NOTICES

DEPARTMENT OF AGRICULTURE

Temporary Order Designating Dangerous Transmissible Disease

The Department of Agriculture (Department) hereby issues a temporary order designating Lymphocytic Choriomeningitis Virus (LCMV) as a "dangerous transmissible disease." This designation is made under 3 Pa.C.S. §§ 2301—2389 (relating to the Domestic Animal Law).

Under 3 Pa.C.S. § 2327(a) (relating to disease surveillance and detection), the Department has authority to monitor the domestic animal population of this Commonwealth to determine the prevalence, incidence and location of transmissible diseases of animals. Under 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases), the Department has authority to declare a disease that has not been specifically identified in that statute as a "dangerous transmissible disease" to be a dangerous transmissible disease through issuance of a temporary order making that designation.

LCMV is known to cause potentially fatal disease in humans and is capable of being spread by various rodent species. From time to time, outbreaks have occurred in the United States—necessitating swift investigation and disease containment strategies to protect human health.

Order

The Department hereby designates LCMV as a "dangerous transmissible disease" under 3 Pa.C.S. § 2321(d).

This order shall take effect as of July 25, 2005, and shall remain in effect until no later than July 25, 2006. This Department may: (1) reissue this temporary order to extend the designation beyond July 25, 2006; (2) allow this temporary order to expire on July 25, 2006; (3) supplant this temporary order with a formal regulation; or (4) modify this temporary order.

Questions regarding this temporary order should be directed to Paul Knepley, DVM, Director, Bureau of Animal Health and Diagnostic Services, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-2852.

DENNIS C. WOLFF,
Secretary

[Pa.B. Doc. No. 05-1479. Filed for public inspection August 5, 2005, 9:00 a.m.]

DEPARTMENT OF BANKING

Action on Applications

The Department of Banking, 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 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending July 26, 2005.

BANKING INSTITUTIONS

New Charter Applications

<table>
<thead>
<tr>
<th>Date</th>
<th>Name of Bank</th>
<th>Location</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>7-22-05</td>
<td>Select Asset Management &amp; Trust Company</td>
<td>4718 Old Gettysburg Road</td>
<td>Filed</td>
</tr>
<tr>
<td></td>
<td>Mechanicsburg</td>
<td>Suite 405</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cumberland County</td>
<td>Mechanicsburg</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cumberland County</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Correspondent:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Timothy F. Demers, Esq.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Stevens &amp; Lee</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>P. O. Box 679</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Reading, PA 19603-0679</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Branch Applications

<table>
<thead>
<tr>
<th>Date</th>
<th>Name of Bank</th>
<th>Location</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>4-20-05</td>
<td>Community Banks</td>
<td>The Manor at Oakridge</td>
<td>Opened</td>
</tr>
<tr>
<td></td>
<td>Millersburg</td>
<td>4500 Oakhurst Boulevard</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dauphin County</td>
<td>Susquehanna Township</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dauphin County</td>
<td></td>
</tr>
<tr>
<td>7-22-05</td>
<td>Fulton Bank</td>
<td>1952 Waddle Road</td>
<td>Approved</td>
</tr>
<tr>
<td></td>
<td>Lancaster</td>
<td>Suite 106</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lancaster County</td>
<td>State College</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Patton Township</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Centre County</td>
<td></td>
</tr>
</tbody>
</table>
Date | Name of Bank | Location | Action
---|---|---|---
7-22-05 | Penn Liberty Bank | 199 East Lancaster Avenue Malvern Chester County | Approved
7-21-05 | S & T Bank | 628-630 Broad Street New Bethlehem Clarion County | Filed
7-26-05 | Beneficial Mutual Savings Bank | 1139 Chestnut Street Philadelphia Philadelphia County | Filed

**Branch Relocations/Consolidations**

**SAVINGS INSTITUTIONS**
No activity.

**CREDIT UNIONS**

Trade, Industry or Profession Charter Application

Date | Name of Bank | Location | Action
---|---|---|---
7-26-05 | Lee Hospital Credit Union | Johnstown Cambria County | Approved

Application represents a conversion from an occupational-based credit union to a Trade, Industry or Profession Charter with a proposed field of membership consisting of health care workers in Blair, Cambria and Somerset Counties to include employees, independent contractors or self-employed persons that work at or provide the following services: assisted living facilities that provide healthcare; birthing centers; blood, organ and tissue banks; emergency medical care; health clinics; health maintenance organizations (HMO) facilities; home health care; hospices; hospitals; medical and diagnostic labs; nursing homes; nursing services; offices of chiropractors, dentists, licensed therapists, optometrists, physicians, podiatrists and psychologists; pain centers; paramedic services; pharmacy services; and rehabilitation centers providing medical treatment or licensed psychological or physical therapy.

A. WILLIAM SCHENCK, III,
Secretary

[Pa.B. Doc. No. 05-1480. Filed for public inspection August 5, 2005, 9:00 a.m.]

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Applications, Actions and Special Notices

**APPLICATIONS**

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT
APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a general permit. The applications concern, but are not limited to, discharges related to industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFOs). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.
For NPDES renewal applications 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 applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 individual permits and individual stormwater construction permits in Sections IV and VI, the Department, based upon preliminary reviews, has made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications. 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 proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. 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 will also accept requests for a public hearing on applications. A public hearing may be held 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 within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

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

<table>
<thead>
<tr>
<th>NPDES No.</th>
<th>Facility Name &amp; Address</th>
<th>County &amp; Municipality</th>
<th>Stream Name (Watershed #)</th>
<th>EPA Waived</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAR10H231R</td>
<td>Turnpike Commission Gettysburg Pike Interchange P. O. Box 67676 Harrisburg, PA 17106-7676</td>
<td>Cumberland County Upper Allen Township</td>
<td>Cedar Run/CWF</td>
<td>Y</td>
</tr>
<tr>
<td>PAR10M203R</td>
<td>Paulmark Estates Douglas Miller 9934 Brownsmill Road Greenscastle, PA 17225</td>
<td>Franklin County Antrim Township</td>
<td>UNT to Conococheague Creek/WWF</td>
<td>Y</td>
</tr>
<tr>
<td>PA0085316 (Sewage)</td>
<td>Fort Heritage, Ltd. 1960 Emmitsburg Road Gettysburg, PA 17325</td>
<td>Adams County Cumberland Township</td>
<td>Marsh Creek/WWF/13-D</td>
<td>Y</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>NPDES No.</th>
<th>Facility Name &amp; Address</th>
<th>County &amp; Municipality</th>
<th>Stream Name (Watershed #)</th>
<th>EPA Waived</th>
</tr>
</thead>
<tbody>
<tr>
<td>PA0103543</td>
<td>Pithole Visitor Center 202 Museum Drive Titusville, PA 16354-8902</td>
<td>Venango County Cornplanter Township</td>
<td>Dry/Intermittent Tributary to Pithole Creek 16-E</td>
<td>Y</td>
</tr>
<tr>
<td>PA0221708</td>
<td>Chicora Borough Sewer Authority 200 Chicora-Fenelton Road P. O. Box 35 Chicora, PA 16025</td>
<td>Butler County Chicora Borough</td>
<td>Buffalo Creek 18-F</td>
<td>Y</td>
</tr>
</tbody>
</table>
PA0054712, Stormwater, City of Philadelphia Water Department, ARAMARK Tower, 1101 Market Street, Philadelphia, PA 19107-2994. The notice reflects changes to the first draft NPDES permit. The notice was originally published at 34 Pa.B. 5177 (September 18, 2004).

This application is for renewal of an NPDES permit to discharge stormwater from the City of Philadelphia’s municipal separate storm sewer system (MS4) to Wissahickon, Pennypack, Poquessing, Tacony/Frankford, Cobbs and Monoshone Creeks and Delaware and Schuylkill Rivers.

The receiving water bodies are classified for the following uses: TSF (Wissahickon Creek), WWF, aquatic life, water supply and recreation.

The permit consists of the following main parts: effluent limitations (in the form of best management practices), total maximum daily load requirements for sediment and PCBs, stormwater management program and standard permit conditions.

Changes to the draft permit occurred in Sections A and C—F.

PA0050105, Sewage, Lower Frederick Township, P. O. Box 253, Zieglersville, PA 19492. Sewage Treatment Plant is located at Spring Mount Road, Zieglersville.

Description of Activity: This application is for renewal of an NPDES permit to discharge treated sanitary wastewater from the Lower Frederick Township Sewage Treatment Plant to Perkiomen Creek.

The receiving stream, Perkiomen Creek, is in the State Water Plan Watershed 3E—Perkiomen and is classified for: WWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Suburban Water Company is located on Perkiomen Creek and is approximately 10 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.2 mgd.

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Average (lbs/day)</th>
<th>Total (lbs/year)</th>
<th>Average (mg/l)</th>
<th>Instantaneous (mg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CBOD₅</td>
<td>25</td>
<td>25</td>
<td>15</td>
<td>22.5</td>
</tr>
<tr>
<td>TSS</td>
<td>33</td>
<td>33</td>
<td>20</td>
<td>30</td>
</tr>
<tr>
<td>NH₃ as N</td>
<td>3</td>
<td>3</td>
<td>4</td>
<td>4.5</td>
</tr>
<tr>
<td>Phosphorus as P</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Fecal Coliform</td>
<td></td>
<td></td>
<td></td>
<td>4</td>
</tr>
<tr>
<td>Dissolved Oxygen</td>
<td></td>
<td></td>
<td>200#/100 ml</td>
<td></td>
</tr>
<tr>
<td>Total Residual Chlorine</td>
<td>Monitor and Report</td>
<td>0.5</td>
<td>6.0 (min)</td>
<td>9.0 (max)</td>
</tr>
</tbody>
</table>

In addition to the effluent limits, the permit contains the following major special conditions:
1. Discharge must not cause nuisance or health hazard.
2. Sludge disposal according to State and Federal regulations.

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

Application No. PA 0247677, Sewage, East Waterford Sewer Authority, R. R. 1, Honey Grove, PA 17035. This facility is located in Tuscarora Township, J unia County.

Description of activity: The application is for issuance of an NPDES permit for new discharge of treated sewage.

The receiving stream, Tuscarora Creek, is in Watershed 12-B, and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Newport Borough Authority is located on the Juniata River, approximately downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.020 mgd are:

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Average (lbs/day)</th>
<th>Annual (lbs/year)</th>
<th>Average (mg/l)</th>
<th>Weekly (mg/l)</th>
<th>Maximum (mg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CBOD₅</td>
<td>4.2</td>
<td>25</td>
<td>50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TSS</td>
<td>5.0</td>
<td>30</td>
<td>60</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Average Total Average Average Instantaneous
Parameter Monthly (lbs/day) Annual (lbs/year) Monthly (mg/l) Weekly (mg/l) Maximum (mg/l)
NH$_3$-N Monitor and Report
TKN Monitor and Report
NO$_3$-N Monitor and Report
NO$_2$-N Monitor and Report
Total Nitrogen 1,096 Monitor and Report
Total Phosphorus 183 Monitor and Report
Total Residual Chlorine 1.5 2.5
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) 7,000/100 ml as a geometric average

Individuals may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is in effect.

Application No. PA 0247600, Concentrated Animal Feeding Operation (CAFO), David Martin (David Martin Farm), 420 Nottingham Road, Nottingham, PA 19362.

David Martin has submitted an application for an Individual NPDES permit for a proposed CAFO known as the David Martin Farm, located in Little Britain Township, Lancaster County.

The CAFO is situated near Little Conowingo Creek (Watershed 7-K), which is classified for HQ-CWF. The CAFO will be designed to maintain an animal population of approximately 699 animal equivalent units consisting of 4,400 finishing swine, 155 heifers and 18,000 pullets. One new swine finishing barn is proposed. Swine manure will be stored in an underground deep pit with a storage capacity of approximately 1.64 million gallons and a leak detection system. A release or discharge to waters of this Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

The Department of Environmental Protection (Department) has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue an NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit.

The permit application and draft permit are on file at the Southcentral Regional Office of the Department. Persons may make an appointment to review the files by calling the file review coordinator at (717) 705-4732.

Persons wishing to comment on the proposed permit are invited to submit written comments to the previous address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

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

The Environmental Protection Agency permit waiver provision under 40 CFR 123.24(e) does not apply to this NPDES permit.

Application No. PA 0086291, Industrial Waste, SIC Code 4922, Texas Eastern Transmission, LP, 5400 Westheimer Court, Houston, TX 77056. This facility is located in Lack Township, Juniata County.

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

The receiving stream, Tuscarora Creek, is in Watershed 12-B, and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is United Water Company located on the Susquehanna River, approximately 40 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.144 mgd are:

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Average Monthly (lbs/day)</th>
<th>Maximum Monthly (lbs/day)</th>
<th>Average Monthly (mg/l)</th>
<th>Maximum Monthly (mg/l)</th>
<th>Instantaneous Maximum (mg/l)</th>
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<tbody>
<tr>
<td>Total PCBs</td>
<td>XXX</td>
<td>XXX</td>
<td>0.0000004</td>
<td>0.0000008</td>
<td>0.000001</td>
</tr>
</tbody>
</table>

PENNNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
In addition to the effluent limits, the permit contains the following major special condition:

- Part C includes requirements for water quality based effluent limits at or below detection limits.

Individuals may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is in effect.

**Application No. PA 0247618**, Sewage, Delaware Township, Juniata County. This facility is located in Delaware Township, Juniata County.

Description of activity: The application is for issuance of an NPDES permit for new discharge of treated sewage.

