract holders and produce additional premium income of about \$11.9 million. The requested effective date of the change is January 1, 2002.

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. 01-1434. Filed for public inspection August 3, 2001, 9:00 a.m.]

#### Ray M. Bitting Agency; Doc. No. AT01-06-014

A prereview telephone conference, to be initiated by this office, is scheduled for August 15, 2001, at 1 p.m.; each party shall provide the Docket Clerk the names and telephone numbers of those individuals participating in the telephone conference. A review shall occur on September 18, 2001, at 11 a.m. in Room 200, Capitol Associates Building, Administrative Hearings Office, 901 North Seventh Street, Harrisburg, PA 17102. If an attorney or representative for a party attending the conference does not have complete settlement authority relative to this matter, the party or persons with full settlement authority shall be available by telephone during the conference. During the prereview telephone conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and the documents anticipated for use at the review, estimated time for the review, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter. On or before August 1, 2001, each party shall file with the Administrative Hearings Office via facsimile, (717) 787-8781, and serve upon the other party via facsimile an entry of appearance designating the lead attorney or representative to receive service of orders, filings and communications in this matter, together with that person's address, telephone number and facsimile number. Each party shall similarly designate the lead attorney or representative who will participate in the prereview telephone conference, if different than the person designated for service. No prereview memoranda or other written submissions are required for the prereview telephone conference; however, the parties are encouraged to discuss settlement and possible stipulations pending the conference. Except as established during the prereview telephone conference, both parties shall appear at the scheduled review prepared to offer all relevant testimony or other 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 for photographs into evidence shall bring enough copies for the record and for each opposing party. Motions preliminary to those at review, protests, petitions to intervene or notices of intervention, if any, must be filed on or before August 8, 2001, with the Docket Clerk, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before August 13, 2001.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodations to participate in the hearing, should contact Tracey Pontius, Agency Coordinator at (717) 787-4298.

M. DIANE KOKEN,  
*Insurance Commissioner*

[Pa.B. Doc. No. 01-1435. Filed for public inspection August 3, 2001, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The following Liquor Control Board lease will expire:

Cambria County, Wine and Spirits Shoppe # 9724, 60 Fairfield Avenue, Johnstown, PA 15906.

Lease retail commercial space to the Commonwealth of Pennsylvania. Proposals are invited to provide the Pennsylvania Liquor Control Board with approximately 1,200 to 1,800 net useable square feet of new or existing warehouse space near Route 22 or 219 between Ebensburg and Johnstown. Space must have a man door and single truck garage door. Off-street parking for 3 to 4 maintenance trucks required.

*Proposals due:* August 24, 2001 at 12 noon

**Department:** Pennsylvania Liquor Control Board  
**Location:** Real Estate Division, State Office Building, Rm. 408, 300 Liberty Avenue, Pittsburgh, PA 15222  
**Contact:** Bruce VanDyke, (412) 565-5130

JOHN E. JONES, III,  
*Chairperson*

[Pa.B. Doc. No. 01-1436. Filed for public inspection August 3, 2001, 9:00 a.m.]

## MILK MARKETING BOARD

### Hearing and Presubmission Schedule; Milk Marketing Area No. 1

Under the provisions of the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 1 on September 5, 2001, commencing at 8:30 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing will be to receive testimony and exhibits concerning cost replacement in Milk Market-

ing Area No. 1. In accordance with section G of Official General Order A-890A, as amended by Official General Order A-890A (CRO 4), evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for corresponding quarters of calendar years 2000 and 2001; adjustments to announced Class II prices; and a reasonable rate of return to milk dealers. Evidence shall be based on the audited costs of a cross-section of milk dealers doing business in Area No. 1.

The staff of the Board is deemed to be a party to this hearing, and the attorneys representing staff are deemed to have entered their appearances. Other persons that may be affected by the Board order fixing prices in Area No. 1 may be included on the Board's list of parties by:

1. Having their counsel file with the Board, by 4 p.m. on August 14, 2001, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25, which shall identify by name and address the party on whose behalf the appearance is made. Thereafter, documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21, filing with the Board, by 4 p.m. on August 14, 2001, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. By 4 p.m. on August 24, 2001, each party shall file with the Board six copies and serve on all other parties one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on August 28, 2001, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code §§ 35.164, 35.165, 35.167 or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on August 17, 2001.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons who require this information in an alternate format should call (717) 787-4194 or (800) 654-5984 (PA Relay Service for TDD users).

LYNDA J. BOWMAN,  
*Secretary*

[Pa.B. Doc. No. 01-1437. Filed for public inspection August 3, 2001, 9:00 a.m.]

## Hearing and Presubmission Schedule; Milk Marketing Area No. 2

Under the provisions of the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 2 on September 5, 2001, commencing at 11:30 a.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing will be to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 2. In accordance with section G of Official General Order A-911, evidence will be limited to the following: annualized processing, packaging and delivery costs; current costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs for corresponding quarters of calendar years 2000 and 2001; value for shrinkage and sales of bulk milk and bulk cream and cream processing costs; adjustments to announced Class II prices; and a reasonable rate of return to milk dealers. Evidence shall be based on the audited costs of a cross-section of milk dealers doing business in Area No. 2.

The staff of the Board is deemed to be a party to this hearing, and the attorneys representing staff are deemed to have entered their appearances. Other persons that may be affected by the Board order fixing prices in Area No. 2 may be included on the Board's list of parties by:

1. Having their counsel file with the Board, by 4 p.m. on August 14, 2001, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25, which shall identify by name and address the party on whose behalf the appearance is made. Thereafter, documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21, filing with the Board, by 4 p.m. on August 14, 2001, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. By 4 p.m. on August 24, 2001, each party shall file with the Board six copies and serve on all other parties one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as

an expert shall be so identified, along with the witness's area or areas of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on August 28, 2001, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code §§ 35.164, 35.165, 35.167 or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on August 17, 2001.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons who require this information in an alternate format should call (717) 787-4194 or (800) 654-5984 (PA Relay Service for TDD users).

LYNDA J. BOWMAN,  
*Secretary*

[Pa.B. Doc. No. 01-1438. Filed for public inspection August 3, 2001, 9:00 a.m.]

#### Hearing and Presubmission Schedule; Milk Marketing Area No. 4

Under the provisions of the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 4 on September 5, 2001, commencing at 2:30 p.m. in Room 202, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement, as set forth in section G of Official General Order No. A-900. Testimony and exhibits will also be accepted relative to the actual skim and butterfat contents of the regulated products, shrinkage and sales of bulk milk and bulk cream and cream processing costs; and adjustments to announced Class II prices.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered an appearance. Other persons that may be affected by the Board order fixing prices in Area No. 4 may be included on the Board's list of parties by:

1. Having their counsel file with the Board, by 4 p.m. on August 14, 2001, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25, which shall identify by name and address the party on whose behalf the appearance is made. Thereafter documents and other written communications required to be served upon or furnished to that party shall be sent to the attorney of record.

2. If unrepresented by counsel and wishing to appear on their own behalf under 1 Pa. Code § 31.21, filing with

the Board, by 4 p.m. on August 14, 2001, an address to which documents and other written communications required to be served upon them or furnished to them may be sent.

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 copies of each document for the use of nonparties attending the hearing.

1. By 4 p.m. on August 24, 2001, each party shall file with the Board seven copies and serve on all other parties one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on August 28, 2001, each party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code §§ 35.164, 35.165, 35.167 or 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on August 17, 2001.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

Persons who require this information in an alternate format should call (717) 787-4194 or (800) 654-5984 (PA Relay Service for TDD users).

LYNDA J. BOWMAN,  
*Secretary*

[Pa.B. Doc. No. 01-1439. Filed for public inspection August 3, 2001, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Default Order

Public Meeting held  
July 13, 2001

*Commissioners Present:* Glen R. Thomas, Chairperson;  
Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.;  
Terrance J. Fitzpatrick

*Law Bureau Prosecutory Staff v. Keystone Kalling, Inc.*  
(2000.0348); C-00015456

**Default Order**

*By the Commission:*

On January 17, 1998, the Commission entered an Order approving the application of Keystone Kalling, Inc. (Keystone Kalling) at A-310711 for authority to offer telecommunications services as a competitive local exchange carrier (CLEC) within Pennsylvania. On March 8, 2001, Law Bureau Prosecutory Staff mailed a letter to Keystone Kalling stating that its CLEC authority may be rescinded if the Commission did not receive Keystone Kalling's initial tariff within 60 days from the date of the letter. Having not received a tariff from Keystone Kalling within the 60-day time limit, on May 22, 2001, Law Bureau Prosecutory Staff filed a complaint against Keystone Kalling. The Complaint charged that Keystone Kalling violated Section 1302 of the Public Utility Code, 66 Pa.C.S. § 1302, relating to the filing of tariffs, by not filing an initial tariff within the prescribed time. Section 1302 provides in pertinent part:

Under such regulations as the commission may prescribe, every public utility shall file with the commission, within such time and in such form as the commission may designate, tariffs showing all rates established by it and collected or enforced, or to be collected or enforced, within the jurisdiction of the commission.

According to the post office receipt, service of the complaint was perfected on May 22, 2001. To date, more than 20 days later, no answer has been filed to the complaint and no tariff has been filed.

Our records show that Keystone Kalling has no reported customers at this time; and, in fact, in January, 2000, the Commission was involved in notifying Keystone Kalling's then-customers that Verizon Pennsylvania was terminating resale service to Keystone Kalling for non-payment of wholesale bills;

*Therefore,*

*It is Ordered:*

1. That the allegations in Law Bureau Prosecutory Staff's complaint are deemed admitted and the complaint is thereby sustained.
2. That 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. That Keystone Kalling, Inc. immediately cease providing service to any new local exchange customers and, within 10 days of the entry date of this order, provide a written notice to any of existing local exchange customers directing each to select an alternative local exchange carrier 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 provisional authority absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.
4. That absent the filing of adverse comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, Keystone Kalling, Inc.'s provisional authority at A-310711 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.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1440. Filed for public inspection August 3, 2001, 9:00 a.m.]

**Default Order**

Public Meeting held  
July 13, 2001

*Commissioners Present:* Glen R. Thomas, Chairperson; Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.; Terrance J. Fitzpatrick

*Law Bureau Prosecutory Staff v. Omni-Call, Inc.*  
(2000.0348); C-00015434

**Default Order**

*By the Commission:*

On February 5, 1999, the Commission entered an Order approving the application of Omni-Call, Inc. (Omni-Call) at A-310714 for authority to offer telecommunications services as a competitive local exchange carrier (CLEC) within Pennsylvania. On March 14, 2001, Law Bureau Prosecutory Staff mailed a letter to Omni-Call stating that its CLEC authority may be rescinded if the Commission did not receive Omni-Call's initial tariff within 60 days from the date of the letter. Having not received a tariff from Omni-Call within the 60-day time limit, on May 14, 2001, Law Bureau Prosecutory Staff filed a complaint against Omni-Call. The Complaint charged that Omni-Call, Inc. violated Section 1302 of the Public Utility Code, 66 Pa.C.S. § 1302, relating to the filing of tariffs, by not filing an initial tariff within the prescribed time. Section 1302 provides in pertinent part:

Under such regulations as the commission may prescribe, every public utility shall file with the commission, within such time and in such form as the commission may designate, tariffs showing all rates established by it and collected or enforced, or to be collected or enforced, within the jurisdiction of the commission.

According to the post office receipt, service of the complaint was perfected on May 14, 2001. To date, more than 20 days later, no answer has been filed to the complaint and no tariff has been filed.

Our records show that no customer complaints against Omni-Call, Inc. have ever been filed with our Bureau of Consumer Services. Furthermore, our Bureau of Fixed Utility Services reports that the company filed annual reports for 1999 and 2000. Omni-Call reported CLEC revenues of \$238 and \$8 respectively for years 1999 and 2000. The company did not report a customer count. On this basis, it is reasonable to believe that although Omni-Call, Inc. has customers for its reseller of interexchange toll services, it has few or no CLEC customers;

*Therefore, It Is Ordered That:*

1. The allegations in 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. Omni-Call, Inc. immediately cease providing service to any new local exchange customers and, within 10 days of the entry date of this order, provide a written notice to any of its existing local exchange customers directing each to select an alternative local exchange carrier 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 provisional authority absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse comment, 30 days after publication in the *Pennsylvania Bulletin* and without further action by the Commission, Omni-Call, Inc.'s provisional authority at A-310714 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.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1441. Filed for public inspection August 3, 2001, 9:00 a.m.]

**Implementation of Number Conservation Measures  
Granted to the Commonwealth by the Federal  
Communications Commission in its Order Re-  
leased July 20, 2000—1K Pooling; M-00001427  
P-00961027F0002**

Public Meeting held  
July 13, 2001

*Commissioners Present:* Glenn R. Thomas, Chairperson;  
Robert K. Bloom, Vice Chairperson; Aaron Wilson, Jr.;  
Terrance J. Fitzpatrick

**Order**

*By the Commission:*

*Introduction*

On May 24, 2001, the Commission adopted an order directing that Pennsylvania's second interim pooling trial be implemented in the Pittsburgh area on October 29, 2001. We also directed all local number portability-capable (LNP) carriers who have numbers in the 412 and 724 area codes (also referred to as Numbering Plan Areas or NPAs) to implement various pre-pooling guidelines, such as block protection, on June 25, 2001. Finally, we also requested comments from interested parties regarding implementation issues and indicated that a second order would be adopted at a July public meeting. In this order we name NeuStar, Inc. as our pooling administrator, schedule the First Implementation Meeting for August 6, 2001, at 11 a.m. and set forth parameters regarding the current rationing in the 412 area code in consideration of the pooling trial.

*Background*

Federal and State statutes have afforded new telephone companies the opportunity to compete against existing

ones for local telephone business.<sup>1</sup> These statutes were designed to foster competition in the telecommunications marketplace with the hope of ultimately lowering prices and improving choices for consumers. Unfortunately, however, the proliferation of fax machines, computer modems, cellular phones, and competitive carriers in the local service market have created an unprecedented demand for NXX codes.<sup>2</sup> Consequently, area codes are rapidly exhausting in Pennsylvania and Nationwide.

The Commission, in addition to other state and Federal regulators as well as the telecommunications industry, has been dedicated to finding a solution for this complex numbering problem for several years. Efforts concerning numbering resources have focused both on developing methods of allocating numbers more efficiently and on developing methods for increasing carriers' accountability for the numbering resources they are allocated. One conservation measure with the potential of significantly slowing the depletion of numbering resources is number pooling. "Pooling" refers to sharing spare resources, and thousands-block pooling (1K pooling) is a method of assigning them. In number pooling, there is an inventory of telephone numbers that participating service providers<sup>3</sup> share and use in groups of 1,000 numbers. The entity that monitors the pool and allocates the pool's resources is the Pooling Administrator. Service providers participating in the pool contribute numbers to the pool through 1,000 block donations. When these resources are not enough to meet the forecasted needs of the participating service providers, then the Pooling Administrator seeks a 10,000 block (or NXX code) assignment from the North American Numbering Plan Administrator (NANPA).<sup>4</sup>

On July 20, 2000, the FCC issued an order (FCC's Delegation Order) granting the Commission's request to implement 1K pooling on an interim trial basis in Pennsylvania.<sup>5</sup> More specifically, the Commission was given the authority to implement 1K pooling in the Philadelphia Metropolitan Statistical Area (MSA)<sup>6</sup> or the Pittsburgh MSA and in any new NPA implemented to relieve numbering shortages in these two MSAs. The

<sup>1</sup> See, The Communications Act of 1934, as amended by the Telecommunications Act of 1996, 47 U.S.C. § 251(e)(1), and Chapter 30 of the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 3001—3009.

<sup>2</sup> NXX codes are the three digits following the area code in a 10-digit telephone number. Under the current infrastructure, telephone numbers are assigned to carriers by NXX code (each NXX code contains 10,000 numbers). Once those 10,000 numbers are given to the carrier, they are unavailable for assignment to any other carriers. Therefore, a carrier having a need for only 10 numbers because it has only 10 customers, still receives a full NXX code (10,000 numbers). Of those 10,000 numbers, 10 are assigned to end users, and the remaining 9,990 numbers become unused and unavailable for assignment to any other carrier that may be able to use them. Consequently, the amount of NXX codes in an area code can exhaust very quickly. As a result of this, new area codes need to be opened so that new NXX codes become available for use by carriers to assign numbers to end users.

<sup>3</sup> To be able to participate in 1K pooling a carrier must be LNP-capable. See Report and Order and Further Notice of Proposed Rulemaking in the Matter of Numbering Resource Optimization, CC Docket No. 99-200, 15 FCC Rcd 7574, ¶ 116 (2000). Although the telephone network is designed to route traffic based on the assignment of an NXX code (10,000 numbers) to one specific carrier, the introduction of LNP has begun to make the network more flexible. Because LNP enables the switch-specific restriction of telephone number assignments to be removed, any telephone number can be assigned to any switch offering service in the telephone number's rate center. Consequently, all LNP-capable providers who service a particular rate area can share all telephone number resources. By making the entire spare number inventory available to many providers, telephone number utilization can be improved and expand the life of an NPA. Service providers who cannot participate in the pool would continue to receive NXX codes from the code administrator in 10,000 blocks.

<sup>4</sup> The NANPA is the entity responsible for allocating numbering resources to telecommunications carriers and monitoring the life span of area codes. The NANPA works under a contract with the Federal Communications Commission.