The receiving stream, Delaware Creek, is in Watershed 12-B, and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Newport Borough is located on the Juniata River, approximately 15 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.020 mgd are:

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Total Monthly (lbs)</th>
<th>Total Annual (lbs/year)</th>
<th>Average Monthly (mg/l)</th>
<th>Average Weekly (mg/l)</th>
<th>Instantaneous Maximum (mg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>CBOD₅</td>
<td>4.2</td>
<td>6.3</td>
<td>25</td>
<td>45</td>
<td>50</td>
</tr>
<tr>
<td>Total Suspended Solids</td>
<td>5.0</td>
<td>7.5</td>
<td>30</td>
<td>45</td>
<td>60</td>
</tr>
<tr>
<td>NH₃-N</td>
<td>Monitor and Report</td>
<td>Monitor and Report</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Kjeldahl Nitrogen</td>
<td>Monitor and Report</td>
<td>Monitor and Report</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NO₃-N</td>
<td>Monitor and Report</td>
<td>Monitor and Report</td>
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<td></td>
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<tr>
<td>NO₂-N</td>
<td>Monitor and Report</td>
<td>Monitor and Report</td>
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<td></td>
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</tr>
<tr>
<td>Total Nitrogen</td>
<td>1,096</td>
<td></td>
<td>30</td>
<td>45</td>
<td>50</td>
</tr>
<tr>
<td>Total Phosphorus</td>
<td>183</td>
<td></td>
<td>0.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Residual Chlorine</td>
<td>Monitor and Report</td>
<td></td>
<td>0.5</td>
<td></td>
<td>1.6</td>
</tr>
</tbody>
</table>

Dissolved Oxygen: minimum of 5.0 at all times
pH: from 6.0 to 9.0 inclusive
Fecal Coliform: 200/100 ml as a geometric average
(5-1 to 9-30)
(10-1 to 4-30) 40,000/100 ml as a geometric average

Individuals may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is in effect.

**Application No. PA 0086479**, SIC Code 2023, Industrial Waste, Dietrich's Milk Products, LLC, 100 McKinley Avenue, Reading, PA 19605-2199. This application is for renewal of an NPDES permit for an existing discharge of treated industrial waste to Laurel Run in Muhlenberg Township, Berks County.

The receiving stream is classified for WWF, recreation, water supply and aquatic life. For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride and phenolics, the existing downstream potable water supply intake considered during the evaluation was Pottstown Borough located on the Schuylkill River. The discharge is not expected to impact any potable water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.129 mgd are:

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Average Monthly (mg/l)</th>
<th>Maximum Daily (mg/l)</th>
<th>Instantaneous Maximum (mg/l)</th>
</tr>
</thead>
<tbody>
<tr>
<td>pH</td>
<td>6.0 to 9.0 at all times</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TSS</td>
<td>10</td>
<td>20</td>
<td>25</td>
</tr>
<tr>
<td>CBOD</td>
<td>10</td>
<td>20</td>
<td>25</td>
</tr>
</tbody>
</table>

Individuals may make an appointment to review Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is in effect.

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

**PA0028657**, Sewage, Nanty Glo Sanitary Sewer Authority, 879 Wood Street, Nanty Glo, PA 15943. This application is for renewal of an NPDES permit to discharge treated sewage from Nanty Glo Sewage Treatment Plant in Nanty Glo Borough, Cambria County.
The following effluent limitations are proposed for discharge to the receiving waters, known as South Branch Blacklick Creek, which are classified as a CWF 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 Municipal Authority, Westmoreland County.

Outfall 001: existing discharge, design flow of 0.55 mgd.

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Average</th>
<th>Average</th>
<th>Maximum</th>
<th>Instantaneous</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Monthly</td>
<td>Weekly</td>
<td>Daily</td>
<td>Maximum</td>
</tr>
<tr>
<td>CBOD₅</td>
<td>25</td>
<td>37.5</td>
<td>50</td>
<td>50</td>
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<tr>
<td>Suspended Solids</td>
<td>30</td>
<td>45</td>
<td>60</td>
<td>60</td>
</tr>
<tr>
<td>Fecal Coliform (5-1 to 9-30)</td>
<td>200/100 ml as a geometric mean</td>
<td>2,000 as a geometric mean</td>
<td></td>
<td></td>
</tr>
<tr>
<td>pH</td>
<td>not less than 6.0 nor greater than 9.0</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Other conditions: The following effluent limitations will apply if/when the treatment plant is expanded to a flow of 0.975 mgd.

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Average</th>
<th>Average</th>
<th>Maximum</th>
<th>Instantaneous</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Monthly</td>
<td>Weekly</td>
<td>Daily</td>
<td>Maximum</td>
</tr>
<tr>
<td>CBOD₅</td>
<td>25</td>
<td>38</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Suspended Solids</td>
<td>30</td>
<td>45</td>
<td>60</td>
<td>60</td>
</tr>
<tr>
<td>Fecal Coliform (5-1 to 9-30)</td>
<td>200/100 ml as a geometric mean</td>
<td>2,000/100 ml as a geometric mean</td>
<td></td>
<td></td>
</tr>
<tr>
<td>pH</td>
<td>not less than 6.0 nor greater than 9.0</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The EPA waiver is in effect.

PA0033456, Sewage, ARC DAM SA LLC, 272 Nicole Lane, Somerset, PA 15501. This application is for renewal of an NPDES permit to discharge treated sewage from Sunny Acres MHP STP in Somerset Township, Somerset County.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT East Branch Coxes Creek, which are classified as a WWF 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 Ohiopyle Municipal Water Authority.

Outfall 001: existing discharge, design flow of 0.0375 mgd.

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Average</th>
<th>Average</th>
<th>Maximum</th>
<th>Instantaneous</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Monthly</td>
<td>Weekly</td>
<td>Daily</td>
<td>Maximum</td>
</tr>
<tr>
<td>CBOD₅</td>
<td>25</td>
<td>50</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Suspended Solids</td>
<td>30</td>
<td>60</td>
<td>60</td>
<td>60</td>
</tr>
<tr>
<td>Ammonia Nitrogen (5-1 to 10-31)</td>
<td>2.0</td>
<td>4.0</td>
<td>4.0</td>
<td>4.0</td>
</tr>
<tr>
<td></td>
<td>(11-1 to 4-30)</td>
<td>3.5</td>
<td>7.0</td>
<td>7.0</td>
</tr>
<tr>
<td>Fecal Coliform (5-1 to 9-30)</td>
<td>200/100 ml as a geometric mean</td>
<td>2,000/100 ml as a geometric mean</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(10-1 to 4-30)</td>
<td>0.05</td>
<td>0.12</td>
<td>0.12</td>
</tr>
<tr>
<td>Dissolved Oxygen</td>
<td>not less than 5.0 mg/l</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PH</td>
<td>not less than 6.0 nor greater than 9.0</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The EPA waiver is in effect.

PA0218294, Sewage, Freedom Road Self Storage, Inc., 925 Freedom Crider Road, Freedom, PA 15042. This application is for renewal of an NPDES permit to discharge treated sewage from Freedom Road Self Storage STP in New Sewickley Township, Beaver County.

The following effluent limitations are proposed for discharge to the receiving waters, known as Crows Run, which are classified as a WWF 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 Midland Borough Water Authority.

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

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Average</th>
<th>Average</th>
<th>Maximum</th>
<th>Instantaneous</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Monthly</td>
<td>Weekly</td>
<td>Daily</td>
<td>Maximum</td>
</tr>
<tr>
<td>CBOD₅</td>
<td>25</td>
<td>50</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Suspended Solids</td>
<td>30</td>
<td>60</td>
<td>60</td>
<td>60</td>
</tr>
</tbody>
</table>

The EPA waiver is in effect.
Concentration (mg/l)

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Average Monthly</th>
<th>Average Weekly</th>
<th>Maximum Daily</th>
<th>Instantaneous Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fecal Coliform</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5-1 to 9-30)</td>
<td>200/100 ml</td>
<td>2,000/100 ml</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(10-1 to 4-30)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Residual Chlorine</td>
<td>1.4</td>
<td>3.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PH</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The EPA waiver is in effect.

PA0253014. Sewage, **Capps Development, LLC**, 3889 Washington Road, McMurray, PA 15317. This application is for issuance of an NPDES permit to discharge treated sewage from Bella Serra Banquet Facility Sewage Treatment Plant in Cecil Township, **Washington County**.

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

Outfall 001: new discharge, design flow of 0.0036 mgd.

Concentration (mg/l)

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Average Monthly</th>
<th>Average Weekly</th>
<th>Maximum Daily</th>
<th>Instantaneous Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>CBOD₅</td>
<td></td>
<td>25</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Suspended Solids</td>
<td>30</td>
<td>60</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ammonia Nitrogen</td>
<td></td>
<td>22</td>
<td>44</td>
<td></td>
</tr>
<tr>
<td>Fecal Coliform (5-1 to 9-30)</td>
<td>200/100 ml as a geometric mean</td>
<td>2,000/100 ml as a geometric mean</td>
<td></td>
<td></td>
</tr>
<tr>
<td>pH</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The EPA waiver is in effect.

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

PA0239615. Sewage, **Frank Shipley**, 8037 Rowan Road, Cranberry Township, PA 16066. This proposed facility is located in Forward Township, **Butler County**.

Description of Proposed Activity: a new discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂⁻NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is the Pa American—Ellwood City located on Slippery Rock Creek approximately 25.5 miles below point of discharge.

The receiving stream, a UNT to Connoquenessing Creek, is in watershed 20-C and classified for CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.09352 mgd.

Loadings

<table>
<thead>
<tr>
<th>Parameters</th>
<th>Average Monthly (lb/ day)</th>
<th>Average Weekly (lb/ day)</th>
<th>Average Monthly (mg/l)</th>
<th>Average Weekly (mg/l)</th>
<th>Instantaneous Maximum (mg/l)</th>
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<tbody>
<tr>
<td>Flow</td>
<td>XX</td>
<td>25</td>
<td>50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Suspended Solids</td>
<td>30</td>
<td>60</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fecal Coliform **</td>
<td>200/100 ml</td>
<td>1,000/100 ml</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5-1 to 9-30)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(10-1 to 4-30)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dissolved Oxygen **</td>
<td>minimum of 5 mg/l at all times</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NH₃-N</td>
<td>1.4</td>
<td>2.8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(5-1 to 10-31)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(11-1 to 4-30)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TRC</td>
<td>0.22</td>
<td>0.52</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>pH</td>
<td>6.0 to 9.0 standard units at all times</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**—Monitor and report on monthly DMRs.

XX—As a geometric average

The EPA waiver is in effect.
III. WQM Industrial Waste and Sewerage Applications Under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)

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

WQM Permit No. WQG016701, Sewerage, John G. Boop, 3382 Lower Glades Road, York, PA 17402-8955. This proposed facility is located in Springettsbury Township, York County.

Description of Proposed Action/Activity: Construction of small flow treatment facility to serve their single family residence.

WQM Permit No. WQG016702, Sewerage, Mike Mulcahy, 333 Lexington Street, York, PA 17403. This proposed facility is located in Springettsbury Township, York County.

Description of Proposed Action/Activity: Construction of small flow treatment facility to serve their single family residence.

WQM Permit No. 6705406, Sewerage, Rodger Petrone, 4076 Market Street, Camp Hill, PA 17011. This proposed facility is located in Carroll Township, York County.

Description of Proposed Action/Activity: Construction of small flow sewage treatment facility to serve their single family residence.

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

WQM Permit No. 0205409, Sewerage, Findlay Township Municipal Authority, 1271 Route 30, P. O. Box 409, Clinton PA 15026. This proposed facility is located in Findlay Township, Allegheny County.

Description of Proposed Action/Activity: Application for the construction and operation of a sanitary sewer extension to serve McCaslin Road and Clinton Industrial Park.

WQM Permit No. 6505401, Sewerage, DeMill Development, R. D. 2, Box 181, Wolf Lake Road, New Alexandria, PA 15670. This proposed facility is located in Unity Township, Westmoreland County.

Description of Proposed Action/Activity: Construction of small flow treatment facility to serve their single family residence.

WQM Permit No. 6505405, Sewerage Amendment No. 1, Rostraver Township Sewage Authority, 202 Port Royal Road, Belle Vernon, PA 15012. This proposed facility is located in Rostraver Township, Westmoreland County.

Description of Proposed Action/Activity: Construction of small flow sewage treatment facility to serve their single family residence.

The Pennsylvania Infrastructure Investment Authority which administers this Commonwealth's State Revolving Fund has been identified as a possible funding source. The Department of Environmental Protection's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

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

WQM Permit No. 2583409, Sewerage Amendment No. 1, Millcreek Township Sewer Authority, 3608 West 26th Street, Erie, PA 16506. This proposed facility is located in Millcreek Township, Erie County.

Description of Proposed Action/Activity: This project is for the Kearsarge pump station upgrade to include a 2.3 million gallon overflow retention facility.

WQM Permit No. 2595402, Sewerage Amendment No. 1, Millcreek Township Sewer Authority, 3608 West 26th Street, Erie, PA 16506. This proposed facility is located in Millcreek Township, Erie County.

Description of Proposed Action/Activity: Construction of small flow sewage treatment facility to serve their single family residence.

IV. NPDES Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

V. Applications for NPDES Waiver Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

NPDES Permit No. Applicant Name & Address County Municipality Receiving Water/Use
PAI0132305004 The Rouse Group Development Co., LP Delaware Newtown Township Crum Creek (HQ-TSF)
Public Water Supply (PWS) Permit

Under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17), the following parties have applied for a PWS permit to construct or substantially modify a public water system.

Persons wishing to comment on a permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice.
Comments received within the 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (Department) of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. 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 permit application and any related documents are on file at the office listed before the application and are available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability who require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 3604511, Public Water Supply.
Application Hempfield Hill Estates
Municipality West Hempfield Township
County Lancaster
Responsible Official Jay Peifer
P. O. Box 550
Elizabethtown, PA 17022
Type of Facility Public Water Supply
Consulting Engineer James R Fisher, P. E.
Fisher Engineering Inc.
1522 W. Main Street
Ephrata, PA 17522
Application Received Date 6/30/2004
Description of Action Installation of an anion exchange system to remove nitrates from the drinking water.

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

Permit No. 0205503, Public Water Supply.
Application Fawn-Frazer Joint Water Authority
Township or Borough Fawn and Frazer Townships
Responsible Official Edward L. Adams, Vice Chairperson
Fawn-Frazer Joint Water Authority
326 Donnelville Road
Natrona Heights, PA 15065
Type of Facility Water treatment plant
Consulting Engineer Bankson Engineers, Inc.
267 Blue Run Road
P. O. Box 200
Indiana, PA 15051
Application Received Date July 12, 2005
Description of Action Replacement of the Route 908 Water Pump Station and chlorination facility and the replacement of the interconnection with the Harrison Township Water Authority and the installation of a chlorination facility at the new interconnection.

MINOR AMENDMENT

Applications Received Under the Pennsylvania Safe Drinking Water Act

Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401.

Application No. 2305503, Minor Amendment.
Applicant Aqua Pennsylvania, Inc.
Township Springfield
Responsible Official Karl Kyriaz
762 W. Lancaster Avenue
Bryn Mawr, PA 19010
Type of Facility PWS
Consulting Engineer CET Engineering Services
1240 N. Mountain Road
Harrisburg, PA 17112
Application Received Date July 21, 2005
Description of Action Improvements to the chemical feed facilities at the Crum Water Treatment facilities. The project includes installation of carbon and lime silos an aqua ammonia storage tank and construction of a chemical storage building.

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 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, 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)(3)(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 regional office before 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. 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, 2 East Main Street, Norristown, PA 19401.

**Heston S. Swartley Transp. Co., Inc.,** Hatfield Borough, Montgomery County. Ethan E. Prout, P.G., ARC, P.O. Box 579, Quakertown, PA 18951 on behalf of Mark Palermo, Penn Street Realty, LLC, P.O. Box 675, Ambler, PA 19002 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site were impacted with unleaded gasoline and MTBE.

**Turkey Hill Store No. 223 (434 Main Street),** Pen Argyl Borough, Northampton County. Kelly Lee Kinkaid, P.G., Liberty Environmental, Inc., 10 N. 5th Street, Suite 800, Reading, PA 19601 has submitted a Notice of Intent to Remediate (on behalf of her client, Turkey Hill Minit Markets, c/o Bill Weisser, 257 Centerville Road, Lancaster, PA 17603) concerning the remediation of soil impacted by the release of No. 2 fuel oil constituents from a historic accidental release. The applicant proposes to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper in the near future. The continued future use of the site is expected to be as convenience store.

**Lehigh County Authority—Park Pump Station,** City of Allentown, Lehigh County. Carlo DiTullio, Project Engineer, Malcolm Pirnie, Inc., 630 Freedom Business Center, Suite 203, King of Prussia, PA 19406 has submitted a Notice of Intent to Remediate (on behalf of his client, Lehigh County Authority, c/o Steve Repasch, 1053 Spruce Street, Allentown, PA 18106-0348) concerning the remediation of soil and/or groundwater found or suspected to have been impacted by the release of No. 2 fuel oil constituents from a former underground storage tank on the property. The applicant proposes to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper in the near future. The continued future use of the site is expected to be as wastewater pump station.

**Wilkes-Barre Truck Center (525 East Main Street),** Plains Township, Luzerne County. Joseph Ozog, Excalibur Group, LLC, 91 Park Avenue, Windber, PA 15963 has submitted a Notice of Intent to Remediate (on behalf of his client, Calex Truck Sales, 58 Pittston Avenue, Pittston, PA 18640) concerning the remediation of soils and groundwater found or suspected to have been contaminated with VOCs compounds, semi-VOCs, and lead as the result of historical site operations. The applicant proposes to meet the Statewide Health Standard for soils and the site-specific standard for groundwater. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper in the near future. The continued future use of the site has not been identified.

**Riotto Property and Surrounding Areas (1006, 1012, 1014 and 1018 Barnesville Drive),** Ryan Township, Schuylkill County. Gregory Burgdorf, P.G., ARM Group Inc., 1129 W. Market Street, P.O. Box 17033 has submitted a Notice of Intent to Remediate (on behalf of his client, Dominic Riotto, Barnesville Drive, Barnesville, PA 18214) concerning the remediation of soil and/or groundwater found or suspected to have been impacted by the release of No. 2 fuel oil constituents from a former aboveground storage tank on the property. The applicant proposes to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper in the near future. The continued future use of the site is expected to be as residential properties. A Final Report was simultaneously submitted.

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

**Albright College, Former Armory Parcel and Former Scrapyard Parcel,** City of Allentown, Berks County. Synergy Environmental, Inc., 607 Washington Street, Reading, PA 19604, on behalf of Albright College, P.O. Box 15234, Reading, PA 19612-5234, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with PCBs, inorganics and other organics. Albright College will utilize these parcels to expand their athletic facilities. The applicant will remediate the site as a Special Industrial Area.
Southwest Region: Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

McKean Used Car Lot (Former), City of Pittsburgh, Allegheny County. Bruce A. Shaw, American Geosciences, Inc., 3925 Reed Blvd., Suite 400, Murrysville, PA 15668 on behalf of Michael Baressi, McKnight Development Company, 249 North Craig Street, Pittsburgh, PA 15219 has submitted a Notice of Intent to Remediate site soils contaminated with chlorinated solvents, other organics, PAHs and lead. The future use is for nonresidential purposes. The property was recently redeveloped for commercial use as a drug store. A summary of this Notice of Intent to Remediate was published in the Pittsburgh Post Gazette on April 5, 2005.

Wilkinsburg Save-A-Lot, Wilkinsburg Borough, Allegheny County. Dennis Guthrie, URS Corporation, 501 Holiday Drive, Suite 300, Pittsburgh, PA 15220 on behalf of Wesley Johnson, Wilkinsburg Borough Manager, 713 South Avenue, Wilkinsburg, PA 15221 and Fred Ralston, Allegheny County Department of Economic Development, 425 Sixth Street, Pittsburgh, PA 15219 has submitted a Notice of Intent to Remediate soil sites contaminated with lead and arsenic and site groundwater contaminated with petroleum compounds (benzene, ethyl-benzene, toluene and xylenes). The soil and groundwater impacts are to be addressed by pathway elimination to demonstrate conformance with a site-specific remediation standard. The area will be covered by a proposed supermarket and associated parking lot, sidewalks and vegetation.

MacPlastics Facility, Canonsburg Borough, Washington County. Robert King, AGES, Inc., 800 Old Pond Road, Suite 703, Bridgeville, PA 15017 on behalf of Edward Kovack, Canonsburg Renaissance Group, 169 East Pike Street, Canonsburg, PA 15317, and Kerry Fox, Redevelopment Authority of Washington County, 100 West Beau Street, Suite 603, Washington, PA 15301 has submitted a Notice of Intent to Remediate site soils contaminated with PAHs, PCBs and inorganics by removing and disposing offsite all stored wastes, underground tanks, and associated sediments and contaminated media. Proposed future use of the property is commercial.

Route 51 Plaza, Pleasant Hills Borough, Allegheny County. Rodd Bender, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500 Bala Cynwyd, PA 19004, and Joseph Harrick, Penn E & R, Inc., 395 Northgate Drive, Suite 400, Wexford, PA 15090 on behalf of Peter Clelland, BT Pleasant Hills, LP, 2600 Phlaimont Avenue, Huntington Valley, PA 19006 has submitted a Notice of Intent to Remediate soils contaminated with petroleum hydrocarbons and chlorinated VOCs. Proposed future use of the property is a nonresidential retail shopping center.

Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Universal Motor Sales of Butler, Butler Township, Butler County. Edward A. Dobson, Mountain Research LLC, 825 25th Street, Altoona PA 16601 on behalf of Jean Wiles, d/o Louis A. Naugle, Esq., Reed Smith LLP, 435 Sixth Avenue, Pittsburgh, PA 15219 has submitted a Notice of Intent to Remediate. Site contamination is from former (pre-1989) underground storage tanks. Known primary contaminants include arsenic, ethylbenzene, 1,2,4-trimethylbenzene and 1,3,5-trimethylbenzene. This site will have a commercial use.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Applications received, withdrawn, denied or returned under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit Application No. PAD087561015. Inmetco, 245 Portersville Road, Ellwood City, PA 16117, Ellwood City Borough, Lawrence County. RCRA Part B Hazardous Waste Renewal Application. The application was received by Northwest Regional Office on June 10, 2005.

Comments concerning the application should be directed to Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville PA 16335. Persons interested in obtaining more information about the general permit application may contact the Northwest Regional Office, (814) 332-6848. TDD users may contact the Department of Environmental Protection 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.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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 regulations to operate Solid Waste Processing or Disposal Area or Site.

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

Permit ID No. 100663. Kelly Run Sanitation, Inc., 625 Cherrington Parkway, Moon Township, PA 15108. Kelly Run Landfill, SR 51, Elizabeth, PA, 15037-0333. Application for the renewal of a municipal waste landfill in Forward Township, Allegheny County, was received in the Regional Office on July 13, 2005.

Permit ID No. 300657. Allegheny Ludlum Corporation, 100 River Road, Brackenridge, PA 15014-1597. Route 356 Landfill, SR 356, Allegheny Township, PA 15656. Application for the renewal of a residual waste landfill in Allegheny Township, Westmoreland County was received in the Regional Office on July 19, 2005.

Permit ID No. 100172. Arden Landfill, Inc., 625 Cherrington Parkway, Moon Township, PA 15108. Arden Landfill, 200 Rangos Lane, Washington, PA 15301. Application for the renewal of a municipal waste landfill in Chartiers Township, Washington County was received in the Regional Office on July 22, 2005.
AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (Department) has developed an "integrated" plan approval, State operating permit and Title V operating permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit all the permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department has received applications for plan approvals and/or operating permits from the following facilities.

Copies of the 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 a proposed plan approval or operating permit must indicate their interest to the Department 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 Department 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. Comments or protests filed with the Department regional offices must include a concise statement of the objections to the issuance of the Plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the Pennsylvania Bulletin at least 30 days prior 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 before the application. TDD users should 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—143, the Federal Clean Air Act (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.

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

49-00033A: Watontown Brick Co. (P. O. Box 68, Route 405, Watontown, PA 17777) for installation of a replacement fabric collector to control emissions from an existing 100 ton per hour pug mill and associated conveyors in Delaware Township, Northumberland County.


50-00298A: Garrett Limestone Co., Inc. (451 Stotstown road, Somerset, PA 15501) for crushing plant and reciprocating engine at Romesburg Quarry in Black and Summit Townships, Somerset County.

50-00210A: PBS Coals, Inc. (1576 Stotstown Road, Friedens, PA 15541) for reactivation of their PBS Cambria Coal Preparation Plant in Stonycreek Township, Cambria County.

30-00099E: Allegheny Energy Supply Co. (800 Cabin Hill Drive, Greensburg PA 15601) for the blending/ use of Powder River Basin coal at the Hatfield's Power Station in Monongahela Township, Greene County.


10-350A: Cloverleaf Group, Inc. (1 True serve Way, East Butler, PA 16029) for construction of the various processes needed for the point of purchase display manufacturing operation (NAICS 323100) in East Butler Borough, Butler County. This is a State-only facility.

10-062D: Slippery Rock University (1 Marow Way, Slippery Rock PA 16057) plan approval for modification of a 40 mmBtu/hr coalfired boiler to a natural gas/coal co-fired boiler at Slippery Rock University, in the Borough of Slippery Rock, Butler County. Slippery Rock University 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.


54-303-016: Foster Materials—Division of Naceville Materials (1371 West Street Road, Warminster, PA 18974) for construction of a batch asphalt plant at their Ryan Stone Quarry facility Foster Township, Schuylkill County that will utilize recycled asphalt pavement (RAP) and will be fired on No. 2 fuel oil, liquefied propane gas, or waste derived liquid fuel (WDLF). This facility is not a Title V facility. The batch asphalt plant will incorporate no more than 22.5% RAP into the 350 ton per hour facility while any WDLF used will meet all regulatory specifications. The company has elected to take a voluntary production restriction of 300,000 tons of asphalt per year. Emissions from the plant will not exceed 18.0 tpy of NOx, 60.0 tpy of CO, 13.2 tpy of SOx, 1.2 tpy of VOC and 6.3 tpy of PM. The
asphalt plant is subject to Subpart I of the Federal Standards of Performance for New Stationary Sources for Hot Mix Asphalt Facilities, 40 CFR 60.90–60.93. The plan approval will include appropriate testing, monitoring, recordkeeping and reporting requirements designed to keep the batch asphalt plant operating within applicable air quality requirements.


62-0017M: United Refining Co. (15 Bradley Street Warren, PA 16365) for replacement of the existing burner in the Distillate Hydrotreater 1 (DHT1) with a new efficient low NOx burner (LNB) for their Warren Refinery in the City of Warren, Warren County.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b) the Department of Environmental Protection (Department) intends to issue a plan approval to for the Warren Refinery in the City of Warren, Warren County. The facility was issued a Title V permit No. TV-62-00017 on December 26, 2000, which was revised on March 21, 2001, and again on December 18, 2001. 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.