<sup>5</sup> *In the Matter of Numbering Resource Optimization*, CC Docket Nos. 99-200, 96-98, NSD File No. L-99-101. (FCC's Delegation Order). Beyond 1K pooling, this order also grants the Commission authority to do the following: 1) maintain rationing procedures for 6 months following implementation of NPA relief, 2) implement NXX code sharing (after investigating it, reporting results to FCC, and determining that it is feasible and economically viable), and 3) hear and address claims for an extraordinary need for numbering resources in an NPA subject to a rationing plan.

<sup>6</sup> MSAs are geographic areas designated by the Bureau of Census for purposes of collecting and analyzing data. The boundaries of MSAs are defined using statistics that are widely recognized as indications of metropolitan character. See *Policy and Rules Concerning Rates for Dominant Carriers*, Memorandum Opinion and Order, 12 FCC Rcd 8115, 8122 (1997). See also <http://www.census.gov/>



Commission was required to first implement 1K pooling in a single MSA and not expand to another MSA until pooling was fully implemented in the initial one. Using this authority, the Commission implemented Pennsylvania's first interim 1K pooling trial on April 27, 2001, in the Philadelphia area 610/484 NPAs.<sup>7</sup>

Upon implementation of our first interim 1K pooling trial, we mandated in our May 24, 2001, order that our second 1K pooling trial commence on October 29, 2001, in the 412 and 724 NPAs as well as the 878 NPA (which overlays both 412 and 724). Further, we sought comments regarding various implementation issues such as what company should be selected to administer our Pittsburgh area and any other future pooling trials and how to deal with the rationing currently in effect in the 412 NPA. Comments were due on July 2, 2001, with no provision for reply comments. We received and considered comments from Verizon Pennsylvania Inc. (Verizon), The United Telephone Company of Pennsylvania and Sprint Communication Company L.P. (Sprint) and AT&T Wireless Services, Inc. (AT&T Wireless). We adopt this second pooling order as a result of the review of the comments filed.

The Commission remains committed to having adequate numbering resources available to all telecommunications providers while being mindful of the impact of proliferating new area codes on Pennsylvania's citizens. By implementing 1K pooling in combination with other number conservation measures,<sup>8</sup> the Commission will better ensure that telecommunications carriers have adequate numbering resources without needing to resort to adding new area codes.

### Discussion

#### I. NeuStar Will Administer All Future Pennsylvania Pooling Trials

In our May 24, 2001, order on this matter, we sought comment regarding what company should be our interim pooling administrator for the Pittsburgh and subsequent pooling trials in Pennsylvania. The interim pooling administrator handles the mechanics of the 1K pooling trial and, at the time of our May 24, 2001, order, there were potentially two companies which could administer the pool, Telcordia Technologies and NeuStar, Inc. Although NeuStar was selected as the interim pooling administrator for our 610/484 1K pooling trial, the final order regarding that pooling trial<sup>9</sup> did not indicate that NeuStar would administer subsequent 1K pooling trials in Pennsylvania. Therefore, since Telcordia was still

interested in administering pooling trials when our May 24, 2001, order was adopted, we decided that both NeuStar and Telcordia should have the opportunity to submit comments to us explaining why their company should administer Pennsylvania's future pooling trials.

We did recognize in our May 24, 2001, order, however, that the FCC was in the process of naming a National pooling administrator. In the *FCC's Numbering Order*,<sup>10</sup> the FCC determined that 1K number pooling should be implemented nationally by a National pooling administrator chosen by the FCC.<sup>11</sup> To that end, the FCC sought bids from interested companies and stated that 1K number pooling would be implemented on a National level within 9 months of the selection of a National pooling administrator.<sup>12</sup> Further, the FCC stated that upon the rollout of National pooling, all existing interim state trials would be taken over Nationally.

As of our May 24, 2001, order, the FCC had not selected which company would administer the National 1K pooling trials. Therefore, we decided in our May 24, 2001, order to seek comment on which company should serve as our future 1K pooling administrator. However, we did indicate that if the FCC selected a company prior to July 2001, then we would select that same company as our pooling administrator on a going-forward basis. On June 18, 2001, the FCC named NeuStar as the National pooling administrator.<sup>13</sup> Therefore, we will also name NeuStar as our interim pooling administrator for the Pittsburgh area pooling trial and for any other future Pennsylvania trials.

#### II. Our Second Interim Pooling Trial Will Be In The 412, 724 and 878 NPAs

We indicated in our May 24, 2001, order that our second interim 1K pooling trial will commence in the 412, 724 and 878 NPAs. While Sprint requests that the Commission limit the Pittsburgh area 1K pooling trial to the 412 NPA, it does not offer any supporting reasons. In its comments, Verizon also argues that the pooling trial should only be implemented in the 412 NPA and offers several reasons in support of this assertion. First, Verizon states that by pooling in the 724 and 878 NPA we will be violating FCC requirements that state commissions implement pooling in three NPAs per Number Portability Administration Center (NPAC)<sup>14</sup> region per quarter. Second, Verizon states that pooling in more than three NPAs per NPAC quarter per region is not practicable for large ILECs like Verizon because of the extensive operating support systems work it must do to identify, verify and remove thousand blocks for donation to the pool in each NPA. Third, Verizon argues that pooling in the 878 NPA, if pooling is only implemented in one of the underlying area codes (412), will be difficult to implement. Finally, Verizon notes that the effect of not adding the 724 NPA to the pooling trial will only be minor because the 724 NPA is in the Pittsburgh MSA and if it is put into jeopardy, it will be scheduled for National pooling sooner.

<sup>10</sup> *FCC's Numbering Order* supra note 3 at ¶¶ 143-155.

<sup>11</sup> *Id.* at ¶ 128.

<sup>12</sup> *Id.* at ¶ 156.

<sup>13</sup> Mike Balmoris, "Federal Communications Common Carrier Bureau Selects NeuStar, Inc. as National Thousands-Block Number Pooling Administrator," FCC News Release, June 18, 2001 available at [http://www.fcc.gov/Bureaus/Common\\_Carrier/News\\_Releases/2001/](http://www.fcc.gov/Bureaus/Common_Carrier/News_Releases/2001/).

<sup>14</sup> The NPAC was developed to support the implementation of LNP and it provides supporting turn-key operational services, coordinates the porting of telephone numbers between carriers, and downloads routing information to update local routing databases. The NPAC is divided into seven regions across the United States: Midwest, Mid-Atlantic, Northeast, Southeast, Southwest, Western, and West Coast. Pennsylvania along with Maryland, Virginia, and New Jersey, comprise the Mid-Atlantic NPAC region. More information about the NPACs can be found at <http://www.npac.com/>.

<sup>7</sup> Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released July 20, 2000—Thousands-Block Number Pooling, Opinion and Order Regarding the Petition of Verizon Pennsylvania Inc. For Expedited Reconsideration, Docket Numbers M-00001427 and P-00961061F0002 (Order entered February 9, 2001).

<sup>8</sup> See *Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released March 31, 2000—NXX Code Reclamation*, Docket No. M-00001373 (Order entered August 22, 2000), 30 Pa.B. 4701 (September 2, 2000) (Commission established process for reclaiming NXX codes from carriers who have failed to activate them within 6 months of their availability for assignment to customers.); *Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released July 20, 2000—NXX Code Rationing*, Docket Nos. M-00001427 and P-00961027F0002 (Order entered December 27, 2000) (Commission ordered that NXX code rationing would continue in the 412 and 878 area codes at a rate of six per month until February 17, 2002); *Rate Center Consolidation*, Docket No. M-00011452 (Order entered February 9, 2001) (Commission creates subcommittee charged with the responsibility of creating a plan for implementing rate center consolidation in Pennsylvania and submitting that plan to the Commission by August 1, 2001); and, *Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order Released July 20, 2000—NXX Code Sharing*, Docket Number M-00001427F0002 (Order entered February 26, 2001), 31 Pa. B. 1428 (March 10, 2001) (Commission sought comments regarding NXX code sharing).

<sup>9</sup> Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released July 20, 2000—Thousands-Block Number Pooling, Docket No. M-00001427 and P-00961061F0002 (Order entered December 27, 2000) at 21.

Although the request that we limit the Pittsburgh area pooling trial to the 412 NPA is untimely,<sup>15</sup> we have carefully considered and rejected this request for all of the following reasons. First, pooling has already occurred in more than three NPAs in the Mid-Atlantic region during the second quarter of 2001. In April 2001, Pennsylvania's first interim 1K pooling trial was implemented in the 610 and 484 NPAs. In June 2001, 1K pooling was implemented in Virginia's 804 and 434 NPAs. Consequently, in the second quarter of 2001, pooling was implemented in four NPAs in the Mid-Atlantic NPAC region. Verizon states that New Jersey is "booked" for pooling in January and February 2002 in two of their NPAs. However, January and February are not part of the fourth quarter 2001 which is when pooling will be implemented in the Pittsburgh area. We are only aware of pooling scheduled in Virginia's 757 NPA on October 12, 2001, and Virginia's 540 NPA on November 15, 2001. Therefore, the addition of Pennsylvania's 412 and 724 NPAs would mean the implementation of 1K pooling in four NPAs<sup>16</sup> in the Mid-Atlantic region for the fourth quarter of 2001 as was done during the second quarter of 2001.

Second, while we are mindful of the work involved for all carriers to implement 1K pooling, we do not believe that implementing pooling in all the Pittsburgh NPAs will unreasonably burden carriers. With respect to the ILECs, the 412 NPA is exclusively the territory of Verizon. However, there are three other ILECs in the 724 NPA geographic region and they comprise approximately half of the geographic area. Therefore, the burden of implementing a pooling trial in both of the geographic areas served by the 412 and 724 NPAs will not rest solely on one ILEC.

Third, we disagree with Verizon's assertion that the practical effect of not adding the 724 NPA into the pooling trial may only be a small one. To the contrary, we believe that by not adding the 724 NPA into the pooling trial we will be diminishing the success of the Pittsburgh area pooling trial. The purpose of 1K pooling is to preserve as many NXX codes as possible to lengthen the life of the area code. Further, in the specific circumstance of Pittsburgh, we want to preserve both the 412 and the 724 NPAs to avoid the premature assignment of new NXX codes from the 878 NPA. Thus, if we preserve many NXX codes in the 412 NPA through pooling but allow the 724 NPA to continue depleting its resources through NXX code assignment, then the 878 NPA will need to be opened to fulfill the needs of the 724 NPA. Consequently, any advantage gained in the 412 NPA as a result of pooling would be diminished by the fact that the 878 NPA overlay would need to be opened to alleviate the situation in the 724 NPA. Therefore, we believe pooling in both the 412 and the 724 NPAs is the best strategy to prevent the premature need to assign NXX codes from the 878 NPA.

Fourth, we do not agree with Verizon's assertion that the 724 NPA could be pooled during National rollout

sooner rather than later. Verizon bases this assertion on the premise that exhaust of the NXX codes in the 724 NPA would place the 724 NPA into a jeopardy status. According to Verizon, once the 724 NPA is placed into jeopardy, National pooling would come sooner. Area code relief, however, has been implemented for the 724 NPA in accordance with an industry consensus plan for the 878 NPA overlay. Therefore, the 724 NPA will not need to be declared to be in jeopardy; rather, when the 724 NPA NXX codes are exhausted then NXX codes from the 878 NPA will be utilized.

Finally, we do not interpret either the *FCC's Numbering Order*,<sup>17</sup> nor the *FCC's Delegation Order*<sup>18</sup> as prohibiting us from implementing the Pittsburgh area pooling trial in the 412, 724, and 878 NPAs. Paragraph 159 of the *FCC's Numbering Order* states "we also tentatively conclude that the [national] rollout should encompass a maximum of three NPAs in each NPAC region per quarter."<sup>19</sup> The restriction of the three NPAs per NPAC per quarter was in reference to the National rollout schedule. We find implementation of pooling in all three of Pittsburgh's area codes to be practical, reasonable and not unduly burdensome for all the reasons set forth above.

### III. First Implementation Meeting

In accordance with the Section 7.2.2 of the *Thousands-Block Number (NXX-X) Pooling Administration Guidelines*, INC 99-0127-023, issued January 8, 2001, the pooling administrator is required to hold a public meeting with all the service providers expected to participate in the 1K pooling trial. NeuStar's practice is to have the First Implementation Meeting for a second pooling trial in a state via conference call. Therefore, we will direct that a First Implementation Meeting for the Pittsburgh area pooling trial be held on August 6, 2001, at 11 a.m. The materials for this call will be submitted by NeuStar at a later date.

### IV. Rationing in the 412 and 878 NPAs

The 412 NPA was declared to be in jeopardy in October of 1999, and the industry subsequently reached a consensus to ration NXX codes at the rate of six per month. Using the authority we were delegated in the *FCC's Delegation Order*,<sup>20</sup> we entered an order on December 27, 2000, at M-00001427F0002 and P-00961027 directing that the rationing plan continue for 6 months after implementation of the 878 overlay. Consequently, rationing at a rate of six per month will continue in the 412 NPA until February 17, 2002. Further, if any NXX codes are assigned from the 878 overlay to rate centers in the 412 NPA, those will also be rationed at the rate of six per month.

The Commission sought comments regarding the necessity of continuing this rationing plan until February 2002 once the interim pooling trial is implemented in the Pittsburgh area. More specifically, the Commission inquired whether there is a benefit to having both a pooling trial and a rationing plan in the same NPAs. Further we were seeking comment on how to ration NXX codes among non-pooling carriers and the pooling administrator if both pooling and rationing were implemented.

Comments were filed by Verizon, Sprint and AT&T Wireless regarding this issue. All three commentators concur that the rationing in the 412 NPA should be

<sup>15</sup> Our May 24, 2001 order mandated pooling in the 412, 724 and 878 NPAs; we did not seek comments on this issue. Therefore, in accordance with our regulations, a petition for reconsideration of this issue should have been filed within 15 days after the May 24, 2001 order was entered. 52 Pa. Code § 5.572. We did not receive any petitions for reconsideration of our May 24, 2001 order.

<sup>16</sup> Regarding pooling in the 878 NPA, the 878 NPA is being implemented as an overlay over the 412 and 724 NPAs and no codes will be assigned from it until the NXX codes from either the 412 or the 724 NPA are depleted. See NANPA Planning Letter PL-281 available at [www.nanpa.com](http://www.nanpa.com). In the 412 NPA, there are approximately 92 NXX codes left. Since these are being rationed at a rate of six per month, they will not be exhausted prior to October 2001 and the opening of the pooling trial. In the 724 NPA, there are approximately 79 NXX codes left and we do not expect exhaust of all these NXX codes to occur prior to implementation of the October pooling trial. Consequently, no blocks should be allocated to carriers from the 878 NPA prior to pooling. Therefore, the carriers do not need to do any block assessments for the 878 NPA.

<sup>17</sup> *FCC's Numbering Order* supra note 3.

<sup>18</sup> *FCC's Delegation Order* supra note 5.

<sup>19</sup> *FCC's Numbering Order* supra note 3 at ¶ 159.

<sup>20</sup> *FCC's Delegation Order* supra note 5 at ¶ 63.

discontinued. Verizon states that the underlying reasons for rationing NXX codes are eliminated once pooling is implemented because unused numbers will need to be donated to the pool and shared by the pooling participants. Further, Verizon states that any continuation of rationing should be extended only to those carriers not participating in the pooling trial. Sprint argues that rationing of NXX codes is incompatible with FCC directives because it precludes carriers needing numbers from obtaining them. AT&T Wireless also argues the rationing should be ended with commencement of the pooling trial because the Commission's initial goals for extending the rationing plan will be moot upon implementation of the pooling trial.

While we recognize the difficulty of rationing for carriers, we do not believe that ending rationing upon the commencement of pooling in the 412 NPA would serve our goal of preserving the life of both the 412 NPA and the 878 NPA. In response to Verizon's argument that rationing loses its rationale upon implementation of pooling, we do not agree because not all carriers participate in pooling. Therefore, while pooling may force a certain number of carriers to share numbering resources, it does not force all carriers needing numbering to do so. Consequently, implementation of the pooling trial alone does not guarantee that numbers in the 412 NPA will not be prematurely assigned to carriers. Regarding Sprint's argument that rationing violates FCC directives, we note that the continuation of the current industry consensus rationing plan until February 2002 was done through the express delegation of authority we received in the FCC's *Delegation Order*.<sup>21</sup>

Having determined that rationing should continue in the 412 NPA even upon implementation of the 1K pooling trial, we now consider AT&T Wireless' proposal regarding how to modify the rationing in consideration of pooling. AT&T Wireless submits that we should adopt an "equal chance" procedure which would allow all carriers to receive needed numbering resources in jeopardy situations. Under this procedure, carriers not participating in the pooling trial would participate in the rationing according to the already established rules. Carriers participating in the pooling trial would similarly participate in the rationing under the established rules once the pooling administrator certifies that these carriers' need for numbering resources cannot be met through the pool. Finally, the pooling administrator would participate in the lottery when there is less than 6 months inventory in a rate center until the NPA is 6 months from exhaust.

We find merit in AT&T Wireless' approach to this situation in the sense that it attempts to ensure all carriers having a need for numbering resources be afforded the opportunity to receive them even in a rationing situation. However, we do have some concerns with this proposal such as the requirement that pooling carriers certify a need for numbers whereas non-pooling carriers do not need to do so. Further, there is no oversight regarding the pooling carriers' actual need for numbers. As we understand the proposal, the pooling administrator certifies that the carriers' need cannot be met by the numbering resources of the pool. However, the pooling administrator does not and should not be in the position of certifying that the need for the numbers exists.