Plan approval is for the replacement of the existing burner in the DHT1 with a new efficient LNB. The new LNB is rated at 9 mmBTU/hr. The emissions from the heater will increase by less than 1.05 TPY for CO and less than 1.0 TPY for NOx, particulate matter, SOx and VOC. The emissions limits established for the source will be included in the plan approval. Emission testing is also required for NOx and CO emissions for the heater. The heater will primarily burn refinery fuel gas and will contain restrictions on the quantity of fuel oil that may be burned for emergency use. The plan approval does not trigger NSR or PSD.

The permit will incorporate monitoring and recordkeeping requirements for the quantity of fuel burned, the heat content of the fuel, the hours of operation and the emissions from the heater. The permit also incorporates the Federal MACT requirements for the process heater (40 CFR Part 63 Subparts DDDDD) and the existing applicable requirements for the source from the Title V Operating. The permit also incorporates conditions to ensure compliance with applicable State and Federal Air Quality Requirements as well as the National Ambient Air Quality Standards.

Copies of the applications, Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Northwest Regional Office, 230 Chestnut St., Meadville, PA 16335.

Persons wishing to provide the Department with additional information that they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. The Department will consider written comments received within 30 days of the publication of this notice. Written comments must contain the name, address and telephone number of the persons submitting the comments. Identification of the proposed permit (Permit No. 62-017M). A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the comments received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the Pennsylvania Bulletin or by telephone, when the Department determines notification by telephones is sufficient. Written comments or requests for a public hearing should be directed to Matthew Williams, New Source Review, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6940.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting Matthew Williams, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

If a plan approval has not undergone the public notice process the change to an operating permit must be treated as a significant modification. In these situations the Department will follow the procedures described in 25 Pa. Code §§ 127.421 to 127.431 for State-only operating permits or 25 Pa. Code §§ 127.521 to 127.524 for Title V operating permits.

24-012E: C/G Electrodes LLC—St. Marys Plant (800 Thersea Street, St. Marys, PA 15887-1798) for construction of four carbottom kilns Nos. 491—494 to existing thermal incinerator and scrubber in St. Marys City, ELK County. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. 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 source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

- SOx emissions shall not exceed 18.7 #/hr or 71 ppmv from all 12 car bottom kilns (1 hour average).
- SOx emissions shall not exceed 6.3 #/hr or 30 ppmv from all 12 car bottom kilns (full cycle average).
- SOx emissions shall not exceed 28 tpy from all 12-car bottom kilns (12-month rolling total).
- CO emissions shall not exceed 0.4 #/hr from all 12-car bottom kilns.
- PM emissions shall not exceed 8.7 #/hr from all 12-car bottom kilns.
- VOC emissions shall not exceed 1.49 #/ton of carbon baked.
- Compliance with the SOx emission limitations will be shown through a CEM.
The permittee shall maintain a record of all preventative maintenance inspections of the control device. These records shall, at a minimum, contain the dates of the inspections, any problems or defects, the actions taken to correct the problem or defects, and any routine maintenance performed.

The permittee shall operate the control device at all times that the source is operation.

The permittee shall maintain and operate the source and control device in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

61-185A: Heath Oil Co. (State Route 8, Barkeyville, PA 16038) for modification of plan approval 61-185A for the removal of the NSPS (40 CFR Subpart J) requirements in Barkeyville Borough, Venango County. This is a State-only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

Existing conditions from plan approval 61-185A will remain in effect except for those that dealt with 40 CFR Subpart J and for those that dealt with the scrubber remain in effect except for those that dealt with 40 CFR Subpart J and for those that dealt with the scrubber

42-083G: Carbone of America Industrial Corp. (215 Stackpole Street, St. Marys, PA 15857) for construction of Carbon Baking Kiln No. 35 with a thermal oxidizer and connecting to existing Scrubber B in St. Marys City, Elk County. This installation will not result in NSR or PSD applicability. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. 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 source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

This source is subject to 25 Pa. Code §§ 123.1, 123.13(c), 123.31 and 123.41.

Combined SOx emissions from CBH Kilns 27 and 33—35 shall not exceed the following:

- 500 ppmv instantaneous.
- 4 #/hr 30-day rolling average.
- 10.7 tpy based on 12-month rolling total.

Stack test for SOx emissions and the installation of a Department approved SOx CEM.

The permittee shall monitor the following for the scrubber:

- Pressure drop.
- Scrubber gas flow rate.
- Scrubber liquid pressure and flow rate.
- Scrubber liquid pH.
- Outlet gas temperature.
- The thermal oxidizer shall be operated, at a minimum, during the pitch-off cycle at a minimum temperature of 750°C. The pitch-off cycle is defined as kiln temperature of between 200°C and 600°C.


S05-008: WMCH, Inc. (3300 Henry Avenue, Philadelphia, PA 19129) for operation of a commercial hospital in the City of Philadelphia, Philadelphia County. The facility's air emission sources include two 650 hp boilers and three emergency generators.

The operating permit will be issued under the 25 Pa. Code, Philadelphia Code Title 3 and Air Management Regulation XIII. Permit copies and other supporting information are available for public inspection at AMS, 321 University Avenue, Philadelphia, PA 19104. For further information, contact Edward Wiener at (215) 685-9426.

Persons wishing to file protest or comments on the above operating permit must submit the protest or comments within 30 days from the date of this notice. Protests or comments filed with AMS must include a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based. Based upon the information received during the public comment period, AMS may modify the operating permit or schedule a public hearing. The hearing notice will be published in the Pennsylvania Bulletin and a local newspaper at least 30 days before the hearing.

**OPERATING PERMITS**

**Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—015) and 25 Pa. Code Chapter 127, Subchapter G.**

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Mark Wayner, Facilities Permitting Chief, (412) 442-4174.

32-00065: Specialty Tires of America, Inc. (1600 Washington Street, Indiana, IN 47032) at Indiana Plant in Indiana Borough, Indiana County. The facility's major source of emissions include steam boiler, undertread cementing, tread end cementing, green tire building, other solvent usage, jetzone pellet dryer, banbury mixers, tire buffers, carbon black transfer station and plant space heaters.

**Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—015) and 25 Pa. Code Chapter 127, Subchapter F.**

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428, Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

46-00234: Conshohocken Steel Products, Inc. (301 Randolph Avenue, Ambler, PA 19002) for operation of a facility that paints and repairs roll-off containers/dumpsters in the Township of Upper Dublin, Montgomery County. The permit is for a non-Title V (State-only) facility. The major sources of air emissions are a paint booth and a manual brush painting process. The permit
will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00007: Holy Redeemer Hospital and Medical Center** (1648 Huntingdon Pike, Meadowbrook, PA 19047) for a non-Title V, State-only, Synthetic Minor Operating Permit in Abington Township, Montgomery County. This operating permit is for three boilers and two emergency generators that are located on the facility grounds. The main emissions from the facility are NOx, and the facility has a limit of 25 tons of NOx emissions per year. Monitoring and recordkeeping requirements have been added to the permit to address applicable limitations.


**06-05008: SFS Intec, Inc.** (P. O. Box 6326, Wyomissing, PA 19610) for operation of a faster manufacturing facility with surface coating operations controlled by water based coatings and dry filters in Wyomissing Borough, Berks County. The facility is a non-Title V (State-only) facility. The facility will be required to limit the emissions to less than 100 tons of particulate, SOx, NOx and CO; 50 tons of VOCs; and 10/25 tons of HAPs, during any consecutive 12-month period. Limits will be placed on the VOC content of the coatings used and the annual coating usage. The permit will include restriction, monitoring, work practices, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**36-05011: Pittsburgh Terminal Corp.** (P. O. Box 2621, Harrisburg, PA 17105) for renewal of their State-only operating permit for Lancaster Terminal, 1360 Manheim Pike, Lancaster PA 17601-3148, at Manheim Township, Lancaster County. The facility’s major sources of emissions include petroleum product loading racks, which primarily emit VOCs. The facility emissions of VOC shall be limited to less than 50 tons per year. The State-only operating permit will contain restrictions, work practice standards, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**49-00040: Reagent Chemical and Research, Inc.** (R. R. 1, Box 827, Coal Township, PA 17866) for operation of a skeet target manufacturing facility on Happy Hollow Road in Coal Township, Northumberland County.

The facility incorporates a bulk limestone storage and feed system, a biodegradable target production line, a pitch target production line, two solvent parts washers, a 2.5 million Btu per hour propane-fired hot oil heater and several small propane-fired space heaters, and the like. The particulate matter emissions from this facility are controlled by a number of fabric collectors and the hydrogen sulfide emissions are controlled by the two adsorption units. The air contaminant emissions from the facility are not expected to exceed 11.07 tons of VOCs, .93 tons of particulate matter including PM10, 1.81 tons of NOx, .25 ton of CO, .19 ton of SOx, 1.12 tons of volatile hazardous air pollutants and .021 ton of hydrogen sulfide per year.

The respective facility is not a major (Title V) facility for any air contaminant.

The Department of Environmental Protection (Department) proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as conditions previously existing in Operating Permit 49-399-007. These previously-existing conditions include emission limitations and various work practice and monitoring requirements for the biodegradable target production line, among them a particulate matter emission limitation of .01 grain per dry standard cubic foot of effluent gas for the fabric collectors incorporated in the line, a hydrogen sulfide emission limitation of one part per million for the hydrogen sulfide adsorption units incorporated in the line, a volatile organic compound emission limitation of 2.3 tons in any 12-consecutive month period, a requirement that hydrogen sulfide not be detectable beyond the facility boundaries, a requirement that the hydrogen sulfide adsorption units be tested with Drager tubes once per month, a requirement that hydrogen sulfide sensors be operated in the building, a requirement that spare fabric collector bags be kept on hand, a requirement that the paddle mixer incorporated in the line be kept closed except during additive additions, a requirement that all materials storage silo loading be attended and a requirement restricting the paints that may be used in the line.

The Department additionally proposes to incorporate into the operating permit to be issued conditions restricting the paints that may be used in the pitch target production line and limiting the VOC emissions from the line to 8 tons in any 12-consecutive month period and conditions identifying the applicable requirements specified in 25 Pa. Code § 129.63 for the facility’s solvent parts washers.

The operating permit will also include appropriate recordkeeping and reporting requirements.

**14-00032: Glenn O. Hawbaker, Inc.** (711 East College Ave., Bellefonte, PA 16823-6854) for the operation of a fine aggregate wash plant (Plant No. 11-Pleasant Gap Wash Facility) in Spring Township, Centre County. The facility incorporates a number of pieces of stone screening, conveying, and like equipment. The fugitive particulate matter emissions including PM10 from this equipment are controlled by a water spray dust suppression system. The particulate matter and PM10 emissions from the facility are not expected to exceed 7.93 and 3.05 tons per year, respectively.

The facility is not a major (Title V) facility for any air contaminant.

The Department of Environmental Protection proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as the conditions previously established in Operating Permit 14-310-022 issued on September 21, 1999. These previously-existing conditions include a requirement that the water spray dust suppression system be connected to the spray water supply, a requirement that air contaminant sources and the emission of air contaminant sources as well as conditions previously existing in Operating Permit 49-399-007. These previously-existing conditions include emission limitations and various work practice and monitoring requirements for the biodegradable target production line, among them a particulate matter emission limitation of .01 grain per dry standard cubic foot of effluent gas for the fabric collectors incorporated in the line, a hydrogen sulfide emission limitation of one part per million for the hydrogen sulfide adsorption units incorporated in the line, a volatile organic compound emission limitation of 2.3 tons in any 12-consecutive month period, a requirement that hydrogen sulfide not be detectable beyond the facility boundaries, a requirement that the hydrogen sulfide adsorption units be tested with Drager tubes once per month, a requirement that hydrogen sulfide sensors be operated in the building, a requirement that spare fabric collector bags be kept on hand, a requirement that the paddle mixer incorporated in the line be kept closed except during additive additions, a requirement that all materials storage silo loading be attended and a requirement restricting the paints that may be used in the line.

The Department additionally proposes to incorporate into the operating permit to be issued conditions restricting the paints that may be used in the pitch target production line and limiting the VOC emissions from the line to 8 tons in any 12-consecutive month period and conditions identifying the applicable requirements specified in 25 Pa. Code § 129.63 for the facility’s solvent parts washers.

The operating permit will also include appropriate recordkeeping and reporting requirements.

**49-00018: ARCONS Industries, LLC.** (1 Arcos Drive, Mt. Carmel, PA 17851), for operation of their welding apparatus manufacturing facility located in Mt. Carmel Township, Northumberland County. The facility’s main air emission sources include four inline cold continuous web perchloroethylene-cleaning machines, a natural gas
fired bake off oven and one natural gas fired boiler. This facility has the potential to emit SOx, CO, NOx, VOCs, HAPs and PM10 below the major emission thresholds.


62-00087: Osram Sylvania Products, Inc.—Warren Plant (816 Lexington Avenue, Warren, PA 16365-2834) for a Natural Minor Permit to operate a fabricated metal products plant in the City of Warren, Warren County. The significant sources are two plastic film natural gas boilers, one natural gas wire plant boiler, one specialty metals boiler, electropolishing wire and connectors, sludge dryer, metal stamping, seven electric annealing furnaces and four degrease units.

10-00344: Fannie’s Friends, Inc. (352 Railroad Street, Evans City, PA 16033) for a Natural Minor Permit to operate an animal crematorium in Evans City Borough, Butler County.

COAL AND NONCOAL 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); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to 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 an application is available for inspection at the district mining office indicated before an 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, objections or requests for informal conferences on applications may be submitted by any person to the Department at the district mining office indicated before an application at the Department within 30 days of this publication, or within 30 days after the last publication of the applicant’s newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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 identified in this notice for the respective coal and noncoal applications. In addition, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies who have requested review of 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 the requirements.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the 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; the application number; a brief summary of the issues to be raised by the requestor; a statement whether the requestor wishes to have the conference conducted in the locality of the proposed mining activities.

Coal Applications Received

Effluent Limits—The following coal mining applications that include an NPDES permit application will be subject to, at a minimum, the following technology-based effluent limitations for discharges of wastewater to streams:

<table>
<thead>
<tr>
<th>Parameter</th>
<th>30-Day Average</th>
<th>Daily Maximum</th>
<th>Instantaneous Maximum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iron (total)</td>
<td>3.0 mg/l</td>
<td>6.0 mg/l</td>
<td>7.0 mg/l</td>
</tr>
<tr>
<td>Manganese (total)</td>
<td>2.0 mg/l</td>
<td>4.0 mg/l</td>
<td>5.0 mg/l</td>
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<tr>
<td>Suspended solids</td>
<td>35 mg/l</td>
<td>70 mg/l</td>
<td>90 mg/l (greater than 6.0; less than 9.0)</td>
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<tr>
<td>pH</td>
<td>7.0 mg/l</td>
<td>8.0 mg/l</td>
<td></td>
</tr>
<tr>
<td>Alkalinity greater than acidity</td>
<td>35 mg/l</td>
<td>70 mg/l</td>
<td>90 mg/l (greater than 6.0; less than 9.0)</td>
</tr>
</tbody>
</table>

1The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 mg/l applied to: (1) surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas, active areas disturbed by coal refuse disposal activities and mined areas backfilled and revegetated; and (2) drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

California District Mining Office: 25 Technology Drive, Coal Center, PA 15423 (724) 769-1100.

30753712 and NPDES Permit No. PA0215724, Emerald Coal Resources, LP, (158 Portal Road, P.O. Box 1020, Waynesburg, PA 15370), to renew the permit for the Emerald Mine No. 1—Coal Refuse Disposal Facility No. 1 in Franklin Township, Greene County and related

PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
NPDES permit. No additional discharges. Application received June 9, 2005.

30743711. NPDES Permit No. PA0033511, Cumberland Coal Resources, LP, (158 Porta1 Road, P. O. Box 1020, Waynesburg, PA 15370), to renew the permit for the Cumberland Mine Coal Refuse Disposal Facility in Whiteley Township, Greene County and related NPDES permit. No additional discharges. Application received June 9, 2005.

32021301. NPDES Permit No. PA0235458, TJ S Mining, Inc. (2340 Smith Road, Shelocta, PA 15774), to revise the permit for the Rossmoyne No. 1 Deep Mine in South Mahoning Township, Indiana County to expand the underground mining permit and subsidence control plan area acreage. No additional discharges. Application received July 7, 2005.

26970702. NPDES Permit No. PA0215112, Matt Canestrale Contracting, Inc., (P. O. Box 234, Belle Vernon, PA 15012-0234), to revise the permit for the LaBelle Site in Luzerne Township, Fayette County to add acreage for use of a passive water treatment system, stream relocation and add one additional NPDES discharge point. Receiving stream: Meadow Run, classified for the following use: WWF. Application received May 25, 2005.

Cumberland District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.

11040101 and NPDES No. PA0249661, E. P. Bender Coal Company, Inc., (P. O. Box 594, Carrolltown, PA 15722), revision of an existing bituminous surface-auger mine to request a variance on the 100 foot barrier of a UNT to Powell Run for the purpose of upgrading, using and maintaining an existing access road and to install a stream crossing culvert in Reade Township, Cambria County, affecting 69.0 acres. Receiving streams: UNT to Powell Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 12, 2005.

32020106 and NPDES No. PA0249271, Brit Ener- gies, Inc., 2450 Philadelphia Street, Indiana, PA 15701, revision of an existing bituminous surface-auger/incidental removal of sandstone/shale mine to add 3.9 acres for additional mining of the Upper Kittanning coal seam and a new haul road in Center Township, Indiana County, affecting 278.0 acres. Receiving streams: UNT to Yellow Creek; UNTs to Tearing Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 14, 2005.

11000103 and NPDES No. PA0235067, T. J. Mining, Inc., P. O. Box 370, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface mine in Cresson Township, Cambria County, affecting 84.0 acres. Receiving streams: UNTs to and Burgoon Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 18, 2005.

Permit No. 56000105 and NPDES No PA0235351, Hoffman Mining Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface auger mine in Shade Township, Somerset County, affecting 76.6 acres. Receiving streams: UNT to and Dark Shade Creek, classified for the following uses: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 18, 2005.

Greenburg District Mining Office R. R. 2, Box 603C, Greensburg, PA 15601, (724) 925-5500.

26980104. Gary Giola Coal Company (319 Karen Drive, Elizabeth, PA 15037). Revision to an existing bituminous surface mine, located in Wharton Township, Fayette County, affecting 156.5 acres. Receiving stream: none. There is no potable water supply intake within 10 miles downstream. Revision application received: July 15, 2005.

26970103 and NPDES Permit No. 0201961, Pic- colomini Contractors, Inc. (P. O. Box 4, Waltersburg, PA 15488). Renewal application for continuous operation and reclamation to a bituminous surface mine, located in Franklin Township, Fayette County, affecting 48.5 acres. Receiving stream: UNT to Redstone Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: July 14, 2005.

03020107 and NPDES Permit No. PA0250180, Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Revision application for land use change from forestland to land occasionally cut for hay to an existing bituminous surface mine, located in Madison Township, Armstrong County, affecting 38 acres. Receiving streams: UNTs to Redbank Creek and Mahoning Creek, classified for the following use: CWF. There are no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: July 19, 2005.

Knox District Mining Office P. O. Box 669, Knox, PA 16232, (814) 797-1191.

61050101 and NPDES Permit No. PA0257940. Ben Hal Mining Company (389 Iristsown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous surface strip operation in Irwin Township, Venango County affecting 9.0 acres. Receiving streams: UNT to Gilmore Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: July 15, 2005.

16050108 and NPDES Permit No. PA0257958. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258). Commencement, operation and restoration of a bituminous surface strip operation in Clarion Township, Clarion County affecting 58.3 acres. Receiving streams: UNTs to Brush Run and Brush Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application to include a land use change from forestland to pasture/land occasionally cut for hay. Application received: July 14, 2005.

33010101 and NPDES Permit No. PA0241865. Sky Haven Coal, Inc. (R. D. 1, Box 180, Penfield, PA 15849). Revision to an existing bituminous surface strip operation in Willsaw and Sandy Townships, Jefferson and Clearfield Counties affecting 65.5 acres. Receiving streams: UNT to Sandy Lick Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application to include a post mining land use change from forestland to unnamed natural habitat on lands of John W. and Beverly L. Peterson and Brian L. and Michelle L. Peterson. Application received: July 21, 2005.

33020107 and NPDES Permit No. PA0242233, Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15787). Transfer of an existing bituminous surface strip and auger operation in Oliver Township, Jefferson County to a new point of discharge. Application received: July 21, 2005.
**NOTICES**

**County** affecting 138.7 acres. Receiving streams: Hadden Run to Little Sandy Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Transfer from P. and N. Coal Co., Inc. Application received: July 21, 2005.

Pottsville District Mining Office 5 W. Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118.

**40733203R4. HUD, Inc. t/a Emerald Anthracite II,** (P.O. Box 27, Nanticoke, PA 18634), renewal of an existing anthracite surface mine operation in Hanover Township, Luzerne County affecting 38.8 acres, receiving stream: none. Application received July 18, 2005.

**CORRECTION**

Moshannon District Mining Office 186 Enterprise Drive, Philipsburg, PA 16666, (814) 342-8200.

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Average</th>
<th>Maximum</th>
<th>Instantaneous</th>
</tr>
</thead>
<tbody>
<tr>
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<td>35 mg/l</td>
<td>70 mg/l</td>
<td>greater than 6.0; less than 9.0</td>
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<tr>
<td>Alkalinity exceeding acidity</td>
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</tr>
<tr>
<td>pH</td>
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</tbody>
</table>

The following permit applications, requests for Environmental Assessment approval and requests for 401 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) 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. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water

Lee Coal Contracting, Inc. (147 Loop Road, West Decatur, PA 16878), was previously published as 17050105 and should have been 17050106. Commencement, operation and restoration of a bituminous surface mine permit in Cooper Township, Clearfield County affecting 33.4 acres. Receiving streams: UNTs to Moshannon Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is: none within 10 miles of site. Application received July 7, 2005.

Noncoal Applications Received Effluent Limits

The following noncoal mining applications that include an NPDES permit application will be subject to, at a minimum, the following technology-based effluent limitations for discharges of wastewater to streams:

### FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, 401 Water Quality Certification requests, and Environmental Assessment requests have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) 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. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water...
Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional 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. Individuals 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 8 a.m. and 4 p.m. on each working day at the regional office noted before the application.

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

Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and requests for certification under section 401 of the FWPCA (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.


To modify and maintain an existing 20-foot by 5-foot reinforced concrete box culvert in Shoeneck Creek (WWF) that was previously authorized and constructed under Permit No. E48-065. The proposed modification involves a 21-foot extension on the upstream and downstream sides of the box culvert, resulting in a box culvert having a total length of 72 feet, to allow widening of Township Road T499 (Hollo Road) to satisfy current design standards. The project is located approximately 1,000 feet west of the intersection of Hollo Road and Van Buren Road (Nazareth, PA Quadrangle N: 16.7 inches; W: 4.1 inches).


To construct and maintain a road crossing consisting of twin 8 foot by 8 foot reinforced concrete box culverts in a tributary to Bushkill Creek (HQ-CWF) for the purpose of providing access to a new phase of Knollwood Estates planned residential development. The project is located on the north side of Zucksville Road, approximately 70 feet downstream of Ben J on Road (Easton, PA-N) Quadrangle N: 17.0 inches; W: 16.1 inches).

E54-323. J ELD-WEN, Inc., P. O. Box 1329, Klamath Falls, OR 97601, in Ringtown Borough, Schuylkill County, United States Army Corps of Engineers, Philadelphia District.

To place fill in approximately 0.12 acre of PEM wetlands in Dark Run watershed for the purpose of expanding an existing window manufacturing facility and operations. The project is located on the east side of West Main Street and west of Shenandoah Street (Shenandoah, PA Quadrangle N: 19.0 inches; W: 15.8 inches).

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

E07-384: J & W Interests, 352 East College Avenue, State College, PA 16801 in Snyder Township, Blair County, ACOE Baltimore District. To construct and maintain a private bridge on California Run (TSF) having a single span of approximately 50 feet, a width of 20 feet, and an underclearance of approximately 5.0 feet located at a site (Tyrone, Pa Quadrangle N: 22.0 inches; W: 4.1 inches) approximately 1,100 feet downstream of the Centre and Blair County Line in Snyder Township, Blair County for the purpose of constructing a private residence.

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-3636.

EA14-004, Environmental Assessment. Warren Sasserman Jr., 427 Coburn Road, Coburn, PA 16832 Penn Township, Centre County, ACOE Baltimore District. To restore a spring and its connecting channel within the footprint of a breached nonjurisdictional dam located in the floodplain of Pine Creek (EV). The project involves removal of a concrete headwall (8 linear feet, reestablishment of a meandering channel within the footprint of the former impoundment (200 linear feet), and riparian buffer plantings along the new channel. The project is located along Coburn Road (SR 2001) approximately 0.2 mile north of the Village of Coburn and approximately 600 feet downstream from the confluence with Elk Creek. Coburn PA Quadrangle (North: 41° 52’ 02”; West: 77° 27’ 30”). Approval of an Environmental Assessment is requested in conjunction with 25 Pa. Code § 105.12(a)(16), Dam Safety and Waterway Management, regarding restoration activities.

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

E02-1506. Village at Pine LP, LLC, 11729 Perry Highway, Suite 509, Wexford, PA 15090-9308. To place fill in wetlands in Pine Township, Allegheny County, Pittsburgh ACOE District. (Mars, PA Quadrangle N: 1.3 inches; W: 7.0 inches and Latitude: 40° 37’ 56”—Longitude: 80° 03’ 02”). The applicant proposes to place and maintain fill in 0.57 acre of PEMPSS wetlands associated with unnamed tributaries to North Fork Pine Creek (CWF) and a UNT to Wexford Run (CWF) for the purpose of constructing the Villages at Pine Development. The project is located on the north side of SR 910, just north from the intersection of SR 910 and North Chapel Drive and will impact 270.0 linear feet of stream channel and 0.57 acre of wetlands. The applicant also proposes to construct and maintain 0.6 acre of replacement wetlands.

E26-329. Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106. To construct a bridge over the Monongahela River in Fayette County and Centerville Borough, Washington County, Pittsburgh ACOE District. (California, PA Quadrangle N: 1.7 inches; W: 8.18 inches and Latitude: 40° 00’
14°—Longitude: 79° 55’ 57”). The applicant proposes to
construct and maintain a 9-span bridge having spans of 260 feet, 260 feet, 273 feet, 441.5 feet, 518 feet, 423 feet, 260 feet, 317.5 feet and 260 feet and a minimum underclearance of 191.5 feet, over the Monongahela River (WWF) 1.1 milepost 59.11 located from mainline station 781+00 to 811+22. Temporary cofferdams will be used to construct piers 4 and 5.