Because of these concerns, we have decided to establish different guidelines. To that end, we are going to direct the NANPA to set aside 15 NXX codes in the 412 NPA for the use of the pooling administrator. These 15 NXX codes

will be outside the rationing process. This will enable the pooling administrator to replenish the pool on an as-needed basis. However, because the projected need of the pooling carriers is determined by the forecasted demand of the pooling carriers we have concerns about pooling carriers inflating their forecasted need for numbers. Therefore, we will direct that the pooling administrator certify to the Commission that the pooling carriers' need for numbering resources cannot be met through the pool. Upon receipt of the certification, we will reserve the right to request proof directly from the carriers forecasting the need for numbers that such need is necessary. Unless we notify NANPA to the contrary within 20 business days, these NXX codes can be released to the pooling administrator.

#### V. Requirements of Carriers

Pursuant to Federal rules effective July 17, 2000, all service providers are required to assign all available telephone numbers within an opened thousands-block before assigning telephone numbers from an uncontaminated thousands-block. 47 CFR 52.15(j)(1). This requirement applies to a service provider's existing numbering resources as well as to any new numbering resources it obtains in the future. Additionally, the new Federally-mandated utilization rate went into effect on May 8, 2001; per 47 CFR 52.15(h), carriers requesting growth codes in a particular rate center will need to show that they have achieved a 60% utilization threshold in the codes they already have in that rate center.

In our May 24, 2001, order, we established various pre-implementation guidelines for LNP-capable code holders in the Pittsburgh area in advance of the October 29, 2001, implementation date for our second interim 1K pooling trial. Consequently, all LNP-capable carriers in the Pittsburgh area were required to implement the following on June 25, 2001:

1. All code holders administer their codes in blocks of thousand numbers on a rate center basis.
2. All code holders set aside (i.e. restrict from assignment in their telephone administration systems) all unopened thousand blocks currently assigned to them, unless no other numbers are available.
3. All code holders refrain from assigning numbers from any thousands block in an NXX with 100 or fewer numbers currently in use unless no other numbers are available.

#### Conclusion

Because the Commission is concerned about the current availability and usage of numbering resources and the impact of proliferating new area codes on consumers as well as telecommunications carriers, the Commission intends to implement its second interim 1K pooling trial on October 29, 2001, in the Pittsburgh area. By taking this step to conserve and more efficiently use valuable numbering resources, the Commission will better ensure that telecommunications carriers have adequate numbering resources to operate in Pennsylvania; *Therefore,*

#### *It Is Ordered That:*

1. Pennsylvania's second interim pooling trial will be implemented in the 412, 724 and 878 area codes on October 29, 2001, by NeuStar, Inc.
2. A First Implementation Meeting will be convened on August 6, 2001, at 11 a.m. via conference call. The call-in number is: (816) 650-0748 and all LNP-capable carriers with NXX codes in the 412 and 724 area codes are hereby directed to participate.

<sup>21</sup> FCC's *Delegation Order* supra note 5 at ¶ 63.

3. The current rationing plan in effect in the 412 NPA to ration all NXX codes at the rate of six per month is to continue until February 17, 2002, and all non-pooling carriers are subject to this rationing per previously established guidelines.

4. The NANPA shall set aside 15 NXX codes in the 412 area code which are to be used by the Pooling Administrator to replenish the pooling area and these 15 NXX codes are not subject to the rationing procedures.

5. When the pooling administrator determines new NXX codes from the 412 NPA are needed to fulfill the forecasted demands of the pooling carriers, the pooling administrator shall certify this need to the Commission.

6. Upon certification by the pooling administrator that it needs NXX codes in the 412 area code, the Commission reserves the right to request proof directly from the carriers forecasting the need for numbers that such need is necessary.

7. Unless the NANPA is notified to the contrary by the Commission within 15 business days of the certification by the pooling administrator that NXX codes are needed, the requested NXX codes can be released to the pooling administrator.

8. A copy of this order be served to all code holders in Pennsylvania, the Office of Consumer Advocate, the Office of Small Business Advocate, Sandra Bocclair and Wayne Milby of the North American Number Plan Administrator, NeuStar, and Linda Hymans and Amy Putnam of NeuStar Pooling Administration.

9. A copy of this order shall be published both in the *Pennsylvania Bulletin* and on the Commission's web site at <http://puc.paonline.com/>.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1442. Filed for public inspection August 3, 2001, 9:00 a.m.]

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**Railroad  
With Hearing**

**C-00003725. City of Greensburg v. Norfolk Southern Railway Company, Westmoreland County, Commonwealth of Pennsylvania, Department of Transportation.** The City of Greensburg states the wall supporting Tunnel Avenue and the wrought iron fencing, owned and maintained by Norfolk Southern, is deteriorated and in need of replacement. They want to hold a hearing to determine responsibility for the reconstruction or replacement of the retaining wall.

An initial hearing on this matter will be held Friday, September 21, 2001, at 10 a.m. in the 11th floor hearing room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA, when and where all persons in interest may appear and be heard, if they so desire.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1443. Filed for public inspection August 3, 2001, 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 protests to the application. Protests to the applications published herein are due on or before August 27, 2001, 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 to *begin operating as common carriers for transportation of persons as described under each application.*

**A-00118047. Caremax, Inc., t/d/b/a Comfort Keepers #188** (105 Aqueduct Drive, North Wales, Montgomery County, PA 16454), a corporation of the Commonwealth of Pennsylvania—persons in paratransit service, between points in Montgomery County.

**A-00118059. Judith A. Blecher, t/d/b/a Blecher Amish Taxi** (921 Mt. Pleasant Road, Quarryville, Lancaster County, PA 17566)—persons in paratransit service, between points in the borough of Quarryville, Lancaster County, and within an airline distance of 35 statute miles of the limits thereof, and from points in said territory, to points in Pennsylvania, and return; limited to persons whose personal convictions prevent them from owning or operating motor vehicles.

#### Application 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 the application.*

**A-00117931, F.2, Qonnections, Inc.,** (P. O. Box 288, Essington, Delaware County, PA 19029), a corporation of the Commonwealth of Pennsylvania—additional right—persons in paratransit service, between points in the city and county of Philadelphia, and within an airline distance of 100 statute miles of the limits thereof. *Attorney:* Edward L. Ciemniecki, One Liberty Place, 32nd Floor, 1650 Market Street, Philadelphia, PA 19103-7393.

#### 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-00115709, F.1, Am-A. Eastern Taxi Service, LLC** (1309 East Market Street, Warren, OH 44483)—discontinuance of service—persons upon call or demand in Mercer and Crawford Counties.

#### Notice of Motor Carrier Applications—Persons in Limousine Service

The following applications for authority to transport persons in *limousine service between points in Pennsylvania* have been filed with the Commission. The applications will be considered without hearing in the absence of substantive protests limited to the issue of applicant fitness. Protests to these applications are due on or before August 27, 2001.

A-00118046 Falcon Limousine, Inc., 101 Orchard Road, New Wilmington, PA 16142

*Attorney:* John A. Pillar, 680 Washington Road, Suite B101, Pittsburgh, PA 15228

A-00118058 Advanced Limousine Services, Inc., 32 Gablewing Circle, Newtown, PA 18940

*Attorney:* Francis J. Sullivan, Luxembourg Corporate Center, 403 Executive Drive, Langhorne, PA 19047

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1444. Filed for public inspection August 3, 2001, 9:00 a.m.]

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### Water Service Without Hearing

**A-212285 F0089. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval of 1) the transfer, by sale, of the water works property and rights of Sligo Borough and the Sligo Borough Authority to Pennsylvania-American Water Company, and 2) the rights of Pennsylvania-American Water Company to begin to offer or furnish water service to the public in all of Sligo Borough and a portion of Piney Township, Clarion 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 20, 2001, under 52 Pa. Code (relating to public utilities).

*Applicant:* Pennsylvania-American Water Company.

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1445. Filed for public inspection August 3, 2001, 9:00 a.m.]

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### Water Service Without Hearing

**A-212370 F0063. Philadelphia Suburban Water Company.** Application of Philadelphia Suburban Water Company for approval to begin to offer, render, furnish or supply water service to the public in a portion of East Brandywine Township, Chester 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 20, 2001, under 52 Pa. Code (relating to public utilities).

*Applicant:* Philadelphia-Suburban Water Company.

*Through and By Counsel:* Mark J. Kropilak, Esquire, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 01-1446. Filed for public inspection August 3, 2001, 9:00 a.m.]

## STATE ETHICS COMMISSION

### Public Meeting; Allentown

The Public Official and Employee Ethics Law requires that the State Ethics Commission (Commission) hold at least two public hearings each year to seek input from persons and organizations who represent any individual subject to the provisions of the law and from other interested parties.

The Commission will conduct a public meeting at the Allentown Hilton, 904 Hamilton Street, 9th and Hamilton Streets, Allentown, PA on August 24, 2001, beginning at 9 a.m. for purposes of receiving said input and for the conduct of other agency business. Public officials, public employees, organizations and members of the general public may attend.

Any persons seeking to testify or present any statement, information or other comments in relation to the Ethics Law/Lobbying Disclosure Law and/or, the regulations of the Commission or operations, should contact Claire J. Hershberger at (717) 783-1610 or (800) 932-0936. Written copies of any statement should be provided at the time of said meeting.

DANEEN E. REESE,  
*Chairperson*

[Pa.B. Doc. No. 01-1447. Filed for public inspection August 3, 2001, 9:00 a.m.]

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## WILD RESOURCE CONSERVATION FUND

### 2001 Annual Report

#### *Wild Resource Conservation Board Members*

John Oliver, Secretary  
Department of Conservation and Natural Resources  
Honorable Peter A. Colangelo, Executive Director  
PA Fish and Boat Commission  
Honorable Vern Ross, Executive Director  
PA Game Commission  
Honorable Mary Jo White  
Majority Chairperson  
Senate Environmental Resources & Energy Committee  
Honorable Raphael J. Musto  
Minority Chairperson  
Senate Environmental Resources & Energy Committee  
Honorable Arthur D. Hershey  
Majority Chairperson  
House Committee on Environmental Resources & Energy  
Honorable Camille "Bud" George  
Minority Chairperson  
House Committee on Environmental Resources & Energy

## 2000-2001 Projects

<i>Project</i>	<i>Sponsor</i>	<i>Amount</i>
• Bat Conservation Strategies: A workshop for Policy Makers, Planners & Team Leaders	Bat Conservation Intl	\$3,250
• Wild Action Grant Program	PA Game Commission	\$4,000
• Develop a Population Monitoring Procedure for River Otters	Frostburg University	\$22,600
• Important Bird Area Baseline Survey/Eight Sites	PA Audubon Society	\$25,000
• Maintenance of Official List of the Birds of PA	PA Ornithological Records	\$2,000
• Special Concern Mammal Species Research Mgmt.	The Nature Conservancy	\$10,000
• Conservation of Museum Bird Specimens	The Academy of Natural Sciences	\$13,000
• Monitoring Breeding Birds in PA's Ridge & Valley Forests	Hawk Mtn. Sanctuary	\$15,000
• PA Society for Ornithology Special Areas Project	Ecology III	\$10,000
• Yellow-Bellied Flycatcher Status, Distribution	Ornithological Technical Study Committee	\$2,500
• The Effect of Forest Mgmt. of Vernal Woodland Pond Amphibians	Shippensburg Univ.	\$8,456
• PA Herpetological Atlas Project	Indiana University	\$35,654
• Vernal Pool Inventory Pilot Project	Michael McCarthy	\$13,300
• Assessment of Genetic Variations of Timber Rattlesnake	Beaver College	\$18,875
• Conservation and Mgmt. of Fish, Herptiles & Aquatic Species	The Nature Conservancy	\$46,800
• Structural Characteristics of Timber Rattlesnakes	College of New Jersey	\$4,960
• Crayfish Census	Lock Haven	\$3,024
• Land Snails of Selected PA Natural Areas	Appalachian Conservation Biology	\$10,760
The following projects were funded with Growing Greener monies:		
• Update and Expansion to Management System for PNDI East	The Nature Conservancy	\$25,500
• Field and Office Studies of Plant Species of Special Concern in Eastern PA	The Nature Conservancy	\$20,500
• Aquatic Vegetation Study/Field Herbarium Studies of Tentatively Undetermined Species	Morris Arboretum	\$30,000
• Field Studies and Review of Plant Species of Special Concern in PA	Phipps Conservatory	\$18,500
• Documenting Native and Introduced Flora Associated with Glacial Lakes	Western PA Conservancy	\$25,500
• 2001 Rare Plant Inventory within Northwestern PA	Cleveland Museum	\$13,000
• Mycophagy by Small Mammals	Carnegie Museum	\$15,000
• Impact of Timber Harvesting on Woodland Amphibians—Randy Cassell	Cumberland Valley HS	\$15,000
• Wildlife in the Classroom	Penn Wild Publications	\$12,000
• Grasshoppers of PA	Messiah College	\$10,000
• Butterfly Handbook for PA State Forests and State Parks	Penn State	\$15,000
• Building A Team for Conserving PA's Biodiversity Support for PA Natural Diversity Conservation Partnership —	Wildlands Conservancy	\$25,000
• Purchase Smith Property	Hawk Mtn. Sanctuary	\$40,000
• Multi-Dimensional Interactive Exhibit Wildwood Lake	Friends of Wildwood Lake	\$35,000
• Franklin, Carbon and Schuylkill Counties Natural Areas Inventories	The Nature Conservancy	\$100,000
• Natural Areas Inventory for Mercer, Huntingdon, Lawrence Counties		\$100,000

The Balance Sheet and Statement of Unreserved Fund Balance provided were prepared by the Comptroller's Office on a cash basis of accounting, combined with an encumbrance budgetary system. They were not prepared in accordance with General Accepted Accounting Principles.

Department of Conservation and Natural Resources  
Wild Resource Conservation Fund  
Statement of Unreserved Fund Balance  
for the period ended June 30,2001

Unreserved Fund Balance, Beginning	\$418,246.56
Revenue Received:	
Income Tax Check-offs	\$140,492.48
Voluntary Donations	50,641.17
Income from "Osprey" Film	8,364.00
Wild Plants License/Permits	1,780.00
Sale of Publications	19,100.00
Departmental Services	255.00
Wild Resource License Plate	310,124.95
Wild Resource Tee Shirts	1,333.00
Interest on Securities	44,782.00
Total Revenue Received	\$576,872.60
Prior Year Commitment Liquidations	\$176,673.87
Total Funds Available	\$1,171,793.03
Deductions:	
Administrative Expenses	\$452,511.03
Administrative Commitments (1)	15,140.67
Project Expenses (2)	139,776.91
Project Commitments (3)	338,848.13
Total Deductions	\$ 946,276.74
Unreserved Fund Balance, Ending	\$ 225,516.29

- (1) This figure does not include administrative commitments of \$288.96 contingently committed against future years spending authorizations.
- (2) This figure does include \$50,795.60 in expenses from special projects approved by the Wild Resource Conservation Fund (WRCF) board.
- (3) This figure does not include project commitments of \$186,493.46 (of which \$47,552.46 are special projects) contingently committed against future years spending authorizations. This figure does include \$29,950.27 in special projects approved by the WRCF board.

(Prepared by Comptroller's Office)

*Public Hearing*

The Wild Resource Conservation Board (Board) has scheduled a public hearing for Wednesday, September 12, 2001, 1 p.m. at the Fish and Boat Office, 1601 Elmerton Ave., Erie Room, Harrisburg. The purpose of the hearing is to provide individuals and organizations the opportunity to comment on the recommendations and programs funded with monies from the WRCF. The Board is interested in hearing from any individual or organization that wishes to make comment on the projects submitted for funding to the agencies, Game Commission, Fish and Boat Commission or the Department of Conservation and Natural Resources (DCNR) list published in this issue of the *Pennsylvania Bulletin*. Agencies project recommendations for funding will be presented at the public hearing.

Only comments from the general public regarding the projects received will be heard at the September 12, 2001, public hearing.

The Board will then evaluate all recommendations submitted for its consideration and final funding decisions will be approved at the annual meeting on November 13, 2001.

*Annual Meeting*

The Board has scheduled an annual meeting on Tuesday, November 13, 2001, 1 p.m., Game Commission, 2001

Elmerton Ave., Harrisburg. A full report will be presented on the allocation of monies from the WRCF. The Board will consider all presentations made at the public hearing and the plans outlined by the professional technical staffs of the Fish and Boat Commission, Game Commission and DCNR.

The Fish and Boat Commission, the Game Commission and DCNR will administer the recommendations funded by the Board. The recommendation selections will be based on their individual contribution to the management goals of three agencies and those outlined in the Wild Resource Conservation Act.

The following list includes the project recommendations requesting funding for 2001-2002 received by the Board. The public is invited to offer comment at the public hearing on September 12, 2001. The public hearing will be held at the Fish and Boat Commission, 1601 Elmerton Ave., Erie Room, Harrisburg, PA at 1 p.m. Limit comments to 5 minutes and provide eight copies for the Board.

*Project Submissions to DCNR for WRCF Funding in 2001*

- *Ex-situ Conservation of Pennsylvania Native Flora*

*Objectives:* To locate, document and collect fruit/seed from Plants of Special Concern in PA (POSCIP) and common native plant populations located within natural areas in

southwestern Pennsylvania. To preserve genetic diversity as well as conserve our native flora through the ex-situ conservation of seeds stored in the Frozen Garden at Phipps Conservatory and Botanical Gardens.