**E32-471. Joseph Land Development, LLC, 533 Luciusboro Road, Blairsville, PA 15717. To construct culverts in Center Township, Indiana County, Pittsburgh ACOE District. (Bolivar, PA Quadrangle N: 22.43 inches; W: 6.72 inches and Latitude: 40° 29’ 54”—Longitude: 79° 10’ 24”). The applicant proposes to construct and maintain a roadway crossing consisting of one 72-inch and two 60-inch corrugated metal pipe culverts each 50 feet long in Coral Creek (CWF) to provide access from SR 2019 to a proposed commercial land development. The project will impact 0.01 acre of wetland. The project is located at the intersection of SR 119 and SR 2019.**

**E56-334. Somerset County Conservancy, P. O. Box 241, Somerset, PA 15501. To construct a foot bridge in Somerset Township, Somerset County, Pittsburgh ACOE District (Murdock, PA Quadrangle N: 20.28 inches; W: 3.85 inches and Latitude: 39° 59’ 12”—Longitude: 79° 1’ 35”). The applicant proposes to construct and maintain a pedestrian foot bridge having a span of 32.0 feet with an underclearance of 8.7 feet across the channel of Kimberly Run (CWF) for the purpose of constructing a nature/education interpretive trail. The project is located approximately 5,000 feet southeast from the intersection of the Turnpike and U. S. Route 219 and will impact 6.0 linear feet of stream channel.**

**E65-874. Dominion Transmission, Inc., Oakford Compressor Station, P. O. Box 66, Route 22, Delmont, PA 15626. To construct a bridge in Penn and Hempfield Townships, Westmoreland County, Pittsburgh ACOE District (Greensburg, PA Quadrangle N: 15.89 inches; W: 12.58 inches and Latitude: 40° 20’ 15”—Longitude: 79° 35’ 25”). The applicant proposes to construct and maintain a 13.0 foot wide single span bridge having a normal span of 25.0 feet and an underclearance of 6.5 feet across Brush Creek (TSF) for the purpose of providing access to gas wells. The project is located off of Oxford Park Road.**

### ACTIONS

**THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT**

**FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS**

The Department of Environmental Protection (Department) has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and Notices of Intent (NOI) for coverage under general permits. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

<table>
<thead>
<tr>
<th>Location</th>
<th>Permit Authority</th>
<th>Application Type or Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section I</td>
<td>NPDES</td>
<td>Renewals</td>
</tr>
<tr>
<td>Section II</td>
<td>NPDES</td>
<td>New or amendment</td>
</tr>
<tr>
<td>Section III</td>
<td>WQM</td>
<td>Industrial, sewage or animal wastes; discharges to groundwater</td>
</tr>
<tr>
<td>Section IV</td>
<td>NPDES</td>
<td>MS4 individual permit</td>
</tr>
<tr>
<td>Section V</td>
<td>NPDES</td>
<td>MS4 permit waiver</td>
</tr>
<tr>
<td>Section VI</td>
<td>NPDES</td>
<td>Individual permit stormwater construction</td>
</tr>
<tr>
<td>Section VII</td>
<td>NPDES</td>
<td>NOI for coverage under NPDES general permits</td>
</tr>
</tbody>
</table>

Sections I—VI contain actions related to industrial, animal or sewage wastes discharges, discharges to groundwater and discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities and concentrated animal feeding operations (CAFOs). Section VII contains notices for parties who have submitted NOIs for coverage under general NPDES permits. The approval for coverage under general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in each general permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit 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. Permits 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 before the action.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the Pennsylvania Bulletin, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary 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 decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

I. NPDES Renewal Permit Actions

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

<table>
<thead>
<tr>
<th>NPDES No. (Type)</th>
<th>Facility Name &amp; Address</th>
<th>County &amp; Municipality</th>
<th>Stream Name (Watershed #)</th>
<th>EPA Waived Y/N</th>
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<tbody>
<tr>
<td>PA0043541 (A1)</td>
<td>The Pfaltzgraff Company Bowman Road P. O. Box 244 Thomasville, PA 17364</td>
<td>York County Jackson Township</td>
<td>Honey Run/7-F</td>
<td>Y</td>
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<tr>
<td>PA0085600 (Sewage)</td>
<td>Ono Industries, Inc. Route 22 West P. O. Box 150 Ono, PA 17077-0150</td>
<td>Lebanon County East Hanover Township</td>
<td>Reeds Creek/7-D</td>
<td>Y</td>
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<tr>
<td>PA0035157 (Industrial Waste)</td>
<td>Farmer’s Pride, Inc. P. O. Box 39 Fredericksburg, PA 17026</td>
<td>Lebanon County Bethel Township</td>
<td>Deep Run/7-D</td>
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Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

<table>
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<tr>
<th>NPDES No. (Type)</th>
<th>Facility Name &amp; Address</th>
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<th>Stream Name (Watershed #)</th>
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<tbody>
<tr>
<td>PA0026255 Sewage</td>
<td>Allegheny Valley Joint Sewage Authority 2400 Freeport Road Pittsburgh, PA 15238</td>
<td>Allegheny County Harmar Township</td>
<td>Allegheny River</td>
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Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

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<tr>
<td>PA0223051</td>
<td>Connoquenessing Borough STP 228 Constitution Avenue P. O. Box 471 Connoquenessing, PA 16027</td>
<td>Connoquenessing Borough Butler County</td>
<td>UNT to Connoquenessing Creek 20-C</td>
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<td>PA0033839</td>
<td>Blair’s Green Acres Mobile Court 6350 U. S. Route 322 Franklin, PA 16323</td>
<td>Cranberry Township Venango County</td>
<td>UNT to East Sandy Creek 16-G</td>
<td>Y</td>
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<tr>
<td>PA0210056</td>
<td>Amsterdam Estates Mobile Home Park 39 Amsterdam Road Grove City, PA 16127</td>
<td>Liberty Township Mercer County</td>
<td>UNT to Black Run</td>
<td>Y</td>
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<tr>
<td>PA0022373</td>
<td>Lakeview Joint Sewer Authority Route 62 North P. O. Box 357 Stoneboro, PA 16153-0357</td>
<td>Sandy Lake Township Mercer County</td>
<td>Sandy Creek 16-G</td>
<td>Y</td>
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<tr>
<td>PA0222518</td>
<td>Lazar Small Flow Treatment Facility 10368 Dutch Road Waterford, PA 16441</td>
<td>Greene Township Erie County</td>
<td>East Branch LeBoeuf Creek 16-A</td>
<td>Y</td>
</tr>
</tbody>
</table>

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

NPDES Permit No. PA0058963, Industrial Waste, JDM Materials Company, 851 County Line Road, Huntingdon Valley, PA 19006-1111. This proposed facility is located in Telford Borough, Bucks County.

Description of Proposed Action/Activity: Approval for a new NPDES permit to discharge stormwater runoff for the Telford Bath Plant into a UNT to Mill Creek in Watershed 3E-Perkiomen.

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

NPDES Permit No. PA0081264, Sewage, Richie Schnaars, Mountainview Thoroughbred Racing Association—Penn National of Grantville, P. O. Box 32, Grantville, PA 17028. This proposed facility is located in East Hanover Township, Dauphin County.
Description of Proposed Action/Activity: Authorization to discharge to UNT Swatara Creek in Watershed 7-D. 

NPDES Permit No. PA0087106, Sewerage, Freedom Valley Worship Center, 3185 York Road, Gettysburg, PA 17325. This proposed facility is located in Straban Township, Adams County.

Description of Proposed Action/Activity: Rerate with authorization to discharge to UNT of Swift Run in Watershed 7F. 

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

NPDES Permit No. PA0023213, Sewage, Borough of Ridgway, P. O. Box 149, Ridgway, PA 15853-0149. This proposed facility is located in Ridgway Township, Elk County.

Description of Proposed Action/Activity: Rerating of hydraulic capacity at the Hunterstown Wastewater Treatment Plant.

WQM Permit No. 6773404, Amendment 05-1, Sewage, Manchester Township Municipal Authority, 3200 Farmtrail Road, York, PA 17402. This proposed facility is located in Manchester Township, York County.

Description of Proposed Action/Activity: Construction/operation of a submersible pump station and collection system to serve 227 new homes in the Rentzel Subdivision and flow from the Kennington Pump Station. The Kennington Pump Station will be abandoned.

WQM Permit No. WQG018367, Sewage, North Union Township Municipal Services Authority, c/o John Herick, 6 South Evans Station Road, LaMont Furnace, PA 16456. This proposed facility is located in North Union Township, Fayette County.

Description of Proposed Action/Activity: A single residence sewage treatment plant.

WQM Permit No. WQG018389, Sewage, Jeffrey L Rickrode, 10522 Pebble Creek Drive, McKean, PA 16426. This proposed facility is located in McKean Township, Erie County.

Description of Proposed Action/Activity: A single residence sewage treatment plant.

WQM Permit No. WQG018376, Sewerage, Sally and William H. Slattery, II, 58 Vaughn Avenue, Wheatland, PA 16161. This proposed facility is located in South Pymatuning Township, Mercer County.

Description of Proposed Action/Activity: A single residence sewage treatment plant.
IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

<table>
<thead>
<tr>
<th>NPDES Permit No.</th>
<th>Applicant Name &amp; Address</th>
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<th>Municipality</th>
<th>Receiving Water/Use</th>
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<tr>
<td>PAI010905001</td>
<td>Commerce Bank, NA</td>
<td>Bucks</td>
<td>Doylestown Borough</td>
<td>Neshaminy Creek (WWF, MF)</td>
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<td></td>
<td>Proposed Commerce Bank</td>
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<td>11000 Atrium Way</td>
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<td>Mount Laurel, NJ 08054</td>
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<td>Bucks</td>
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Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

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<th>NPDES Permit No.</th>
<th>Applicant Name &amp; Address</th>
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<td>Nazareth, PA 18064</td>
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VII. Approvals to Use NPDES and/or Other General Permits

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).

<table>
<thead>
<tr>
<th>Permit No.</th>
<th>Applicant Name &amp; Address</th>
<th>Municipality</th>
<th>Receiving Water/Use</th>
<th>Contact Office &amp; Phone No.</th>
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<td>PAI064204003</td>
<td>Bradford Bypass Department of Transportation</td>
<td>Bradford City</td>
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<td>Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900</td>
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<td></td>
<td>1924-30 Daisy Street P. O. Box 342</td>
<td>Bradford and Foster Townships</td>
<td>Tunungwant Creek CWF</td>
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<td>Clearfield, PA 16830</td>
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**List of NPDES and/or Other General Permit Types**

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<th>Permit No.</th>
<th>General Permit Type</th>
<th>Facility Location &amp; Municipality</th>
<th>Permit No.</th>
<th>Applicant Name &amp; Address</th>
<th>Receiving Water/Use</th>
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<td>PAG-1</td>
<td>General Permit for Discharges from Stripper Oil Well Facilities</td>
<td>Hilltown Township Bucks County</td>
<td>PAG2000904158</td>
<td>Brooke Rush Brooke Rush Minor Subdivision 732 East Creamery Road Perkasie, PA 18944</td>
<td>Deep Run to Tohickon Creek (WWF, CWF)</td>
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<td>PAG-2</td>
<td>General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)</td>
<td>Bedminster Township Bucks County</td>
<td>PAG2000904124</td>
<td>WB Homes, Inc. Deerfield Estates 404 Sumneytown Pike North Wales, PA 19454</td>
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<td>General Permit for Discharges of Stormwater from Industrial Activities</td>
<td>Tinicum Township Delaware County</td>
<td>PAG2002304069</td>
<td>Restoration Development Corp. 1275 Cold Spring Road Newtown Square, PA 19073</td>
<td>Delaware River (WWF, MF)</td>
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<td>Facility Location &amp; Municipality</td>
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<td>Carmen D'Arcangelo 1651 Markley Street Development 1900 General Alexander Drive Malvern, PA 19355</td>
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<td>McDonald's Corporation McDonald's Rebuilding 3025 Chemical Drive, Suite 200 Plymouth Meeting, PA 19462</td>
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<td>Hampton Properties, Inc. Kenney Tract Subdivision 2526 North Broad Street Colmar, PA 18915</td>
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<td>Christopher Dock Mennonite HS 1000 Forty Foot Road Lansdale, PA 19446</td>
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<td>PAG2004604131</td>
<td>Spring Hill Realty Potato Road—Phase I 528 Main Street Harleysville, PA 19438</td>
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<td>PAG2015105024</td>
<td>Safeguard Properties Proposed Safeguard Properties 105 Maxess Road, Suite 125 Melville, NY 11747</td>
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<td>Rice Township</td>
<td>PAG2004005009</td>
<td>Presidential Land Co., LTD 433 West Centre St. Mahanoy City, PA 17948</td>
<td>Big and Little Wapwallopen Creeks CWF</td>
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<td>Wright Township</td>
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<td>AEP Industries Inc. 20 Elmwood Drive Mountaintop, PA 18707</td>
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<td>Luzerne Co. Cons. Dist. (570) 674-7991</td>
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Facility Location & Municipality | Permit No. | Applicant Name & Address | Receiving Water/Use | Contact Office & Phone No. |
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Hegins Township | PAG2005405016 | Bruce Lauerman Nestle Water North AM Inc. 405 Nestle Way Breiningsville, PA 18031 | UNT to Deep Creek CWF | Schuylkill Co. Cons. Dist. (570) 622-3742 |
Richmond Township | PAG2000605056 | Norann Warmkessel Richmond Township P. O. Box 474 Fleetwood, PA 19522 | Willow Creek/CWF | Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657 Ext. 201 |
Heidelberg Township | PAG2000605059 | Bill Mills Associated Wholesalers, Inc. P. O. Box 67 Robesonia, PA 19551-0067 | Spring and Tulpehocken Creek Watershed/CWF | Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657 Ext. 201 |
South Heidelberg Township | PAG2000605024 | Ronald Seaman South Heidelberg Township 68A N. Galen Hall Road Wernersville, PA 19565 | UNT to Tulpehocken Creek/WWF | Berks County Conservation District 1238 County Welfare Road P. O. Box 520 Leesport, PA 19533-0520 (610) 372-4657 Ext. 201 |
Carroll Valley Borough | PAR100147 | Eric Flynn Ski Liberty, Inc. 78 Country Club Trail Carroll Valley, PA 17320 | Flat Run/WWF | Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 |
Carlisle Borough | PAG2002105012 | Key Ritner LP James Clymer 421 McFarland Rd., Suite B Kennett Square PA 19348 | Alexander Spring Run/CWF | Cumberland County Conservation District 43 Brookwood Ave. Carlisle PA 17013 (717) 240-7812 |
Upper Allen Township | PAG2002105017 | Valley Supply Jeffrey P. King 4915 Gettysburg Road Mechanicsburg, PA 17055 | Cedar Run/CWF | Cumberland County Conservation District 43 Brookwood Ave. Carlisle PA 17013 (717) 240-7812 |
Lower Allen Township | PAG2002105015 | Family Land Developers, LLC Tony Crisci The Crossroads 2600 S. Market St. Bowmansdale PA 17008-0080 | Cedar Run/CWF | Cumberland County Conservation District 43 Brookwood Ave. Carlisle PA 17013 (717) 240-7812 |
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<tr>
<th>Facility Location &amp; Municipality</th>
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<th>Applicant Name &amp; Address</th>
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<th>Contact Office &amp; Phone No.</th>
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<td>Antrim Township</td>
<td>PAG2002805051</td>
<td>John F. Henning 7557 Pine Hill Rd. Waynesboro, PA 17268</td>
<td>West Branch of the Antietam Creek</td>
<td>Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074 Ext. 5</td>
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<td>Beaver County</td>
<td>PAG2000405011</td>
<td>Kevin Neil NHC Properties 1065 Dutch Ridge Road Beaver, PA 15009</td>
<td>UNT to Sixmile Run (WWF)</td>
<td>Beaver County CD (724) 378-1701</td>
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<td>PAG2002605009</td>
<td>Frank J. Kempf Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106</td>
<td>Redstone Creek Jennings Run (WWF)</td>
<td>Fayette County CD (724) 438-4497</td>
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<td>Indiana County</td>
<td>PAG2003205005</td>
<td>Todd Heming Indiana County Airport Authority 398 Airport Road Indiana, PA 15701</td>
<td>UNT to Ramsey Run (CWF)</td>
<td>Indiana County CD (724) 463-8547</td>
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<td>PAG2006305018</td>
<td>Lynn Foltz Foltz development Co. P. O. Box 401 Bridgeville, PA 15017</td>
<td>UNT to Chartiers Creek (WWF)</td>
<td>Washington County CD (724) 228-6774</td>
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General Permit Type—PAG-3

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<td>Bethel Township</td>
<td>PAR200044</td>
<td>Alloy Surfaces Co., Inc. 1515 Garnet Mine Rd. Boothwyn, PA 19061</td>
<td>UNT to Spring Run-3G Watershed</td>
<td>Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970</td>
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<td>City of Philadelphia</td>
<td>PAR600085</td>
<td>Ngo Steven d/b/a Steve's Auto Parts II 3331 S. 61st St. Philadelphia, PA 19153</td>
<td>Schuylkill River-3F Watershed</td>
<td>Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970</td>
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<td>Chester Township</td>
<td>PAR200043</td>
<td>Alloy Surfaces Co., Inc. 121 N. Commerce Dr. Aston, PA 19014</td>
<td>UNT to Baldwin Run-3G Watershed</td>
<td>Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970</td>
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<td>Harmar Township</td>
<td>PAR216172</td>
<td>PPG Industries, Inc. P. O. Box 11472 Guys Run Road Pittsburgh, PA 15238-0472</td>
<td>UNT to Rawlins Run</td>
<td>Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000</td>
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<td>Springfield Township Fayette County</td>
<td>PAR606159</td>
<td>Robert Platt Auto Wreckers 213 Foxburg Road Normalville, PA 15469</td>
<td>Unnamed feeder to Indian Creek</td>
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<td>Marlborough Township Montgomery County</td>
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<td>Robert P. Falkenstein 2898 Upper Ridge Road Pennsburg, PA 18073-2547</td>
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<td>Southeast Regional Office: 2 East Main Street Norristown, PA 19401</td>
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<td>York County Springettsbury Township</td>
<td>PAG043730</td>
<td>John G. Boop 3382 Lower Glades Road York, PA 17402-8955</td>
<td>UNT Codorus Creek/WWF</td>
<td>DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707</td>
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<td>Mike Mulcahy 333 Lexington Street York, PA 17403</td>
<td>UNT Codorus Creek/WWF</td>
<td>DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707</td>
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<td>PAG049160</td>
<td>Mark Vormoro 3610 Willow Road Erie, PA 16505</td>
<td>UNT of Elk Creek</td>
<td>DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942</td>
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<td>McKean Township Erie County</td>
<td>PAG049181</td>
<td>Jeffrey L. Rickrode 10522 Pebble Creek Drive McKean, PA 16426</td>
<td>Lamson Run</td>
<td>DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942</td>
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<td>South Pymatuning Township Mercer County</td>
<td>PAG049168</td>
<td>Sally and William H. Slattery, II 58 Vaughn Avenue Wheatland, PA 16161</td>
<td>UNT to McCullough Run</td>
<td>DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942</td>
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**General Permit Type—PAG-5**

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<td>Sheetz, Inc. Good Guyz, former Sheetz 83 20-C</td>
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**PUBLIC WATER SUPPLY (PWS) PERMITS**

The Department of Environmental Protection has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**SAFE DRINKING WATER**

Actions taken under the Pennsylvania Safe Drinking Water Act
Applicant: Safe Harbor Water Power Corporation  
Municipality: Manor Township  
County: Lancaster  
Type of Facility: Replacing the existing gas chlorination system with an Accu-Tab treatment system.

Consulting Engineer: Todd N Stager, P. E., Civil & Environmental Design Group  
Address: 5010 Ritter Rd., Mechanicsburg, PA 17055-4828

Issued: 4/2/2004

Applicant: West Earl Water Authority  
Municipality: West Earl Township  
County: Lancaster  
Type of Facility: Replacing the existing gas chlorination system with a sodium hypochlorite feed system.

Consulting Engineer: David T Lewis, P. E., ARRO Consulting Inc.  
Address: 270 Granite Run Drive, Lancaster, PA 17601

Issued: 6/8/2004

Applicant: Pure Choice Water  
Municipality: East Cocalico Township  
County: Lancaster  
Type of Facility: Installation of a Permit-by-Rule vended water system at Weaver's Market near Adamstown, Lancaster County.

Consulting Engineer: Not Available

Issued: 6/30/2004

Applicant: Genesis Elder Care Corporation  
Municipality: Tilden Township  
County: Berks  
Type of Facility: Addition of pH adjustment to provide corrosion control to existing facility.

Consulting Engineer: George W Ruby, P. E., Ruby Engineering  
Address: P. O. Box 127, Rexmont, PA 17085-0127

Issued: 7/18/2005

Applicant: Evitts Creek Water Company  
Municipality: N/A
County: Bedford
Type of Facility: Tank repainting project
Consulting Engineer: John J. DiFonzo, P. E.
City of Cumberland, Eng. Dept.
20 Bedford St., 3rd Floor
City Hall
Cumberland, MD 21501-1702
Permit to Construct Issued: 7/15/2004

Permit No. 2804504 MA, Minor Amendment, Public Water Supply.
Applicant: Bear Valley Franklin County Pennsylvania Joint Authority
Municipality: Peters Township
County: Franklin
Type of Facility: Seeking approval for the use of DelPAC 2020 as a primary coagulant. This will replace the existing alum chemical feed system.
Consulting Engineer: James C. Elliot, P. E.
Gannett Fleming, Inc.
P. O. Box 67100
Harrisburg, PA 17106-7100
Permit to Construct Issued: 9/11/2004

Permit No. 4405501 MA, Minor Amendment, Public Water Supply.
Applicant: Municipal Authority of the Borough of Lewistown
Municipality: Armagh Township
County: Mifflin
Type of Facility: Repainting and maintenance to backwash tank No. 1.
Consulting Engineer: Patrick J. Ward, P. E.
Uni-Tec Consulting Engineers, Inc.
2007 Cato Avenue
State College, PA 16801
Permit to Construct Issued: 7/20/2005

Permit No. 2105505 MA, Minor Amendment, Public Water Supply.
Applicant: Southern Cumberland Water Association
Municipality: Southampton Township
County: Cumberland
Type of Facility: Finished water storage tank replacement with a 105,000 gallon glass-lined standpipe and new control system for tank fill and well pump operation.
Consulting Engineer: Dennis E. Black, P. E.
Dennis E. Black Engineering Inc.
2400 Philadelphia Ave.
Chambersburg, PA 17201
Permit to Construct Issued: 7/18/2005

Operations Permit issued to: Western Berks Water Authority, 3060066, Wyomissing Borough, Berks County on 7/19/2005 for the operation of facilities approved under Construction Permit No. 0604519 MA.

Operations Permit issued to: Mount Joy Borough Authority, 7360091, Mount Joy Borough, Lancaster County on 11/21/2003 for the operation of facilities approved under Construction Permit No. 3603509 MA.

Operations Permit issued to: Aqua Pennsylavnia, Inc, 3060030, Robeson Township, Berks County on 7/20/2005 for the operation of facilities approved under Construction Permit No. 0604511 MA.

Operations Permit issued to: Columbia Water Company, 7360123, Columbia Borough, Lancaster County on 11/9/2004 for the operation of facilities approved under Construction Permit No. 3604502 MA.

Operations Permit issued to: Maidencreek Township Authority, 3060012, Maidencreek Township, Berks County on 7/20/2005 for the operation of facilities approved under Construction Permit No. 0604514 MA.

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

Applicant: CCDA Waters, LLC
Township or Borough: Boggs Township
County: Centre
Responsible Official: Stephen Smith, Plant Manager
CCDA Waters, LLC
One Aqua Penn Drive
P. O. Box 938
Milesburg, PA 16853

Type of Facility: Public Water Supply—Transfer
Consulting Engineer: R. Timothy Weston
Kirkpatrick & Lockhart
Nicholson Graham, LLP
Payne Shoemaker Building
240 North Third Street
Harrisburg, PA 17101-1507

Permit Issued Date: 7/20/05
Description of Action: Transfer of ownership from Danone and Coca-Cola to The Coca-Cola Company.

Applicant: Penn State University
Township or Borough: College Township
County: Centre
Responsible Official: Robert Cooper
Manager of Engineering Services
Penn State University
101P Physical Plant Building
University Park, PA 16802-1118

Type of Facility: Public Water Supply—Construction
Consulting Engineer: Malcolm Taylor, P. E.
Buchart-Horn
1200 West College Avenue
State College, PA 16801
Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.

Plan Location: Borough or Township Address County Juniata Township R. R. 1 Box 378 Huntingdon Huntingdon, PA 16652

Plan Description: The approved plan provides for public sewer improvement projects, interceptor improvement projects and sewer extensions as outlined in Table V.A.2.2 of the Official Plan. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. §§ 750.1—750.20a)

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

Plan Location: Located on the west side of SR 0194, south of East Berlin Borough in Hamilton Township, Adams County.

Plan Description: The plan was disapproved because: the preliminary hydrogeologic evaluation contained information that the groundwater is presently polluted on a portion of the property, and that some of the proposed onsite systems would further pollute the waters of this Commonwealth. This condition is considered to be a nuisance and a violation of The Clean Streams Law.
LAND RECYCLING AND ENVIRONMENTAL REMEDIATION
UNDER ACT 2, 1995

PREAMBLE 2

The following plans and 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 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 act’s remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the Pennsylvania Bulletin. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. 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. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the Environmental Cleanup Program manager in the Department regional office after which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Sunoco, Inc., Darby Creek Tank Farm, Darby Borough, Delaware County. Edward R. Kashdan, P.E., Gannett Fleming, Inc., P.O. Box 80794, Valley Forge, PA 19484-0794 on behalf of Sunoco, Inc. Ten Penn Ctr., 1801 Market St., Philadelphia, PA has submitted a Final Report concerning remediation of site soil and groundwater contaminated with lead, heavy metals, BTEX, PAH and solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Nozensky Junkyard, Kenneth Square Borough, Chester County. Matthew Gordon, Walter B. Satterthwaite Assoc., Inc., 720 Old Fern Hill Rd., West Chester, PA 19380 has submitted a Baseline Environmental Report concerning remediation of site soil and groundwater contaminated with drums, tires scrap metal and phenolic circuits boards. The report is intended to document remediation of the site to meet the Special Industrial Area Standard.