*Justification:* When restoring habitats, the optimum source of new genetic material is from plants initially found in the wild. Whereas when seeds are collected from cultivated plants, 'artificial selection' occurs, thus reducing or eliminating genetic diversity. Long-term seed storage is a valuable supplement to institute conservation due to the rapid loss of native habitat.

*Sponsor:* Phipps Conservatory

*Cost:* \$19,612

- *Development of the PA Biodiversity Conservation Plan*

*Objectives:* As a first step in development of the Biodiversity Conservation Plan (BCP), funding has been received to produce a literature-based State of the State Report on Biodiversity (SoS), which will be completed at the end of 2001. This proposal requests funding to expand that literature review into the "gray literature," specifically reports from projects funded by WRCF that are pertinent to biodiversity. Objectives include (1) review all report, including those housed in WRCF, DCNR, Game Commission and Fish and Boat Commission offices for relevance to the BCP; (2) create an annotated listing and database of pertinent reports with keyword search capability; (3) develop a consolidated list of recommendations contained in reports; and (4) integrate data and recommendations in reports into the BCP.

*Justification:* This project is critical to the development of the Pennsylvania BCP, which specifically addresses recommendations in the 21st Century Environment Commission Report (1998) and other documents.

*Sponsor:* Pennsylvania Biodiversity Partnership

*Cost:* \$30,114

- *Refining the Knowledge of Vernal Pools in Pennsylvania*

*Objectives:* In conjunction with the Bureau of Forestry, TNC and WPC staff (partners in PA Natural Diversity Inventory (PNDI)) are reviewing the classifications of natural vernal pool communities and is developing a set of criteria of several types of zoological data would be most useful in understanding if there are different types of pools and investigate aspects of their ecology relative to management. Determine which groups of vernal pool animals are the most useful in terms of adding relevant descriptive information to the largely vegetation based classification system, such as insect groups, crustaceans, amphibians and the like.

*Justification:* Identify problems being addressed by the project and demonstrate the need for accomplishing the stated objectives. Discuss benefits expected. This section should demonstrate that the individual has thoroughly reviewed the pertinent literature to take advantage of existing information and methodology.

*Sponsor:* Western Pennsylvania Conservancy

*Cost:* \$32,000

- *Field Surveys of Aquatic and Terrestrial Plant Species of Special Concern in Eastern Pennsylvania*

*Objectives:* Expand coverage of the PNDI database by conducting field inventories of poorly studied or completely undocumented sites of probable occurrence of plant species of special concern. Specific deliverables: PNDI field survey reports to be submitted to PNDI East for data entry.

*Justification:* In an effort to protect the natural biological diversity in the State, land development proposals must be screened by PNDI to identify those that pose a threat to endangered, threatened, rare or candidate species. The effectiveness of this process depends in large part on the completeness of the information contained in the PNDI database. Sites not represented in the database will not trigger protective measures. However, the number of new sites discovered each year clearly indicates that much remains to be done to provide a complete picture of endangered, threatened and rare species occurrence. In addition, because biological systems are dynamic, information on known sites must be updated periodically.

*Sponsor:* Morris Arboretum

*Cost:* \$39,530

- *Documenting the Native and Introduced Flora Associated with Glacial Lakes in Northwest Pennsylvania, with Emphasis on Rare Species and Invasive Alien Species*

*Objectives:* Compile for each glacial lake in western Pennsylvania, a list of plant species presently documented with herbarium species (recent and historic). Conduct field studies to produce more complete and current lists of the floras of these lakes. Map the locations of invasive alien plant species. Map the locations and assess the size and condition of occurrences of plant species of special concern. Map the major habitat areas of the lakes. Collect data that will assist community ecologists in characterizing aquatic natural communities. Provide baseline data from which changes in population size of rare species and invasive species can be detected.

*Justification:* Identify problems being addressed by the project and demonstrate the need for accomplishing the stated objectives. Discuss benefits expected. This section should demonstrate that the individual has thoroughly reviewed the pertinent literature to take advantage of existing information and methodology. Glacial lakes are among the most treasured natural features of this Commonwealth. Of the 2,500 lakes in this Commonwealth, only 50 were naturally formed. These lakes are important scenic and recreational resources, and are the focus of much tourism activity. Glacial lakes also comprise habitat for many species of plants and animals that would not otherwise inhabit this Commonwealth.

*Sponsor:* Western Pennsylvania Conservancy

*Cost:* \$30,440

- *Herbarium Studies of Pennsylvania Plants of Special Concern*

*Objectives:* Provide essential data from herbarium specimens deposited at Carnegie Museum to PNDI for use in managing and conserving Pennsylvania's natural resources, and to provide important services to staff of other organizations that are involved in conservation efforts in this Commonwealth who regularly use our facilities. Two major objectives: 1. Data Recording and Specimen Verification and 2. Herbarium Services to the Heritage Program.

*Justification:* Specimen label data and accurate identification of specimens are essential to efforts to monitor populations of POSCIP species. Correct taxonomic determinations are critical not only the reliability of the PNDI database as a tool for environmental review, but also to field surveys by various organizations and individuals, who rely on specimen label data to relocate historic populations. Specimen verification should be the first step in the process of protecting taxa, but unfortunately it was omitted for most CM specimens entered in the PNDI database prior to 1992.



*Sponsor:* Carnegie Museum of Natural History

*Cost:* \$5,500

- *Field Studies of Plant Species of Special Concern in Eastern Pennsylvania*

*Objectives:* Conduct field surveys in eastern Pennsylvania to attempt to locate denovo occurrences and confirm extant or historical occurrences of plant species of special concern having Pennsylvania Biological Survey (PBS) state status of Endangered, Threatened, Rare or Undetermined. The surveys will involve a minimum of 15 species on the POSCIP list. Field data at each successfully survey, such as population size, habitat type and possible reasons for not locating a given species, will be recorded on Natural Heritage/PNDI field forms, mapped in GIS and computerized into the PNDI databases. This computerized information will be linked to the PNDI Central Office in Harrisburg and therefore available for use in the DCNR environmental review process, the Wild Plant Program, the POSCIP list and the PBS Vascular Plant Technical Committee.

*Justification:* Fieldwork is necessary for the proper conservation of wild plant resources in this Commonwealth. Without new and revised data that field surveys provide, the completeness and reliability of the PNDI databases, and therefore plant conservation in the State, would be compromised.

*Sponsor:* Nature Conservancy

*Cost:* \$10,000

- *2002 Rare Plant Inventory with Northwestern Pennsylvania*

*Objectives:* Continue to search for new occurrences of rare plant communities and POSCIP. Stewardship projects at Presque Isle and Erie National wildlife Refuge will be maintained and a stewardship project to restore rare habitat on the privately owned Harmonsburg Fen in Crawford County will be initiated. Museum staff will occasionally provide recommendations on environmental reviews to Department of Environmental Protection, Game Commission and DCNR's Bureau of Forestry.

*Justification:* There is a great need for additional inventory in northwestern POSCIP. If rare plants or rare natural communities are identified prior to development, a development can be altered or constructed in a manner that will allow the plants to survive. Museum discovery of the only State occurrence of silver sedge on the Love Road Subdivision of Mill Creek Township, Erie County enabled the developer to amend the proposed development to accommodate the State-endangered sedge. The sedge survived the construction of homes and condominiums.

*Sponsor:* Cleveland Museum of Natural History

*Cost:* \$15,000

- *Genetic Diversity in PA Populations of the Clonal Species Carex Polymorpha*

*Objectives:* Assess whether carex polymorpha populations in this Commonwealth are constituted mainly by a limited number of clones or by multiple genetic individuals. Assess the spatial distribution of the clones and their size.

*Justification:* Study will be conducted in collaboration with Dr. Ann Rhoads and Dr. Timothy Block of Morris Arboretum who are familiar with the locations of extant populations of *C. polymorpha* and have visited those populations numerous times.

*Sponsor:* Gabriela Plomano

*Cost:* \$18,400

- *Use of the Supplemental PNDI Data Management System for the Dept. of Agriculture Noxious Weed Survey Data*

*Objectives:* Update and expand database fields in the Supplemental Database to record, store and map noxious weed data in this Commonwealth. Provide the Department of Agriculture with a tool to store and analyze noxious weed data in this Commonwealth. Provide training and a help manual for Department of Agriculture staff.

*Justification:* The supplemental database is a tool that provides field biologists with more complete information on species distribution and plant community types. It also targets sites that do show potential for rare species occurrences, and provide recommendations, such as what to look for and the time of year to revisit. Continued development and broad use of the database requires that we expand it to include fields that reflect the needs of other agencies for other species and other types of data such as weeds. The Department of Agriculture has been collecting and storing information on noxious weeds found in this Commonwealth for more than 10 years. There are approximately 3,000 paper records maintained by the Department of Agriculture in binders and map atlas. None of the data has been entered into an electronic database or spreadsheet. It is the intention of PNDI to work with the Department of Agriculture to modify and use the "supplemental database" created by PNDI to store the data electronically and to map these data in Arc View 3.2.

*Sponsor:* Nature Conservancy

*Cost:* \$17,000

- *Human Impacts of Aphids Biodiversity (Homoptera, Insecta): Temporal Changes in Distribution and Plant Host Association*

*Objectives:* Determine the occurrence and distribution of selected aphid species at historical localities where repeated collection of aphids was made on a regular basis for the last many decades. Archival aphid records and collection data of the specimens in the Frost Entomological Museum provide necessary information to select target species and historical localities in Pennsylvania. Study temporal changes in species diversity of aphids and associated host plants. This study will provide data for species diversity, plant hosts, community structure and composition of exotic and native species. Identify trends in distribution of aphid biodiversity with respect to habitat changes by a number of human activities such as development, land use and other parameters. This study will determine habitat changes and assess the use of aphids as bio-indicators of environmental change.

*Justification:* There is little understanding of the long-term changes in biodiversity taking place in this Commonwealth through habitat modification, urban development and management of natural resources, particularly their affect on the invertebrates that compromise most of the species biodiversity. Aphids are major plant feeders and many species are closely associated with specific plant hosts and thus their distributional pattern is closely related to the host plant distribution. They are widely distributed and sensitive to rapid environmental changes. This collection will provide the material base for the proposed study.

*Sponsor:* Penn State

*Cost:* \$37,226

- *The Impact of Timber Harvesting on Woodland Amphibians*

*Objectives:* Vernal pools located in forests with known age disturbances will be monitored to determine the number of breeding amphibians. Ponds will be selected based upon the community structure. Woodland amphibian populations will be censused utilizing a Visual Encounter Search technique. A total of 75 sample plots will be selected throughout the State representing forests that are in various ages of recovery. A coverboard study will be carried out on three recent clearcuts and the undisturbed forests contiguous with these cuts. This technique will allow us to make reliable comparisons of amphibian numbers from one age structure to another by assessing the same are of potential habitat. The fourth component of the study will examine the diet of woodland salamanders. In recent studies we have conducted, it has become clear that leaf litter invertebrates make up the major dietary component of woodland amphibians. Since timber harvesting often has a profound impact on the leaf litter zone (even its complete removal at times) and the subsequent reduced production of leaf litter, it is our goal to determine how this affects salamander diet.

*Justification:* Commonwealth forests have been cut several times since Europeans have arrived. During the past 300 years, little if any concern was given to forest species other than big game animals. It is time we begin to manage the entire forest ecosystem and not just select aspects of it. Amphibians are reported to make up the greatest vertebrate biomass in the northeastern deciduous biome.

*Sponsor:* Randy W. Cassell

*Cost:* \$17,000

*Project Submissions to the Game Commission for Funding in 2001*

- *Non-Breeding Season Movements of Adult Northern Goshawks in PA*

*Objectives:* Determine if Commonwealth goshawks winter near their nesting territories, winter away and how far do they move, timing of any significant nonbreeding season movements, how large is the wintering area, type of landscape/forest types goshawks use during nonbreeding seasons.

*Justification:* Northern Goshawks were recently added to the United States Fish and Wildlife Service's Region 5 list of Nongame Bird Species of Management Concern; listed as a species of Management Concern by the Eastern Region of the United States Forest Service; and listed as threatened, endangered or of special concern by several eastern states. The nonbreeding season movements of individual goshawks are virtually unknown. Understanding where goshawks spend the nonbreeding season will facilitate improved management of ecosystems to assure continued health of the Northern Goshawk populations in the central Appalachian Mountains.

*Sponsor:* Earthspan

*Cost:* \$122,577

- *Invertebrate Biodiversity of State Game Lands #211 Bioblitz (Part II)*

*Objectives:* Complete species identification of the specimens collected during the 1999 forest BioBlitz on State Game Lands # 211 housed in the Frost Entomological

Museum. Develop a taxonomic database for invertebrate biodiversity of the State Game Land # 211 based on the 1999 Bioblitz; and provide information on any rare, threatened or endangered species as well as those new to science recorded the Bioblitz site.

*Justification:* During the 1999 forest Bioblitz on State game lands # 211, light traps and other collecting methods collected many invertebrates. The ultimate objective of forest Bioblitz99 was to provide a century's end snapshot of forest biodiversity for State Game Lands # 211 in this Commonwealth. Most of the collections were deposited in the Frost Entomological Museum at Penn State. During the first phase of the project the specimens were sorted and prepared for taxonomic identification with individual specimens properly labeled and preserved. All specimens were coded and prepared for long-term storage and the taxonomic information was compiled into an Excel database. This project will produce the final report and taxonomic database for the State Game Land, including information on unusual specimens including rare, threatened or endangered species and those new to science along with recommendations on future biodiversity assessment. A final taxonomic database will also be made available to DCNR.

*Sponsor:* Penn State

*Cost:* \$7,451

- *Evaluating the Distribution and Abundance of Reintroduced Otters in the Allegheny River Drainage: Applications of GIS, Genetic and Digital Technologies for Management of a Rare Species*

*Objectives:* In 1999, the PA river otter reintroduction project was initiated to restore river otters to the Allegheny River drainage. To date, the Project has released otters along Tionesta and Laurel Hill Creeks and the Allegheny and Youghiogheny Rivers. Verify the persistence of otters at reintroduction areas, delineate the current distribution of reintroduced otter populations in the Allegheny River drainage; use spatially referenced habitat data to develop and evaluate GIS-based models for documenting expansion and predicting the future distribution of otter populations throughout the Allegheny River drainage. Develop unique genetic tags for use in identifying individual otters through analysis of their scats deposited along shorelines.

*Justification:* Although initial radio-tracking efforts and subsequent surveys suggest that the reintroduction project has been successful in restoring otters to western Pennsylvania, there has been no systematic approach implemented to evaluate long-term success of reintroduced populations. There is also a need to establish and refine techniques and protocols for monitoring the status and distribution of reintroduced otter populations.

*Sponsor:* Frostburg State University

*Cost:* \$41,223

- *Preparation and Deposition of Vertebrate Specimens from Shippensburg University and Other Collections into the State Museum of Pennsylvania*

*Objectives:* Organize and install all Shippensburg Vertebrate Museum specimens that have been transferred to the State Museum including specimens preserved in fluids and accessory collections. Organize and archive electronically, if possible, all paperwork concerning the previous specimens, including all trapline records, specimen sheets, accession records and any other pertinent paperwork. This will focus on those specimen sheets and paperwork that has not been bound to date.

*Justification:* With the closure of the Shippensburg Vertebrate Museum and transfer of the collection to the State Museum, the Curator of the Natural History Museum will need assistance with organizing, cataloging, storing and care of the collection of mammals and birds.

*Sponsor:* Nature Conservancy

*Cost:* \$20,000

- *Den Affinity and Movement Patterns of the Allegheny Woodrat*

*Objectives:* Research will focus on the den affinity, movement patterns and spatial distribution of Allegheny woodrats at three different sites during three time periods. Determine den affinity, frequency and distance of den relocations and characteristics of individuals relocating to new dens at each site, determine the density of occupied dens at each site and the frequency of known dens that are unoccupied at any given time, examine the spatial distribution of woodrats at individual sites and assess the potential effects of spacing behavior and number of available dens on maximum population density; compare findings across time periods and among sites. Ultimately a series of recommendations regarding ways in which findings may be incorporated into management strategies for woodrats in the State will result from this project.

*Justification:* Allegheny woodrat was designated as a threatened species in this Commonwealth more than a decade ago. Little information on habitat requirements is especially limited. This information is critical if a management strategy for the recovery of woodrats is to be developed.

*Sponsor:* Penn State

*Cost:* \$7,908

- *Extension Fact Sheets on Wildlife*

*Objectives:* Produce four fact sheets on Commonwealth wildlife for the Pennsylvania Wildlife Series. These will include ones on: managing habitat for amphibians, vernal pools and riparian buffers for wildlife.

*Justification:* A needs assessment survey sent out to natural resource professionals in agencies within this Commonwealth and to licensed Nuisance Wildlife Control Operations documented the interest in and need for accurate informative fact sheets written for the general public both on methods of dealing with problem wildlife and on habitat management for wildlife.

*Sponsor:* Penn State

*Cost:* \$15,000

- *IBA Volunteer Training and Bird Monitoring Project*

*Objectives:* Continue and expand avian inventories and monitoring on forested Important Bird Areas (IBAs), with a strong emphasis on volunteer training and involvement. Develop a Statewide model for forest bird monitoring. Recommend bird trails to enhance nature-based tourism, as appropriate.

*Justification:* The IBA Program and international program that began in this Commonwealth in 1996, provides a successful strategy for protecting habitats for birds and other wildlife. With the scientific assistance of this Commonwealth's Ornithological Technical Committee and Audubon's Science Department, 74 IBA sites have been identified in this Commonwealth. These sites represent biologically diverse and environmentally significant natural areas and provide critical habitat for birds, other wildlife and humans.

*Sponsor:* National Audubon

*Cost:* \$20,000

- *Susquehanna River Birding & Wildlife Trail*

*Objectives:* Identify, assess, highlight and connect bird and wildlife observation sites, nature centers and cultural sites. Generate locally-based conservation and protection activities for bird and wildlife. Gain economic benefits from nature tourism for local communities. Produce websites and other communication tools to guide wildlife watchers.

*Justification:* The Susquehanna Birding & Wildlife Trail will benefit key wildlife sites, such as IBAs, wetlands, nature centers, mammal areas and other sites by generating locally based conservation. Local communities will benefit economically through increased tourism.

*Sponsor:* National Audubon

*Cost:* \$50,000

- *Important Bird Area Conservation Project*

*Objectives:* Collaborate with local land trusts and the conservation community to accelerate protection of critical avian habitats on IBAs, with an emphasis on the most threatened sites that contain significant populations of State listed species. Conduct a literature review of forest management impacts on breeding birds in the mid-Atlantic region. Coordinate with landowners to complete "bird-friendly" management plans for IBAs, with an emphasis on DCNR, Game Commission and other public lands.

*Justification:* Scientific studies repeatedly demonstrate that birds are exceptional indicators of the overall health of our natural environment, especially at the local level. The absence of certain species in a particular area may point to the lack of suitable breeding or foraging habitat, pollution, pesticides or other problems in nature's food web. In essence preserving habitat essential to birds is also preserving biodiversity and other natural resources, including healthy watersheds and clean water.

*Sponsor:* National Audubon

*Cost:* \$75,000

- *Appalachian Cottontail Distribution in Pennsylvania*

*Objectives:* Determine the current distribution of Appalachian Cottontail Rabbits in this Commonwealth relative to the historical range as reported in literature. Determine an index of abundance for the Appalachian cottontail rabbit in selected locations to allow future comparisons and trend analysis. Determine general associations between selected habitat conditions and the presence/absence of Appalachian cottontail rabbits at selected trap locations. Produce management recommendations to conserve and enhance the Appalachian cottontail rabbit population in this Commonwealth.

*Justification:* The current distribution and population trend of the Appalachian cottontail rabbit in this Commonwealth is unknown. This rabbit has declined substantially in adjoining states where monitoring efforts have been completed and has been identified in Commonwealth literature as either "at risk" and current Biological Survey classification or "Status Undetermined" due to lack of information. Prudent management decisions cannot be made without current information about this rabbit's population status and distribution.

*Sponsor:* Lock Haven University

*Cost:* \$9,715

- *Wild Action Grant*

*Objectives:* Provide financial and resource support for 20 schools and/or youth groups to create wildlife habitats and outdoor learning areas and incorporate these areas into school curriculum club programming and after-school programs. Support a minimum of 500 students/youth members in developing these habitats for wildlife and outdoor learning. Promote partnerships between schools, youth organizations, community groups and State agencies in implementing action projects that foster wildlife conservation and earth stewardship.

*Justification:* To ensure habitat conservation for native plants and wildlife, both now and in the future, it is essential that habitat conservation education programs be implemented in our schools and youth organizations. Loss of habitat for native plants and animals is a concern in which students can make a tangible difference.

*Sponsor:* PA Game Commission

*Cost:* \$4,000

- *Kentucky Warbler Habitat Enhancement Project*

*Objectives:* 1) Provide 8 acres of sustainable nesting habitat for the Kentucky Warbler in an area where this warbler has been known to nest. The enhancement of the nesting area will involve erecting 8 acres of deer enclosure fencing with two gates, removing existing invasive vegetation such as grape, Japanese stilt grass and oriental bittersweet. This will be followed by plantings appropriate to the wet woodland conditions, including plant species favored by the Kentucky Warbler. 2) Monitoring of the site will continue throughout the year. The site and amendments will be photographed and included on GIS for tracking over time. Ornithologists and naturalists will visually observe the site for indications of the Kentucky Warbler or other species such as Hooded Warblers, Ovenbirds and Louisiana Waterthrushes.

*Justification:* Because this warbler is still observed singing in the same area it last nested, we believe it will nest again if its habitat is restored. Dennis Burton toured the 3-acre site with Robert Ridgely, Director of Ornithology at the Academy of Natural Sciences; Ann Rhoads, Director of Botany at Morris Arboretum of the University of Pennsylvania and author of *The Plants of Pennsylvania*; and Charles Hetzel, Research Associate at the Academy, as well as Chairperson of Ornithological Studies at the Delaware Valley Ornithological Club. They confirmed that the site conforms to the requirements of this warbler's habitat as noted in several published references such as the Nature Conservancy's *Species Management Abstracts* and The Wildlife Society's *Wildlife Monographs*. The site is a moist wooded bottomland in a deep ravine with many fallen logs, a rock-strewn stream and a small pond. A scattering of spicebush (*Lindera benzoin*) and red maple (*Acer rubrum*), also noted in some literature, is present. Likewise, records from the Pennsylvania Flora Database for this area indicate the presence of suitable plant species in the vicinity, many of which are available from local nurseries.

Evidence of deer browse can be seen throughout the area. Nonetheless, many of the browsed plants still survived, though they were low and sparse. By installing 8 acres of 8 foot high, 1.75" x 1.75" mesh, polypropylene deer enclosure fence and using galvanized steel posts, ground stakes and fencing accessories as needed, we would exclude the deer from the area. This fence has proven effective at excluding deer in other projects here at The Center, as well as elsewhere in the Philadelphia area. A

3/4 acre fenced site here at The Center was installed with a bird box inside in spring 2000 and successfully attracted a nesting pair of Tufted Titmice (*Baeolophus bicolor* syn: *Parus bicolor*). There have been no reports of the fence interfering with the movements of any bird species and several species were observed moving through it.

The project has the potential to reinstate the Kentucky Warbler to its former nesting site, which is the only site it is known to have nested in Philadelphia. We believe it is important to reinstate and increase species diversity in this and all of The Center's restoration efforts. A smaller (1/2 acre) restoration project at the site has already attracted a nesting pair of Louisiana Water Thrushes (*Seiurus motacilla*). This water thrush had not previously been observed nesting anywhere at The Schuylkill Center.

*Sponsor:* Schuylkill Center for Environmental Education

*Cost:* \$20,000

- *The Impact of Hemlock Woolly Adelgid Infestation on Habitat Use and Productivity of Hemlock Dependent Songbirds in Eastern Pennsylvania*

*Objectives:* Comparison of Eastern Hemlock dependent Blackburnian Warbler, Black-throated Green Warbler, Blue-headed Vireo and Acadian Flycatcher habitat use in uninfested and Hemlock Woolly Adelgid infested Eastern Hemlock stands. Comparison of Eastern Hemlock dependent Blackburnian Warbler, Black-throated Green Warbler, Blue-headed Vireo and Acadian Flycatcher population densities in uninfested and Hemlock Woolly Adelgid infested Eastern Hemlock stands. Comparison of selected Eastern Hemlock dependent songbird productivity in uninfested and Hemlock Woolly Adelgid infested Eastern Hemlock stands. The other species nest too high to determine productivity.

*Justification:* Virtually nothing is known about the effects of Hemlock Woolly Adelgid infestations on populations of songbirds. All of these species are neotropical migrants whose populations in general have been declining hence determination of the impact that these infestations have on their populations is extremely important in the north-eastern United States.

*Sponsor:* East Stroudsburg University

*Cost:* \$15,000

*Project Submissions to the Fish and Boat Commission for Funding in 2001*

- *Conservation and Management of Fish, Herptiles and Aquatic Species— Special Projects*

*Objectives:* PNDI Reviews and Impact evaluation, Timber rattlesnake conservation and management, Fish and Boat Commission/TNC Liaison.

*Justification:* 54 fish, 12 herptiles and 2 freshwater mussels are presently on the Commonwealth endangered, threatened and/or candidate species lists. The position provides much needed baseline data and technical assistance in nongame and endangered species conservation.

*Sponsor:* Nature Conservancy

*Cost:* \$45,600

- *Genetic Structure of Vernal Pond Salamander Populations*

*Objectives:* To determine, using molecular genetics techniques, the population structure of salamanders that breed in vernal pond habitats. By comparing genetic structure of salamander populations to the geographic

layout of temporary pond habitats, to estimate gene flow between habitats and determine the extent to which various landscape factors affect gene flow. Use the information collected in meeting the first two objectives to make recommendations for conserving vernal pond amphibian communities.

*Justification:* Temporary or vernal ponds in this Commonwealth support a rich and unique community of amphibians. Although these habitats are listed as "vulnerable" by the PNDI, they receive no special protection. Efforts to preserve these communities are hampered by the absence of knowledge on the population structure of vernal pond amphibian species.

*Sponsor:* Shippensburg University

*Cost:* \$34,509

- *Survey of Inland Populations of Burbot*

*Objectives:* Survey all known (current and historical) and potential locations of burbot populations outside of the Lake Erie catchment basin in this Commonwealth, determine age/size structure of extant populations; determine habitat selectivity of extant populations; determine important breeding/nursery habitats of extant populations.

*Justification:* Glacial relict populations of burbot exist in the headwaters of the Susquehanna and Allegheny Rivers. Susquehanna populations are known only to exist in NY. Specimens have not been collected in the Commonwealth portion of the Susquehanna. The absence of records may be due to lack of adequate sampling, extirpation, or natural distribution.

*Sponsor:* Penn State

*Cost:* \$55,819

- *Assessment of Genetic Variation in a Population of Timber Rattlesnakes in South Central PA*

*Objectives:* Collect tissue sample in order to expand our analysis of genetic variation of timber rattlesnakes to a populations found in Cumberland County in southcentral Pennsylvania. We will sample at least 30 individuals. Assess genetic variation within this population. Measure population sub-division and gene flow between this and other sampled populations in this Commonwealth.

*Justification:* This information is valuable in designing management progress for the conservation of timber rattlesnakes in this Commonwealth. Our data will be useful in identifying those populations, which appear to be genetically unique, and whose maintenance should therefore be a high priority. This project will also provide information about the amount of gene flow among timber rattlesnake populations in this Commonwealth.

*Sponsor:* Arcadia University

*Cost:* \$9,275

*Multi Agency Project Submissions for Funding in 2001*

- *Grasshoppers of Pennsylvania*

*Objectives:* Complete museum phase of the project; begin extensive field collecting of grasshoppers across the State; emphasize areas that have previously had little or no collecting, this includes both barrens and balds particularly in the northern part of the State and in the Laurel Highlands; seek new State records for species previously not encountered in this Commonwealth.

*Justification:* Provide information on the status and distribution of grasshoppers within this Commonwealth. No comprehensive study of Commonwealth grasshoppers has

been previously undertaken. As a result of our lack of knowledge, no grasshopper species are being tracked for their conservation status.

*Sponsor:* Messiah College

*Cost:* \$41,768

- *Environmental Inclusion in Teacher Preparation*

*Objectives:* It is the goal of the IEETP program to secure and sustain systemic change in required teacher education courses for approximately 1/5 of this Commonwealth's higher education institutions that have elementary, science and/or social studies teacher preparation programs for the inclusion of E&E standards and E&E pedagogy.

*Justification:* Adult Commonwealth residents currently have poor understandings of essential basic environmental facts and issues such as biodiversity, watersheds and the like. Like the Nation as a whole, EE inclusion in teacher education has not yet been institutionalized in this Commonwealth.

*Sponsor:* Pennsylvania Center for Environmental Education/Slippery Rock University

*Cost:* \$66,000

- *Keystone Ecotones: The River Otter in a Changing Habitat*

*Objectives:* Produce and disseminate 5,000 copies of a teaching module based on academic standards in environment and Ecology developed by the Department of Education and focusing on the reintroduction of the river otter. Conduct six teacher workshops to introduce the teaching module and its use in the classroom.

*Justification:* Project will produce an easy-to-use module based on Department of Education academic standards using a WRCF research project as a content base and various State-sponsored curriculum materials for supporting activities. In brief, our project will synthesize several excellent efforts already in place in order to provide practical instructional modules for local school districts.

*Sponsor:* Celtic Moon Publishing, Inc.

*Cost:* \$14,250

- *Rare Land Snails of Western Pennsylvania*

*Objectives:* Assess the status of western Commonwealth land snails of conservation interest, with special attention to those that may be globally rare, by compiling museum collection and literature records of rare land snail distribution and ecology. Report rare land snail records using standard PNDI format. Conduct inventory to verify the presence and locate new sites of the most rare land snail on four public lands.

*Justification:* More than 500 native land snail species have been reported in the eastern United States, including both shell animals and slugs. Land snails occur in all terrestrial habitats in the East, although variety and abundance vary greatly according to habitat characteristics and site history. They consume live and dead plants, fungi and a variety of other foods depending upon species and habitat, and in turn are eaten by a variety of insect larvae, beetles, small mammals and birds, such as thrushes and ruffed grouse. Ultimately learning about the distribution and ecology of land snails can lead to improved conservation of these species and their habitats.

*Sponsor:* Appalachian Conservation Biology

*Cost:* \$9,400

- *Wetland Diorama Exhibit at the Benjamin Olewine Nature Center at Wildwood Lake Sanctuary*

*Objectives:* Interactive exhibit for students and adults.

*Sponsor:* The Friends of Wildwood Lake Nature Center Inc.

*Cost:* \$35,000

- *County Natural Heritage Inventories*

*Objectives:* Complete county natural heritage inventories in two counties (Mercer and Huntingdon) and initiate and perform inventories on five additional counties in western Pennsylvania. Each project runs on a 2-year schedule and additional counties will begin each year as others are completed. Products from the inventories include a report detailing the most significant ecological resources in the county under study, full scale maps covering the entire county, on-line information and findings and public presentations and education. The inventories will be available in both paper and electronic formats and will include GIS maps with a layer of Natural Heritage Area polygons.

*Justification:* Final results provide a list of the most important biological sites, identify the resources and map their locations. Sites are prioritized and recommendations are included, regarding the management of the biological resources present. The inventory produces a written report and maps of the entire county with Natural Heritage Areas identified. These studies were conceived as tools to assist in planning at both the county and municipal levels and have been used effectively in that capacity.

*Sponsor:* Western Pennsylvania Conservancy

*Cost:* \$222,300

- *Continuation of Lebanon and Schuylkill Counties Natural Areas Inventories and Initiation of Three Additional County Inventories*

*Objectives:* Complete the identification of sites with rare species and exemplary natural communities in Schuylkill and Lebanon Counties, initiate three new county inventories for rare, threatened and endangered species and exemplary natural communities; to provide these data to county and municipal officials, conservation organizations, the development community and the public to make better informed conservation decisions in the respective counties.

*Justification:* The 21st Century Environment Commission Report recommended funding for the completion of the NAIs as a step toward preserving this Commonwealth's natural diversity. To preserve that diversity, land use planners and other must know what that diversity is and where it is represented on the landscape.

*Sponsor:* Nature Conservancy

*Cost:* \$150,000

SENATOR MARY JO WHITE,  
*Chairperson*

[Pa.B. Doc. No. 01-1448. Filed for public inspection August 3, 2001, 9:00 a.m.]

# STATE CONTRACTS INFORMATION

## DEPARTMENT OF GENERAL SERVICES

Notices of invitations for bids and requests for proposals on State contracts for services and commodities for which the bid amount is reasonably expected to be over \$10,000, are published in the State Contracts Information Section of the *Pennsylvania Bulletin* prior to bid opening date. Information in this publication is intended only as notification to its subscribers of available bidding and contracting opportunities, and is furnished through the Department of General Services, Vendor Information and Support Division. No action can be taken by any subscriber or any other person, and the Commonwealth of Pennsylvania is not liable to any subscriber or any other person, for any damages or any other costs incurred in connection with the utilization of, or any other reliance upon, any information in the State Contracts Information Section of the *Pennsylvania Bulletin*. Interested persons are encouraged to call the contact telephone number listed for the particular solicitation for current, more detailed information.

**EFFECTIVE JULY 1, 1985, A VENDOR'S FEDERAL IDENTIFICATION NUMBER (NUMBER ASSIGNED WHEN FILING INCOME TAX DOCUMENTS) OR SOCIAL SECURITY NUMBER IF VENDOR IS AN INDIVIDUAL, MUST BE ON ALL CONTRACTS, DOCUMENTS AND INVOICES SUBMITTED TO THE COMMONWEALTH.**

Act 266 of 1982 provides for the payment of interest penalties on certain invoices of "qualified small business concerns". 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

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!

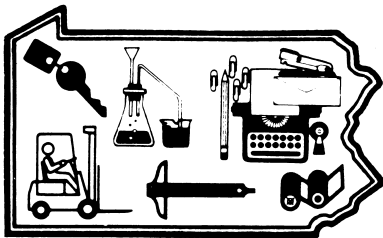
The Treasury Department's Bureau of Contracts and Public Records can help you do business with state government agencies. Our efforts focus on guiding the business community through the maze of state government offices. The bureau is, by law, the central repository for all state contracts over \$5,000. 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*

### PA Partnership 2001

The Department of General Services is planning their annual purchasing convention. PA Partnership 2001 will be October 9, 2001, through October 12, 2001, at the Radisson Hotel & Pittsburgh ExpoMart. For more details see the Department of General Services website at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or by calling (717) 787-5733.



### Commodities

**6520-04** CPR Devices. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** General Services  
**Location:** Various, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**6640-02** Animal Test Kits. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** General Services  
**Location:** Various, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**1059231** Lumber. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Game Commission  
**Location:** Howard, PA  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**1061071** Solar Survival Kits. If you have problems downloading a bid, please call our Fax Back System at (717) 705-6001.

**Department:** Health  
**Location:** Various  
**Duration:** FY 2001-02  
**Contact:** Vendor Services, (717) 787-2199

**SO-236** The State Correctional Institution at Somerset will be soliciting bids for paint/paint supplies that are not on statewide contract. Paint/Supplies to be delivered on an as needed basis to the institution. Order will be for estimated quantities.

**Department:** Corrections  
**Location:** State Correctional Institution at Somerset, 1590 Walters Mill Road, Somerset, PA 15510-0001  
**Duration:** 8/01/01 through 12/31/01  
**Contact:** Jackie Albright, Pur. Agent I, (814) 443-8100 X313

**5850-01** Microcomputer, LAN Hardware & Peripherals. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Hardware & Peripherals, 5850-01. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5850-01 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**6350-01** Security System Services. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Security System Services, 6350-01. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 6350-01 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**6350-03** Surveillance & Security Equipment & Supplies. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Surveillance & Security Equipment & Supplies, 6350-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 6350-03 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199



**N-2011** Assorted electrical materials and supplies for use in the construction of a wood frame building on the grounds of the Youth Development Center at New Castle. Call for material specifications, (724) 656-7310.

**Department:** Public Welfare  
**Location:** Youth Development Center, Frew Mill Road, R. R. 6, Box 21A, New Castle, PA 16101  
**Duration:** Unknown  
**Contact:** T. E. Mateja, PA, (724) 656-7310

**N-2012** Assorted plumbing materials and supplies for use in the construction of a wood frame building on the grounds of the Youth Development Center at New Castle. Call for material specifications, (724) 656-7310.

**Department:** Public Welfare  
**Location:** Youth Development Center, Frew Mill Road, R. R. 6, Box 21A, New Castle, PA 16101  
**Duration:** Unknown  
**Contact:** Thomas E. Mateja, PA, (724) 656-7310

**N-2013** Assorted HVAC materials and supplies for use in the construction of a wood frame building on the grounds of the Youth Development Center at New Castle. Call for material specifications, (724) 656-7310.

**Department:** Public Welfare  
**Location:** Youth Development Center, Frew Mill Road, R. R. 6, Box 21A, New Castle, PA 16101  
**Duration:** Unknown  
**Contact:** Thomas E. Mateja, PA, (724) 656-7310

**4700-07** Provide industrial capacity portable (on 4 casters) air cleaner with disposable filters to collect airborne odors, fumes, and vapors from flammable materials (inks, photo emulsions, thinners) in the application of silk screening and artwork. Unit must be complete with integral blower, one source-capture arm, first and second stage absorption devices, and sized for design airflow of a minimum of 1000CFM.

**Department:** Transportation  
**Location:** PENNDOT Sign Shop Distribution Center, 21st & Herr Streets, Harrisburg, PA 17033, David Stewart, Mgr.  
**Contact:** Carl A. Marocci, (717) 783-4340

**2509-73200-06** Fleece; lightweight, 50/50 polyester/cotton. 10 oz. per linear yard. 60" open width. Minimum of 100 continuous yards per roll. To be bid as needed.

**Department:** Corrections  
**Location:** Correctional Industries, State Correctional Inst., Follies Road, Dallas, PA 18612  
**Duration:** FY-01  
**Contact:** Joseph P. Kanjorski, (570) 773-2158 EXT. 560

**5810-03** Microcomputer & Local Area Network (LAN) Software. During each quarter of the current calendar year, new contractors may seek to be added to the list of qualified contractors for the Microcomputer & Local Area Network (LAN) Software, 5810-03. Also existing qualified contractors may seek to become qualified for additional categories of supplies or services. In order to be considered, contractors must submit a completed bid, 5810-03 to ensure receipt by the Commonwealth on or before 1:30 PM Eastern Time on the last Commonwealth business day of each quarter (the "deadline"). A "quarter" is defined as the three consecutive calendar months ending with the last business day of the months of March, June, September, and December of a calendar year. Those bids received before the deadline will be evaluated beginning the 1st business day of the month immediately following the deadline. The evaluation cycle will take an estimated 25 Commonwealth business days (subject to workload and holidays). Bids received after the deadline (but on or before the deadline for the next quarter) will be held and evaluated after the deadline for the next quarter. There will be no exceptions. To receive copy of bid package fax request to (717) 787-0725 or call our faxback system at (717) 705-6001.

**Department:** General Services  
**Location:** Harrisburg, PA  
**Duration:** FY 2000-01  
**Contact:** Vendor Services, (717) 787-2199

**9985-21** Sign Language—Interpreting/Transliterating Services.

**Department:** General Services  
**Location:** Various  
**Duration:** 09/01/01—08/31/04  
**Contact:** Vendor Services, (717) 787-2199

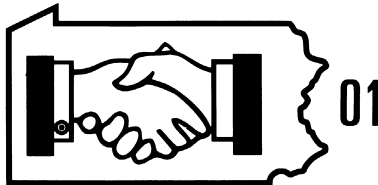
**CE-NES-01-01** Brush Chipper, trailer mounted, in 9-inch capacity class, with diesel engine. Bandit Model 90XP, Vermeer Model 935 or approved equal.

**Department:** Conservation and Natural Resources  
**Location:** Hickory Run State Park, White Haven, Pennsylvania  
**Duration:** One-time purchase  
**Contact:** Pamela Stouffer, (717) 783-0760

**TP-001** 10,000 GALLON VERTICAL STORAGE TANKS, 6 each—For salt aggregate de-icing operations. Items must be same as or equivalent to a NORWESCO Model #40353, 10,000 Gallon, 1 piece, seamless, polyene, liquid storage tank, heavy duty model. Fittings must be installed.

**Department:** Transportation  
**Location:** To be delivered to various stockpiles throughout Lackawanna County  
**Contact:** Thomas J. Philbin, (570) 963-3000

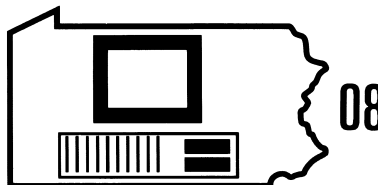
## SERVICES



### Advertising

**FL-260137** 814 gross of teal colored (PMS315) pencils with gold foil hot stamp imprint.

**Department:** Liquor Control Board  
**Location:** Harrisburg, PA  
**Duration:** Indeterminate 2001  
**Contact:** Robert L. Isenberg, (717) 787-9855



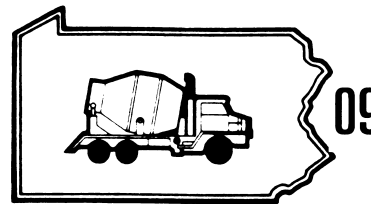
### Computer Related Services

**330016** Maintenance and support of the Department's 25 Kodak Scanners and replacement of Kofax cards (as needed).

**Department:** Transportation  
**Location:** Bureau of Information Systems, 400 North Street—5th Floor, Keystone Building, Harrisburg PA 17120-0041  
**Duration:** One year with four one year renewals  
**Contact:** Sissy Bowles, (717) 705-5856

**330018** Maintenance and Support of the Department's six Hewlett Packard Optical Jukebox units.

**Department:** Transportation  
**Location:** Bureau of Information Systems, 400 North Street—5th Floor, Keystone Building, Harrisburg, PA 17120-0041  
**Duration:** One year with four one year renewals.  
**Contact:** Sissy Bowles, (717) 705-5856



### Construction & Construction Maintenance

**045009** Crack sealing work of road surfaces on various state routes in Susquehanna and Wyoming Counties.

**Department:** Transportation  
**Location:** PENNDOT, Susquehanna County, RR1 Box 40, Montrose, PA 18801  
**Duration:** Estimated at 1 year, no renewals  
**Contact:** Dave Maciak, (570) 278-1171

**FDC-409-956.1** Sanitary Sewer Line Extension and Water System Improvements in Hickory Run State Park, Carbon County. Work includes: 4,000 L.F. sewer line extension; cleaning and purging of two wells; replacement of turbine pump with a submersible pump, new chemical feed systems, piping, mechanical and electrical work. Estimate—\$100,000 to \$500,000. NOTE: Requests for Bid Documents may be made ON or AFTER August 6, 2001. Payment to be made with CREDIT CARDS ONLY—American Express, Discover, Visa, or Master Card.

**Department:** Conservation and Natural Resources  
**Location:** Kidder Township  
**Duration:** 120 Days  
**Contact:** Construction Management Section, (717) 787-5055

**DGS A 251-455** PROJECT TITLE: Replace Heating System. BRIEF DESCRIPTION: Abate asbestos, convert steam to hydronic heating, perform selective demolition, provide new hydronic equipment, rooftop air conditioners and fin tube radiation, provide new flooring and acoustic tile ceilings. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. HVAC and Electrical Construction. PLANS DEPOSIT: \$25.00 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 \$5.00 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. Tel: 717/787-3923. Bid Date: WEDNESDAY, August 15, 2001 at 2:00 P.M.

**Department:** General Services  
**Location:** PENNDOT Maintenance Building, Wellsboro, Tioga County, PA  
**Duration:** 180 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556

**SP 3881031001** Approximately 2.7 miles trail to be constructed in Toboyne Township, Perry County. Approximately 2,947 feet of new trail to be constructed and 11,459 feet of improvement done to existing trail. 1,025 cubic yards of shale to be loaded, hauled, and spread. 14 culverts to be installed. Approximately 12 feet x 620 feet of geotextile laid down. 210 tons of #3 limestone and 210 tons #2A Modified hauled and spread on trail surface. Site inspection August 15, 2001 at 9:00 AM. Bid opening August 29, 2001 at 1:00 PM.

**Department:** Conservation and Natural Resources  
**Location:** Tuscarora State Forest, Toboyne Township, Perry County  
**Duration:** The contract shall commence upon execution and terminate December 31, 2001  
**Contact:** Donald E. Kline, (717) 536-3191

**ESU 405-511** East Stroudsburg University is accepting bids on ESU 405-511, Construct Student Recreation Center. \$5 Million General, \$1 Million HVAC, \$200K Plumb, \$500K Elect, and \$100K Fire Prot. FOR BID PACKAGE CALL 610-865-2621 or send \$200 non-refundable check to Spillman Farmer Shoemaker Pell Whilden Architects, One Bethlehem Plaza, Suite 100, Bethlehem, PA 18018-5763. Pre Bid 8/7/01 at 1 PM, Bids Open 8/28/01 at 2 PM. For special accommodations and meeting locations call Ann Zaffuto at 570-422-3595. All responsible bidders are invited to participate including MBE/WBE Firms.

**Department:** State System of Higher Education  
**Location:** East Stroudsburg University, 200 Prospect Street, East Stroudsburg, PA 18301-2999  
**Duration:** 540 Calendar Days after NTP  
**Contact:** Spillman Farmer, (610) 865-2621

**026-009** This contract will provide manpower, equipment and incidental guiderail for installation of approximately 20,000 linear feet of strong post guiderail and approximately 4,000 linear feet of weak post guiderail at various locations throughout Potter County. All guiderail material will be supplied by the Department of Transportation except for the bolts, nuts, washers, rotating brackets, connection plates, anchor bolts, concrete for the end treatments and end anchorages. It will be the Contractor's responsibility to pick up the material and deliver it to the worksites. A mandatory pre-bid meeting (one day) will be held to include review of 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 at (814) 274-9764 or by phone at (814) 274-9181 ext. 3013. This shall be a One Year Contract. All bidders must be prequalified to bid on this project. PA Prevailing Wage does apply.

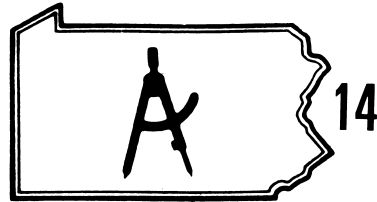
**Department:** Transportation  
**Location:** Various locations within Potter County  
**Duration:** One Year Contract  
**Contact:** Gary L. Gunzburger, (814) 274-9181

**KUCC-0038** KUCC-0038: Kutztown University is seeking qualified general, HVAC, plumbing and electrical contractors associated with the South Dining Hall ground floor renovation at Kutztown University. Bid packages are available for a non-refundable fee of \$55.00 from: John Holton, 3 Park Plaza, Wyomissing, PA 19610, Phone: (610) 374-6144. Bid packages are available August 6, 2001 through pre-bid. A pre-bid meeting has been scheduled for August 15, 2001 at 9:00 AM in Room OM-26, Old Main Building. Bids are to be received no later than 3:00 PM on September 6, 2001 in Room 229, Office of Planning and Construction. Bids will open on September 7, 2001 at 3:00 PM in the Office of Planning and Construction. Nondiscrimination and equal opportunity are the policies of the Commonwealth and the State System of Higher Education.

**Department:** State System of Higher Education  
**Location:** Kutztown University, Kutztown, PA 19530  
**Duration:** NTP to be issued by November 1, 2001 with construction to start 12/1/01 with work to be complete on or before 3/1/02  
**Contact:** Barbara Barish, (610) 683-4602

**DGS A 506-79 REBID** PROJECT TITLE: Repair and Expansion of Cherrywood Building—Delivery Dock. BRIEF DESCRIPTION: Repair existing delivery dock and demolish the existing dock/truck plate, associated dock bumpers and other equipment. Extend dock for new dock leveler, adjacent storage and dumpster pad. Roof over dock and storage areas, along with roof over one other entrance and canopies over two other entrance areas at Cherrywood Building and Annex. ESTIMATED RANGE: \$100,000.00 to \$500,000.00. PLANS DEPOSIT: \$25.00 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 \$5.00 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. Tel: 717/787-3923. Bid Date: WEDNESDAY, August 29, 2001 at 2:00 P.M.

**Department:** General Services  
**Location:** Harrisburg State Hospital, Harrisburg, Dauphin County, PA  
**Duration:** 180 CALENDAR DAYS FROM DATE OF INITIAL JOB CONFERENCE  
**Contact:** Contract and Bidding Unit, (717) 787-6556



## Engineering Services

**PennDOT-ECMS** The Pennsylvania Department of Transportation has established a website advertising for the retention of engineering firms. You can view these business opportunities by going to the Department of Transportation's Engineering and Construction Management System at [www.dot2.state.pa.us](http://www.dot2.state.pa.us).

**Department:** Transportation  
**Location:** Various  
**Contact:** [www.dot2.state.pa.us](http://www.dot2.state.pa.us)

**PGC-2724** The Pennsylvania Game Commission is soliciting proposals for consulting services from engineering firms for the development and preparation of dam breach analysis and downstream inundation maps for high hazard dams owned and operated by the Pennsylvania Game Commission. The contract upon award will be for a twelve-month period with two one-year extensions possible.

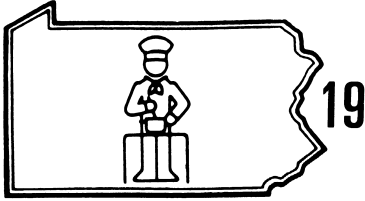
**Department:** Game Commission  
**Location:** Pennsylvania Game Commission Automotive and Procurement Division, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797  
**Duration:** Upon award through a 12 month period  
**Contact:** Diane Shultz or Linda Beaver, (717) 787-6594



## Financial and Insurance Consulting

**RFP 2001-1-ABC** RFP 2001-1-ABC. The Insurance Department (Department) is seeking qualified entities to submit a sealed proposal for consideration for the provision of health care insurance for eligible adults 19 years of age and under 65 years of age. This Request for Proposal (RFP) is being issued pursuant to the authority of Section 1301 (F) of Act 77 of 2001. An entity interested in submitting a proposal must be one of the following: a health plan corporation; a health maintenance organization; a risk-assuming preferred provider organization; or a life or health insurance corporation. In order to qualify for the award of a contract, an entity submitting a proposal must have met all the applicable licensing requirements of the Department. In addition, where applicable, any such entity must have met all the applicable licensing requirements of the Pennsylvania Department of Health. Qualified entities, and other interested entities or persons, interested in the RFP may obtain a copy via the Internet at [www.insurance.state.pa.us/abcrfp/index.htm](http://www.insurance.state.pa.us/abcrfp/index.htm). Any related information regarding the RFP will be posted on the RFP web site. In the event that a party does not have Internet capability, a copy of the RFP may be obtained by contacting the Department by either by e-mail, facsimile, or mail. Requests should be directed as follows: Commonwealth of Pennsylvania, Insurance Department, 1326 Strawberry Square, Harrisburg, PA 17120, Attn: Mr. Sandy Segal. FAX: (717) 705-1643. All proposals are due by September 14, 2001, no later than 11 a.m., to the Pennsylvania Insurance Department, 1326 Strawberry Square, Harrisburg, PA 17120, Harrisburg, PA. Proposals received after this due date and time will be returned unopened.

**Department:** Insurance  
**Location:** Commonwealth-wide  
**Duration:** 3 years  
**Contact:** Sandy Segal, (717) 705-6830



## Food

**PF0873-01** Consolidated Perishable Food Items—Individual bids will be sent out for Fish 6127; Cheese 6128; Fruits & Vegetables, Fresh 6129; Fruits & Vegetables, Frozen 6130; Prepared Vegetables, Fresh 6131; Prepared Salads, Fresh 6132; Miscellaneous Foods 6133; Meat & Meat Products 6134; and Poultry & Poultry Products 6135. The specifications and delivery schedules are available upon request from the agency.

**Department:** Public Welfare  
**Location:** Harrisburg State Hospital; Cameron & Maclay Streets; Harrisburg, PA 17106  
**Duration:** October to December 2001  
**Contact:** Jack W. Heinze, (717) 772-7435

**5297** Meat & meat products to be delivered once each month.

**Department:** Public Welfare  
**Location:** Dietary Department, Torrance State Hospital, S. R. 1014, Torrance, PA 15779  
**Duration:** October through December 2001  
**Contact:** Nancy E. Byers, (724) 459-4677

**5298** Poultry & poultry products to be delivered once each month.

**Department:** Public Welfare  
**Location:** Dietary Department, Torrance State Hospital, S. R. 1014, Torrance, PA 15779  
**Duration:** October through December 2001  
**Contact:** Nancy E. Byers, (724) 459-4677

**5299** Misc. frozen foods to be delivered once each month.

**Department:** Public Welfare  
**Location:** Dietary Department, Torrance State Hospital, S. R. 1014, Torrance, PA 15779  
**Duration:** October through December 2001  
**Contact:** Nancy E. Byers, (724) 459-4677

**BG-079** Fresh baked goods. To be delivered on as-needed basis (at request of facility).

**Department:** Labor and Industry  
**Location:** F.O.B. Shipping Platform, 727 Goucher St., Johnstown, PA 15905  
**Duration:** January 1 through December 31, 2002  
**Contact:** Christine A. Sloan, Pur. Agt., (814) 255-8228

**149-01** Poultry & Poultry Products, various items for delivery Oct. through Dec., 2001. For specifications and information request bid packet #149-01.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401  
**Duration:** October through December 2001  
**Contact:** Sue Brown, Purchasing Agent, (610) 313-1026

**152-01** Fresh Baked Goods, various items for delivery Oct. 2001 through Dec. 2001. For specifications request bid packet #152-01.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401  
**Duration:** October through December 2001  
**Contact:** Sue Brown, Purchasing Agent, (610) 313-1026

**154-01** Frozen Fruit & Vegetables, various items for delivery Oct. through Dec. 2001. For specifications and information request bid packet #154-01.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401  
**Duration:** October through December 2001  
**Contact:** Sue Brown, Purchasing Agent, (610) 313-1026

**155-01** Fresh Fruit & Vegetables, various items for delivery Oct. through Dec. 2001. For specifications and information request bid packet #155-01.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401  
**Duration:** October through December 2001  
**Contact:** Sue Brown, Purchasing Agent, (610) 313-1026

**156-01** Dairy Products, various items for delivery Oct. through Dec. 2001. For specification and information request bid packet #156-01.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401  
**Duration:** October through December 2001  
**Contact:** Sue Brown, Purchasing Agent, (610) 313-1026

**157-01** Beverages, various items for delivery Oct. through Dec. 2001. For specifications and information request bid packet #157-01.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401  
**Duration:** October through December 2001  
**Contact:** Sue Brown, Purchasing Agent, (610) 313-1026

**B-153** Fresh Breads and Bread products. To be delivered (Mon. through Sat.) only at request of facility.

**Department:** Labor and Industry  
**Location:** F.O.B. Shipping Platform, 727 Goucher St., Johnstown, PA 15905  
**Duration:** January 1 through December 31, 2002  
**Contact:** Christine A. Sloan, Pur. Agt., (814) 255-8228

**151-01** Miscellaneous Frozen Foods, various items for delivery Oct. 2001 through Dec. 2001. For specifications and information request bid packet #151-01.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401  
**Duration:** October through December 2001  
**Contact:** Sue Brown, Purchasing Agent, (610) 313-1026

**150-01** Meat & Meat Products, various items for delivery Oct. through Dec. 2001. For specifications and information request bid packet #150-01.

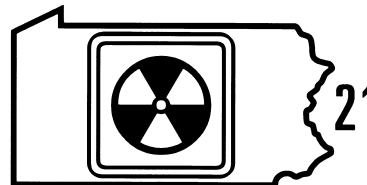
**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401  
**Duration:** October through December 2001  
**Contact:** Sue Brown, Purchasing Agent, (610) 313-1026

**153-01** Bread, Rolls, Etc., various items for delivery Oct. through Dec. 2001. For specifications and information request bid packet #153-01.

**Department:** Public Welfare  
**Location:** Norristown State Hospital, 1001 Sterigere Street, Norristown, PA 19401  
**Duration:** October through December 2001  
**Contact:** Sue Brown, Purchasing Agent, (610) 313-1026

**M-883** Meats & Meat Products; Poultry & Poultry products; Fish; Cheeses. To be delivered only at request of facility.

**Department:** Labor and Industry  
**Location:** F.O.B. Shipping Platform, 727 Goucher St., Johnstown, PA 15905  
**Duration:** October, November, December, 2001  
**Contact:** Christine A. Sloan, Pur. Agt., (814) 255-8228



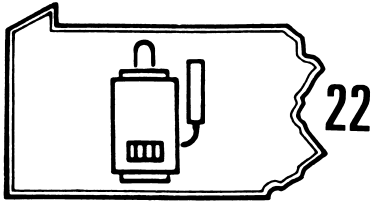
## Hazardous Material Services

**MA 104** Contractor shall remove two (2) heating oil underground storage tanks at the State Correctional Institution, Cambridge Springs, PA. Tanks are unregulated under the Storage Tank and Spill Prevention Act.

**Department:** Corrections  
**Location:** S.C.I. Cambridge Springs, 451 Fullerton Avenue, Cambridge Springs, PA 16403  
**Duration:** 9-1-01 to 10-31-01  
**Contact:** Quentin Hargenrater Jr., (814) 398-5400

**SP-1020001** To provide asbestos removal service—(asbestos clean up/decontamination associated with carpet removal; abatement of floor tile and mastic) for Phase 1 in renovations to the Third Floor of the Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania 15222. All work shall be performed between the hours of 7:30 a.m. to 5:30 p.m. Contractor must be out of the building no later than 5:45 p.m. All work shall be done in compliance with Allegheny County Health Department regulations. Quantities of ACM floor tile and mastic are estimated to be approximately 7,226 square feet on the third floor. Complete details and specifications may be obtained by contacting the Procurement Office or faxing your request to (717) 787-3560.

**Department:** Public Welfare  
**Location:** Department of Public Welfare, Allegheny County Assistance Office/Legal/OMR, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania 15222  
**Duration:** The anticipated term of this contract shall begin October 1, 2001 and end June 30, 2002.  
**Contact:** Rose Wadlinger, (717) 783-3767



### HVAC Services

**023612** This contract will provide all personnel & equipment, including a bucket truck that will reach a 40' high working area, to complete electrical service in accordance with this quotation and Attachment I specs. Personnel must have a journeymans license. For detailed specifications, please call (570) 893-2430 or fax your requests to (570) 893-2953.

**Department:** Transportation  
**Location:** Maintenance District 2-3, I-80 Roadside Rest near Carroll and other stockpiles located throughout Clinton County  
**Duration:** 1 year contract with option to renew for 1 additional year  
**Contact:** Tammie J. McHenry, (570) 893-2430

**SP 10777019** Automatic Temperature Control Services.

**Department:** Public Welfare  
**Location:** Clarks Summit State Hospital, 1451 Hillside Drive, Clarks Summit, PA 18411-9505  
**Duration:** July 1, 2001 through June 30, 2006  
**Contact:** Stanley Rygelski, PA, (570) 587-7291

**540003** New plumbing installation and repair of existing plumbing at PennDOT facilities throughout Monroe County.

**Department:** Transportation  
**Location:** PA Department of Transportation, SR 611, 2 Miles N.W. of Stroudsburg, Stroudsburg, PA 18360  
**Duration:** One year from date of award with four one-year renewals  
**Contact:** Denise Grabowski, (570) 424-3024



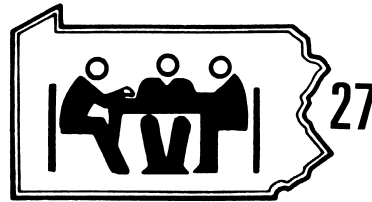
### Laundry/Dry Cleaning & Linen/Uniform Rental

**0460-JL** Three year contract for uniforms for PENNDOT Wayne County 4-6 Honesdale. Pants and shirts are to be 100% cotton wrinkle resistant twill. Front pockets for pants. Shirts October to April shall be long sleeves 5 oz. special plain twill, 6 button or snap front with button cuff. May through September short sleeve with same spec with the exception of the button cuff. Grace period depending on weather. Color blue for 9 people 2 people green shirts shall have persons name and PENNDOT logo. Contractor shall be able to supply various sizes. Once a week pick-up and cleaning 11 sets per person (Five changes up to 11 employees at 5 changes per week).

**Department:** Transportation  
**Location:** PENNDOT, 3 miles East of Honesdale SR 6, Honesdale, PA 18431  
**Duration:** 3 years  
**Contact:** Joan Lotz, Purchasing Agent, (570) 253-3130

**113-0411** Contractor to provide laundry services for resident clothing. Approximately quantity of laundry is 7,000 pounds per month. Service will require pickup and delivery to be three times a week.

**Department:** Military Affairs  
**Location:** Southwestern Veterans Center, 7060 Highland Dr., Pittsburgh, PA 15236  
**Duration:** 10/01/01—6/30/03  
**Contact:** Ken Wilson, (412) 665-6727



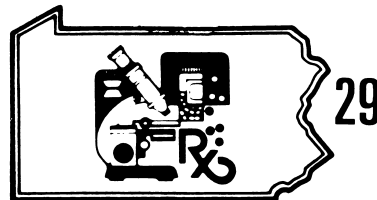
### Lodging/Meeting Facilities

**420036R** Meeting room for approximately 140 people with 5 breakout rooms 1st week preference week is February 27 through March 1, 2002 or an alternate week of February 20 through 22, 2002. Breakfast/Lunches/Breaks required within the facility. Lodging for 100 single rooms on Feb. 26, 27 & 28, or Feb. 19, 20, & 21, 2002. Facility must be capable of providing overhead projectors w/screen/slide projector/TV/VCR & associated classroom items. Facility must be located not more than 10 miles from the Borough of State College, PA. If you want a bid package please fax your name and address to Deb Peterson AT 717 783-5955.

**Department:** Transportation  
**Location:** PA DOT, Bureau of Construction and Materials, 1118 State St., Harrisburg, PA 17120  
**Duration:** February 27 through March 1, 2002 or February 20 through 22, 2002.  
**Contact:** Deb Peterson, (717) 787-6630

**SP3810029** Services required for lodging, meals, and a meeting room. Location must be within a three (3) mile radius of Exit 113 (New Exit Number) or Exit 31 (Old Exit Number) off U.S. Route 80, Pennsylvania. Overnight lodging room requirements: 9/25—13 singles, 15 doubles; 9/26 & 9/27—13 singles, 38 doubles. One (1) small meeting room to serve as a staging area and information center.

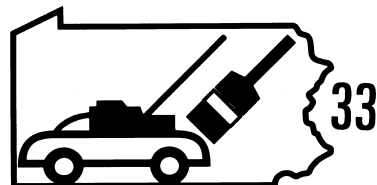
**Department:** Conservation and Natural Resources  
**Duration:** September 25 through 28, 2001  
**Contact:** Pamela Stouffer, (717) 783-0760



### Medical Services

**DMA71** Southeastern Veterans Center is in the market for four (4) each—Medication Carts—Flynn Hudson Series 3000—or approved equal. To receive this bid—please e-mail at tbarthel@state.pa.us—or fax request (Fax # is 610-948-2461). Send to: Theresa Barthel, PA.

**Department:** Military Affairs  
**Location:** Southeastern Veterans Center, 1 Veterans Drive, Spring City, PA 19475  
**Duration:** August 1, 2001 through December 31, 2001  
**Contact:** Theresa Barthel, (610) 948-2493



### Property Maintenance

**Bid # 8311** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Clearfield Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Clearfield Station, R. D. #2, Box 314, Woodland, PA 16881-9781  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8312** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Total Automation Office. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Total Automation Office, 2629 Market Place, Harrisburg, PA 17110  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8313** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, New Castle Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** New Castle Station, R. D. #5, Box 5265, New Castle, PA 16105  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8314** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Chambersburg Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Chambersburg Station, 679 Franklin Farms Lane, Chambersburg, PA 17201  
**Duration:** 11/1/01 to 6/30/04  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8315** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Mercer Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Mercer Station, 826 Franklin Road, Mercer, PA 16137  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8320** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Bedford Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Bedford Station, 10565 Lincoln Highway, Everett, PA 15537-7047  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8321** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Elizabethtown Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Elizabethtown Station, 301 State Road, Elizabethtown, PA 17023  
**Duration:** 11/1/01 to 6/30/04  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8322** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Ebensburg Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Ebensburg Station, 100 Casale Court, Ebensburg, PA 15931  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**2201009** Furnish all labor, equipment and materials to provide lawn fertilization, tree and shrubbery maintenance at PA Fish & Boat Commission, 1601 Elmerton Avenue, Harrisburg, PA 17110.

**Department:** Fish and Boat Commission  
**Location:** PA Fish and Boat Commission, Office Services, 1601 Elmerton Avenue, Harrisburg, PA 17110-9299  
**Duration:** 09/01/01—6/30/06; Service to be provided during the months of March through November  
**Contact:** Dennis Grove, (717) 705-7915

**Bid # 8310** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Clearfield Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8316** Furnish all labor, materials and equipment to remove snow, salting & cindering from the driveways and parking areas, as required at the PA State Police, Swiftwater Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Swiftwater Station, P. O. Box 949, Swiftwater, PA 18370  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8326** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Greensburg Headquarters & Crime Lab. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Greensburg Headquarters & Crime Lab, 100 North Westmoreland Avenue, Greensburg, PA 15601-0436  
**Duration:** 11/1/01 to 6/30/04  
**Contact:** Donna Enders, (717) 705-5951

**71901** Supply and install Lee's Faculty 4 carpet tile, color Bluenote. Bid to include purchase of carpet tile, removal and disposal of existing carpet, floor preparation, use of equipment to lift office partitions, installation of carpet tile with Black cove base molding. Vendor must be Lee certified carpet installer. Request for bid info will be accepted until close of business, 10 August 2001.

**Department:** Insurance  
**Location:** 1326 Strawberry Square, 13th floor, Insurance Department  
**Duration:** Issuance to 30 June 2002  
**Contact:** Frank McCracken, (717) 783-4316

**Bid # 8327** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Clarion Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Clarion Station, 209 Commerce Road, Clarion, PA 16214  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8328** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Hamburg Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Hamburg Station, 90 Industrial Drive, Hamburg, PA 19526  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8329** Furnish all labor, materials and equipment to remove snow, salting & cindering from the driveways and parking areas, as required at the PA State Police, Indiana Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Indiana Station, 4221 Route 286, Highway West, Indiana, PA 15701  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8330** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Dublin Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Dublin Station, 3218 Rickert Road, Perkasio, PA 18944  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**MI-812 Pike House Renovations** Renovating interior & exterior of an existing two story house, approx 1,400 s.f. New interior partitions, ceiling tiles, painting, wall covering, lights and electrical panel. Exterior brick pointing & painting. Estimate: General Construction \$19,926—\$25,787; Electrical Construction \$5,123—\$6,630. Plans Cost: \$15 nonrefundable.

**Department:** State System of Higher Education  
**Location:** Pike House, Millersville University of PA, Millersville, PA 17551  
**Duration:** 60 calendar days from the date of the Notice to Proceed  
**Contact:** Jill M. Coleman, (717) 872-3730

**Proc-00-58** Furnish and install carpet and padding in the Deputy Secretary's office, Room 515 and hallway outside office in the Health and Welfare Building. All work will include removal, and disposal of existing carpet, floor prep, if necessary moving furniture for installation. Proof of visit is required.

**Department:** Public Welfare  
**Location:** Division of Office Services, Room 233, Health and Welfare Building, Commonwealth and Forester, Harrisburg, PA 17120  
**Duration:** ASAP  
**Contact:** Barry Malone, (717) 705-3917

**Bid # 8336** Furnish all labor, materials and equipment to remove snow, salting & cindering from the driveways and parking areas, as required at the PA State Police, Selinsgrove Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Selinsgrove Station, R. D. #1, Box 131, Selinsgrove, PA 17870  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8338** Furnish all labor, materials and equipment to remove snow, salting & cindering from the driveways and parking areas, as required at the PA State Police, Schuylkill Haven Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Schuylkill Haven Station, 23 Meadowbrook Drive, Schuylkill Haven, PA 17972  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8317** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Harrisburg Aviation Patrol Unit III. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Harrisburg Aviation Patrol Unit III, Capital City Airport, New Cumberland, PA 17070  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8318** Furnish all labor, materials and equipment to remove snow, salting & cindering from the sidewalks, driveways and parking areas, as required at the PA State Police, Girard Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Girard Station, 5950 Meadville Road, Girard, PA 16417  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8319** Furnish all labor, materials and equipment to remove snow, salting & cinderling from the sidewalks, driveways and parking areas, as required at the PA State Police, DuBois Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** DuBois Station, 101 Preston Way, Falls Creek, PA 15840  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8323** Furnish all labor, materials and equipment to remove snow, salting & cinderling from the sidewalks, driveways and parking areas, as required at the PA State Police, Altoona Liquor Control Enforcement facility. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Altoona Liquor Control Enforcement, 930 Route 22 East, Duncansville, PA 16635  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8324** Furnish all labor, materials and equipment to remove snow, salting & cinderling from sidewalks, driveways and parking areas, as required at the PA State Police, Ridgway Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Ridgway Station, HCR 1, Box 106, Ridgway, PA 15853  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8331** Furnish all labor, materials and equipment to remove snow, salting & cinderling from sidewalks, driveways and parking areas, as required at the PA State Police, Findlay Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Findlay Station, 190 Industry Drive, Pittsburgh, PA 15275  
**Duration:** 11/1/01 to 6/30/02  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8332** Furnish all labor, materials and equipment to remove snow, salting & cinderling from sidewalks, driveways and parking areas, as required at the PA State Police, Skippack Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Skippack Station, 2047C Bridge Road, Schwenksville, PA 19473  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8333** Furnish all labor, materials and equipment to remove snow, salting & cinderling from driveways and parking areas, as required at the PA State Police, Kiski Valley Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Kiski Valley Station, 471, Route 66, Apollo, PA 15613  
**Duration:** 11/1/01 to 6/30/04  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8335** Furnish all labor, materials and equipment to remove snow, salting & cinderling from sidewalks, driveways and parking areas, as required at the PA State Police, Philadelphia Liquor Control Enforcement facility. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Philadelphia Liquor Control Enforcement, 6901 Woodland Avenue, Philadelphia, PA 19142  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8337** Furnish all labor, materials and equipment to remove snow, salting & cinderling from sidewalks, driveways and parking areas, as required at the PA State Police, Meadville Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Meadville Station, 11176 Murray Road, Meadville, PA 16335-0479  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8339** Furnish all labor, materials and equipment to remove snow, salting & cinderling from sidewalks, driveways and parking areas, as required at the PA State Police, Somerset Station & Exam. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Somerset Station & Exam, 142 Sagamore Street, Somerset, PA 15501-8356  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8340** Furnish all labor, materials and equipment to remove snow, salting & cinderling from sidewalks, driveways and parking areas, as required at the PA State Police, Harrisburg Liquor Control Enforcement facility. Snow removal shall not be later than 7:00 a.m. for an overnight snowfall on a weekday, with weekend snowfalls to be cleared by 4:00 p.m. for the LEO's on the evening shift. Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Harrisburg Liquor Control Enforcement, 3655 Vartan Way, Harrisburg, PA 17110  
**Duration:** 11/1/01 to 6/30/04  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8334** Furnish all labor, materials and equipment to remove snow, salting & cinderling from driveways and parking areas, as required at the PA State Police, Beaver Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

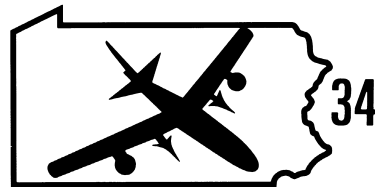
**Department:** State Police  
**Location:** Beaver Station, 1400 Brighton Road, Beaver, PA 15009  
**Duration:** 11/1/01 to 6/30/04  
**Contact:** Donna Enders, (717) 705-5951

**Bid # 8325** Furnish all labor, materials and equipment to remove snow, salting & cinderling from sidewalks, driveways and parking areas, as required at the PA State Police, Jonestown Station. Detailed Work Schedule and Bid must be obtained from Facility Management Division, 717-705-5951.

**Department:** State Police  
**Location:** Jonestown Station, R. D. #2, Box 4070, Jonestown, PA 17038-9574  
**Duration:** 11/1/01 to 6/30/03  
**Contact:** Donna Enders, (717) 705-5951

**03881211001** Tree cultural work to be done in Bureau of Forestry's Penn Nursery white pine tree seed orchard. Work will include removal of top portion of marked orchard trees above a 40-foot (+/-5 feet) depending on tree bole configuration. Orchard is located on a gentle slope, 2-5% grade in grassy area. Trees cannot be climbed with spurs or ladders. Only trucks with aerial lift-buckets shall be used to gain access to tops of trees for cutting. Nursery personnel will pick cones from fallen tree tops and will dispose of all branches and tops. Contractor will not be responsible for any cleanup of orchard. Tours of proposed work area will be conducted on August 10, 2001 at 9:00 a.m.

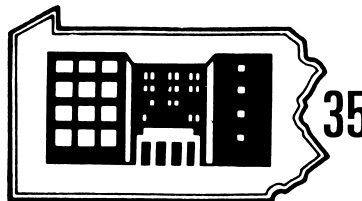
**Department:** Conservation and Natural Resources  
**Location:** Penn Nursery, 137 Penn Nursery Road, Spring Mills, PA 16875; (1 mile SE of Potters Mills on Route 322)  
**Duration:** Work must be completed no later than September 7, 2001  
**Contact:** R. Alexander Day, (814) 364-5150



### Railroad/Airline Related Services

**RFP 0R-13** PennDOT is soliciting proposals to update the legislatively mandated COMPREHENSIVE RAIL FREIGHT STUDY and STATE RAIL PLAN. The objective of this Request for Proposal (RFP) is to assess the Pennsylvania Rail Freight System, the planning and program assessment and the Rail Freight assistance funding options assessment. Additional information and a copy of the RFP may be obtained by faxing a request with the following: your name, company name, address, phone number, fax number, and e-mail address. Please reference RFP #0R-13 in your request to Roberta Cooper at (717) 783-7971.

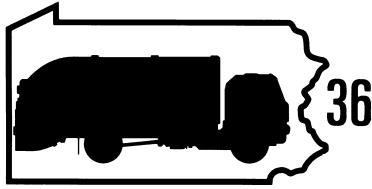
**Department:** Transportation  
**Location:** Statewide  
**Duration:** 12 months with possible extension.  
**Contact:** Roberta Cooper, (717) 787-4006



### Real Estate Services

**BHP-0600** Historic Farm Buildings Available for Donation. The U. S. Department of Justice, Federal Bureau of Prisons (Bureau), offers to donate one or more buildings contributing to the Farview State Hospital Agricultural complex, a National Register of Historic Places eligible historic property, to a state, county, or municipal subdivision of the Commonwealth of Pennsylvania for their relocation and preservation of Bureau property. These buildings currently stand near the intersection of Canaan Road and Owego Turnpike in Canaan Township, Wayne County. This donation is offered pursuant to the Memorandum of Agreement executed between the Bureau, the Pennsylvania State Historic Preservation Office, and the Advisory Council on Historic Preservation for the United States Penitentiary Project in Canaan Township, Pennsylvania. As part of the donation, the Bureau will require that all preservation activities regarding the building(s) must be in accordance with the Secretary of the Interior's Standards for Rehabilitation. The Bureau will also require that a restrictive covenant ensuring the future preservation of the building(s) be placed on the article of transfer. The Bureau offers up to ten buildings and structures for donation, including three frame barns, three silos, two manure storage buildings, one brick dairy barn, and one brick bull pen shelter. These buildings and structures comprise part of the institutional farm associated with the former Farview State Hospital, the Commonwealth's first facility for the treatment and incarceration of the criminally insane. The institutional farm operated between 1913 and 1975. For further information concerning these buildings or the offer of donation, please contact either Mr. David J. Dorworth, Chief, Site Selection and Environmental Review Branch, Federal Bureau of Prisons, at (202) 514-6470, or Mr. Stuart Dixon of The Louis Berger Group, Inc., the Bureau's cultural resources consultant, at (202) 331-7775, ext. 478.

**Department:** Historical and Museum Commission  
**Location:** Address of building for donation: Intersection of Canaan Road and Owego Turnpike in Canaan Township, Wayne County  
**Duration:** 1 Month  
**Contact:** Anne Safley, (717) 787-9121



## Sanitation

**053701** Provide dumpsters at 5 locations in Lehigh Co. in various sizes for the removal and disposal of trash that is generated on site and from along the departments Right of Way. No hazardous materials all regular trash.

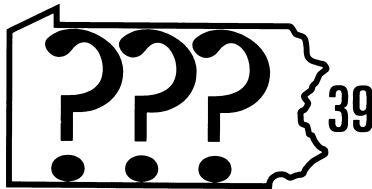
**Department:** Transportation  
**Location:** Pa.D.O.T. District 5-3 Lehigh County, 1712 Lehigh St., Allentown Pa. 18103  
**Duration:** 1—3 Year contact with 1—2 Year Renewal  
**Contact:** Daniel Graham, (610) 798-4284

**053702** Provide a location for the disposal of solid waste transported by Dept. truck location should be within limits of Lehigh Co.

**Department:** Transportation  
**Location:** Pa.D.O.T. Lehigh County District 5-3, 1712 Lehigh St., Allentown Pa. 18103  
**Duration:** 1—3 year contract with 1—2 year renewal  
**Contact:** Daniel Graham, (610) 798-4284

**SP3862131001** Sealed bids will be received at Dept. of Conservation & Natural Resources, Raccoon Creek State Park, 3000 State Route 18, Hookstown, PA 15050 and then publicly opened and read. A bid opening date has not yet been set. For Solid Waste collection and disposal at Raccoon Creek State Park. A bid proposal containing all pertinent information must be obtained from the office of the Park Manager, Raccoon Creek State Park.

**Department:** Conservation and Natural Resources  
**Location:** Raccoon Creek State Park, 3000 State Route 18, Hookstown, PA 15050  
**Duration:** November 1, 2001 to December 31, 2003  
**Contact:** Raccoon Creek State Park, (724) 899-2200



## Miscellaneous

**SU 35000-5** 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, 2001 by 4:00 PM. Qualified vendors interested in receiving a bid package should fax their request to Janet Neidigh, Purchasing Agent 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  
**Contact:** Janet Neidigh, (717) 477-1386

**SO-237** The State Correctional Institution at Somerset will be soliciting bids for paving at various locations at the Institution. A site visit will be required. Vendors interested in bidding 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:** 7/19/01 through 6/30/02  
**Contact:** Theresa Solarczyk, Pur. Agent II, (814) 443-8100 X311

**10972032** Locksmith services at Mayview State Hospital.

**Department:** Public Welfare  
**Location:** Mayview State Hospital, 1601 Mayview Road, Bridgeville, PA 15017-1599  
**Duration:** 10-01-01 through 06-30-04  
**Contact:** Fred Molisee, (412) 257-6215

**SP3881130101** Provide materials and installation of Woven Wire Deer Fencing as Follows: Four (4) Fences in Elk State Forest, Benezetze Township, Elk County and Gibson Township, Cameron County. Big Porkey—approximately 6,000 Lineal feet perimeter, Three (3) walk-through gates, One (1) two-part vehicle gate. Bell Draft Shelterwood—approximately 5,600 Lineal feet perimeter, three (3) walk-through gates, One (1) two-part vehicle gate. Bell Draft Two Age—approximately 4,700 Lineal feet perimeter, Three (3) walk-through gates. Five Springs—approximately 4,100 Lineal feet perimeter, Two (2) walk-through gates. Site inspection will be on August 8, 2001, 9:00 AM, prospective vendors will meet on Rt. 555 and Dents Run. Bid opening will be August 15, 2001 at 2:00 PM at the District 13 Office, RR 4 Box 212, Suite 1, Emporium PA 15834.

**Department:** Conservation and Natural Resources  
**Location:** Benezetze Township, Elk County and Gibson Township, Cameron County  
**Duration:** November 15, 2002  
**Contact:** John E. Sidelinger, (814) 486-3353

**250-1065** Contractor shall provide all labor, parts and material necessary to install additional door monitoring systems. All parts must be compatible with existing which is manufactured by Cornwell. Specifications available upon request.

**Department:** Military Affairs  
**Location:** Southwestern Veterans Center, 7060 Highland Dr., Pittsburgh, PA 15206  
**Duration:** 9/01/01-12/31/01  
**Contact:** Ken Wilson, (412) 665-6727

**2500-003** Contractor shall provide Spanish protestant minister service to the inmate population at the State Correctional Institution at Dallas.

**Department:** Corrections  
**Location:** State Correctional Institution, 1000 Follies Road, Dallas, PA 18612  
**Duration:** November 1, 2001 to June 30, 2004  
**Contact:** Robert Faneck, Business Manager, (570) 674-2708

**C-568 (18)** Toilet Partitions—10 Standard Stalls, 8 Handicap Stalls. All materials to be "Comtec." No Substitutions. Drawings and material list available upon request.

**Department:** Public Welfare  
**Location:** Wernersville State Hospital, Route 422 West & Sportsman Road, Wernersville, PA 19565  
**Duration:** August 24, 2001  
**Contact:** Mary Hein, Purchasing Agent, (610) 670-4128

[Pa.B. Doc. No. 01-1449. Filed for public inspection August 3, 2001, 9:00 a.m.]

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## DESCRIPTION OF LEGEND

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| <p><b>1</b> Advertising, Public Relations, Promotional Materials</p> <p><b>2</b> Agricultural Services, Livestock, Equipment, Supplies &amp; Repairs: Farming Equipment Rental &amp; Repair, Crop Harvesting &amp; Dusting, Animal Feed, etc.</p> <p><b>3</b> Auctioneer Services</p> <p><b>4</b> Audio/Video, Telecommunications Services, Equipment Rental &amp; Repair</p> <p><b>5</b> Barber/Cosmetology Services &amp; Equipment</p> <p><b>6</b> Cartography Services</p> <p><b>7</b> Child Care</p> <p><b>8</b> Computer Related Services &amp; Equipment Repair: Equipment Rental/Lease, Programming, Data Entry, Payroll Services, Consulting</p> <p><b>9</b> Construction &amp; Construction Maintenance: Buildings, Highways, Roads, Asphalt Paving, Bridges, Culverts, Welding, Resurfacing, etc.</p> <p><b>10</b> Court Reporting &amp; Stenography Services</p> <p><b>11</b> Demolition—Structural Only</p> <p><b>12</b> Drafting &amp; Design Services</p> <p><b>13</b> Elevator Maintenance</p> <p><b>14</b> Engineering Services &amp; Consultation: Geologic, Civil, Mechanical, Electrical, Solar &amp; Surveying</p> <p><b>15</b> Environmental Maintenance Services: Well Drilling, Mine Reclamation, Core &amp; Exploratory Drilling, Stream Rehabilitation Projects and Installation Services</p> <p><b>16</b> Extermination Services</p> <p><b>17</b> Financial &amp; Insurance Consulting &amp; Services</p> <p><b>18</b> Firefighting Services</p> <p><b>19</b> Food</p> <p><b>20</b> Fuel Related Services, Equipment &amp; Maintenance to Include Weighing Station Equipment, Underground &amp; Above Storage Tanks</p> <p><b>21</b> Hazardous Material Services: Abatement, Disposal, Removal, Transportation &amp; Consultation</p> | <p><b>22</b> Heating, Ventilation, Air Conditioning, Electrical, Plumbing, Refrigeration Services, Equipment Rental &amp; Repair</p> <p><b>23</b> Janitorial Services &amp; Supply Rental: Interior</p> <p><b>24</b> Laboratory Services, Maintenance &amp; Consulting</p> <p><b>25</b> Laundry/Dry Cleaning &amp; Linen/Uniform Rental</p> <p><b>26</b> Legal Services &amp; Consultation</p> <p><b>27</b> Lodging/Meeting Facilities</p> <p><b>28</b> Mailing Services</p> <p><b>29</b> Medical Services, Equipment Rental and Repairs &amp; Consultation</p> <p><b>30</b> Moving Services</p> <p><b>31</b> Personnel, Temporary</p> <p><b>32</b> Photography Services (includes aerial)</p> <p><b>33</b> Property Maintenance &amp; Renovation—Interior &amp; Exterior: Painting, Restoration, Carpentry Services, Snow Removal, General Landscaping (Mowing, Tree Pruning &amp; Planting, etc.)</p> <p><b>34</b> Railroad/Airline Related Services, Equipment &amp; Repair</p> <p><b>35</b> Real Estate Services—Appraisals &amp; Rentals</p> <p><b>36</b> Sanitation—Non-Hazardous Removal, Disposal &amp; Transportation (Includes Chemical Toilets)</p> <p><b>37</b> Security Services &amp; Equipment—Armed Guards, Investigative Services &amp; Security Systems</p> <p><b>38</b> Vehicle, Heavy Equipment &amp; Powered Machinery Services, Maintenance, Rental, Repair &amp; Renovation (Includes ADA Improvements)</p> <p><b>39</b> Miscellaneous: This category is intended for listing all bids, announcements not applicable to the above categories</p> |
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KELLY LOGAN,  
*Acting Secretary*



**Contract Awards**

The following awards have been made by the Department of General Services, Bureau of Purchases:

<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>
6505-08 rip # 1	07/25/01	Nestle USA	294,402.00
6505-08 rip # 1	07/25/01	Novartis Nutrition	392,536.00
1025221-01	07/24/01	American Decal & Mfg. Co.	53,395.00

<b>Requisition or Contract No.</b>	<b>PR Award Date or Contract Effective Date</b>	<b>To</b>	<b>In the Amount Of</b>
1035201-01	07/24/01	Goodrich Avionics Systems	94,221.63

KELLY LOGAN,  
*Acting Secretary*

[Pa.B. Doc. No. 01-1450. Filed for public inspection August 3, 2001, 9:00 a.m.]