Mattei Tire Site, City of Philadelphia, Philadelphia County. Michael V. Malone, P.G., SECOR, 102 Pickering WY, Suite 200, Exton, PA 19341 on behalf of Timothy Mattei, Mattei Tire Co., 2035 Washington Ave, Philadelphia, PA 19146 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with petroleum hydrocarbons. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Smith Kline Beecham Corp, d/b/a Glaxo Smith Kline, Upper Merion Township, Montgomery County. Michael Gonshor, P.G., Roux Assoc., Inc., 1222 Forest Parkway Suite 190, West Deptford, NJ 08066 on behalf of Peter McGinnis, Glaxo Smith Kline, 1250 S. Collegeville Rd., Collegeville, PA 19426 has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvents and groundwater contaminated with chlorinated solvents, inorganics, lead and other organics. The report is intended to document remediation of the site to meet the Site Specific Standard.

Northeast Regional Field Office, Joseph A. Brogna, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Former Gehman’s Dairy Farm/Mack Trucks Property, Macungie Borough, Lehigh County. Ralph Capone, Environmental Consultant, Brinkerhoff Environmental Consultants, Inc., 1913 Atlantic Avenue, Manasquan, NJ 08736 has submitted a Final Report (on behalf of his client, Mack Trucks, Inc., c/o Scott Morris, 2100 Mack Boulevard, Allentown, PA 18103) concerning the remediation of soils and/or groundwater found or suspected to have been impacted by the release of gasoline constituents from a former 550-gallon underground storage tank on the property. The report was submitted to document attainment of the Statewide health standard. This represents a change to the previously submitted Notice of Intent to Remediate, which indicated that applicant proposed to meet the Site Specific Standard.

Riotto Property and Surrounding Areas (1006, 1012, 1014 and 1018 Barnesville Drive), Ryan Township, Schuylkill County. Gregory Burgdorf, P.G., ARM Group, Inc., 1129 West Governor Road, Hershey, PA 17033 has submitted a Final Report (on behalf of his client, Dominic Riotto, Barnesville Drive, Barnesville, PA 18214) concerning the remediation of soil and/or groundwater found or suspected to have been impacted by the release of No. 2 fuel oil constituents from a former aboveground storage tank on the property. The report was submitted to document attainment of the Statewide health standard. A Notice of Intent to Remediate was simultaneously submitted.

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

Defense Distribution Susquehanna PA, N-PX Gas Station, Fairview Township, York County. Defense Distribution Susquehanna PA, 2001 Mission Drive, New Cumberland, PA 17070, submitted a Final Report concerning remediation of site soils and groundwater contaminated with carbon tetrachloride 1, 2, dichloroethene and benzene. The report is intended to document remediation of the site to the Site Specific standard.
Keystone Central Storage, Harrisburg City, Dauphin County. RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, on behalf of Keystone Central Storage, LP, c/o ProLogis, 14100 East 35th Place, Aurora, CO 80011 submitted a Remedial Investigation and Final Report concerning remediation of site soils contaminated with arsenic, lead and polyaromatic hydrocarbons and groundwater contaminated with gasoline, kerosene and No. 2 Fuel Oil. The report is intended to document remediation of the site to a combination of Statewide Health and Site Specific standards.

Sheetz Property, City of Altoona, Blair County. Geologic Services Corporation, 260 Executive Drive, Suite 500, Cranberry Township, PA 16076, on behalf of Sheetz, Inc., 5700 Sixth Avenue, Altoona, PA 16602, submitted a final Report concerning remediation of site soils contaminated with gasoline and diesel fuel. The report was submitted within 90 days of a release and is intended to document remediation of the site to the Statewide Health standard.

Defense Distribution Susquehanna PA, SWMU 17, Former Building T-21, Fairview Township, York County. Defense Distribution Susquehanna PA, 2001 Mission Drive, Suite 1, New Cumberland, PA 17070, submitted Remedial Investigation and Risk Assessment Reports concerning remediation of site soils, groundwater and surface water contaminated with solvents. The applicant proposes to remediate the site to meet a combination of Statewide Health and Site-Specific standards.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

CPO2, 200 East Chestnut Street, Millfllburg, PA. Millfllburg, Borough, Union County. Mike Malesevich Environmental, P. O. Box 654, Lewisburg, PA 17837, has submitted a Final Report concerning soil contaminated with heating oil. This Final Report is intended to demonstrate attainment of the Statewide Health Standard.

McGahan Property, 111 Gregg Street, Spring Mills, PA, Gregg Township, Centre County, Chambers Environmental, 629 East Rolling Ridge Drive, Bellefonte, PA 16823, has submitted a Final Report concerning soil contaminated with gasoline. This Final Report is intended to demonstrate attainment of the Statewide Health Standard.

Bellefonte Middle School District—Middle School, 100 N. School Street, Bellefonte PA, Bellefonte Borough, Centre County. Blazosky Associates, Inc., One Davis Road, Suite 200, P. O. Box 987, Valley Forge, PA 19482, has submitted a Final Report concerning soil and groundwater contaminated with methanol. This Final Report is intended to demonstrate attainment of the Statewide Health Standard.

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

Liberty Park Development Site, City of Pittsburgh, Allegheny County. Joseph M. Harrick, Penn Environmental and Remediation Inc., 359 Northgate Drive, Warrendale, PA 15086, on behalf of Joseph M. Harrick, P. E., Director of Engineering and Construction, Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15219) has submitted a Remedial Investigation Report concerning remediation of site soils contaminated with metals including antimony, arsenic, boron, lead, thallium, silver and PAH, and site groundwater contaminated with perchloroethylene. The Remedial Investigation Report is intended to document remediation of the site to meet the Site-Specific Standard.

LTV Southside Works (Parcel A1), City of Pittsburgh, Allegheny County. Martin Knuth, Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205, on behalf of Urban Redevelopment Authority, 200 Ross Street, Pittsburgh, PA 15219, and South Pittsburgh LLC 150 East Broad Street Suite 200, Columbus, Ohio 43215) has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents, PCBs, PAHs, other organics and inorganics. The report is intended to document remediation of the site to meet the Site Specific Standard.

Molycorp Washington Site, Canton Township, Washington County. Alan Shuckrow, Malcolm Pirnie Inc., 1603 Carmody Court, Sewickley, PA 15143 (on behalf of Ray Chermiske, Molycorp, Inc., P. O. Box 469, Questa, NM 87556) has submitted a Cleanup Plan concerning remediation of site soil and groundwater contaminated with VOC and semivolatile organics, metals and cyanide. The Cleanup Plan is intended to document remediation of the site to meet the Site-Specific Standard.

Eastman Chemical Resins, Inc. (Formerly Hercules Inc.—Jefferson Plant), Jefferson Borough, Allegheny County. William A. Baughman, Cummings/Riter Consultants, Inc., 339 Haymaker Road, Parkway Building Suite 201 Monroeville, PA 15146 (on behalf of William C. Hendon, Eastman Company, State Highway 837, P. O. Box 567, West Elizabeth, PA 15088-0567, and Joseph A. Keller, Hercules Incorporated, Research Center, Building 8139/15, 500 Hercules Road, Wilmington, DE 19808) has submitted a Human Health and Ecological Risk Assessment concerning remediation of site soil and groundwater contaminated with chlorinated solvents, inorganics, other organics, diesel fuel, leaded gasoline, unleaded gasoline, used motor oil and PAHs. The Human Health and Ecological Risk Assessment is intended to document remediation of the site to meet the Site-Specific Standard.

Cambria Iron Works, City of Johnstown, Cambria County. Harry Trout, L. Robert Kimball & Associates, 415 Moon Clinton Road, Coraopolis, PA 15108 (on behalf of Deborah M. Walter, Johnstown Redevelopment Authority, 401 Washington Street, Johnstown, PA 15901) has submitted a Cleanup Plan, Risk Assessment Report, and a Final Report concerning remediation of site soil and groundwater contaminated with antimony, arsenic, iron and lead. The Cleanup Plan, Risk Assessment Report and Final Report are intended to document remediation of the site to meet the Site-Specific Standard.

Cambia Iron Works, City of Johnstown, Cambria County. Harry Trout, L. Robert Kimball & Associates, 415 Moon Clinton Road, Coraopolis, PA 15108 (on behalf of Deborah M. Walter, Johnstown Redevelopment Authority, 401 Washington Street, Johnstown, PA 15901) has submitted a Cleanup Plan, Risk Assessment Report, and a Final Report concerning remediation of site soil and groundwater contaminated with antimony, arsenic, iron and lead. The Cleanup Plan, Risk Assessment Report and Final Report are intended to document remediation of the site to meet the Site-Specific Standard.

Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Middletown, PA 16335-3481.

Trinity Ind, City of Butler, Butler County. Daniel F. Szwed, P. E., Civil & Env. Consultants Inc., 333 Baldwin Rd., Pittsburgh PA 15205 on behalf of Fletcher W. Helme, CEC, CRS & Associates Inc., 2525 Veronica Freeway, Dallas TX 75207, has submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with lead. Lead impacted zones have evidence of slightly elevated arsenic, antimony, nickel and iron with site wide groundwater concentrations of iron. The reports are intended to document remediation of the site to meet the Statewide Health, Site Specific Standards.
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 Remedia-
tion Standards Act (35 P. S. §§ 6026.101—6026.908).

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remedia-
tion Standards Act (act), require the Department of Environmental Protection (Department) to publish in the Pennsylvania Bulletin a notice of 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 act. 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 nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. 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 refusal 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. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. 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 before 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. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Smith Kline Beecham Corp. d/b/a Glaxo Smith Kline, Upper Merion Township, Montgomery County. Michael Gonshor, PG, Roux Assoc., Inc., 1222 Forest Parkway Suite 190, West Deptford, NJ 08066 on behalf of Peter McGinnis, Glaxo Smith Kline, 1250 S. Collegeville Rd., Collegeville, PA 19426 has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents and groundwater contaminated with chlorinated solvents, inorganics, lead and other organics. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on April 6, 2005.


Andress Res., Downingtown Borough, Chester County. John Founds, Eldredge, Inc., 898 Fennhill Rd., West Chester, PA on behalf of Muriel Andress, 23 Downing Ave., Downingtown, PA 19335 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report submitted within 90 days of the release-demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 22, 2005.


Northeast Regional Field Office Joseph A. Brogna, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

Novick Chemical Co., Inc., City of Scranton, Lackawanna County. Martin Gilgallon, P. G., Project Hydrogeologist, PA Tectonics, Inc., 826 Main Street, Peckville, PA 18452 submitted a combined Remedial Investigation Report and Risk Assessment Report on behalf of his client, Edward Novick, Novick Chemical Company, 705 Davis Street, Scranton, PA 18505) concerning the characterization and risk assessment of soils found or suspected to have been contaminated with chlorinated solvents and other organics as the result of historic site operations. The reports were submitted in partial fulfillment of a combination of the nonused aquifer Statewide Health and site-specific standards. The reports were approved on July 13, 2005.

Nuss Mobile Home Park—Vander Duim Lot, North Whitehall Township, Lehigh County. Richard D. Trimpi, P. G., Trimpi Associates, Inc., submitted a Final Report on behalf of his client, Leonard Nuss, Nuss Enterprises, Inc., 2632 Old Post Road, Coplay, PA 18066 concerning the remediation of soils found to have been impacted by the accidental release of No. 2 home heating oil. The report demonstrated attainment of the residential Statewide Health and was approved on July 7, 2005. The report was submitted within 90 days of the February 9, 2005 release.

PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
Sterling Oaks at Lower Nazareth Properties, Lower Nazareth Township, Northampton County. Darrell Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004, submitted a Final Report (on behalf of his client, Eric Witmorum) concerning Sterling Oaks, 119 Cherry Hill Rd., Parsippany, NJ 07054) concerning the remediation of soils found to have been impacted by inorganics. The report demonstrated attainment of a combination of the Statewide health and background soil standards and was approved on July 6, 2005.

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

Albright College, Former Armory Parcel and former Scrapyard Parcel, City of Reading, Berks County. Synergy Environmental, Inc., 607 Washington Street, Reading, PA 19604, on behalf of Albright College, P.O. Box 15234, Reading, PA 19612-5234, submitted a baseline remedial investigation work plan concerning remediation of site soils and groundwater contaminated with PCBs, inorganics and other organics. The applicant will remediate the site as a Special Industrial Area. The plan was approved by the Department on December 14, 2004.

Northcentral Region: Environmental Cleanup Program Manager, 208 West Third Street, Williamsport, PA 17701.

Mifflinburg Area School District former School Bus Barn, Mifflinburg Borough, Union County. Molesевич Environmental, P.O. Box 654, Lewisburg, PA 17837 has submitted a Final Report for the Mifflinburg Area School District, 52 Chestnut Street, Mifflinburg, PA 17844, concerning soil and groundwater contaminated with gasoline and diesel fuel. The Final Report demonstrated attainment of the Site-specific Standard, Nonresidential and was approved by the Department on July 20, 2005.

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

McKean Used Car Lot (Former), City of Pittsburgh, Allegheny County. Bruce A. Shaw, American Geosciences, Inc., 3925 Reed Blvd., Suite 400, Murrysville, PA 15668 on behalf of Michael Barresi, McKean Development Company, 249 North Craig Street, Pittsburgh, PA 15213 has submitted Final Report concerning the remediation of site soils contaminated with chlorinated solvents, other organics, PAHs and lead. This site was determined to qualify for the Department’s low-risk sites program, and the Final Report was based upon the judgment of a Pennsylvania licensed professional under whose seal the Final Report was submitted without technical review by Department staff. This site was afforded liability protection as outlined in Chapter 5 of Act 2 in a letter dated May 10, 2005.

West Elizabeth Lumber Property, West Elizabeth Borough, Allegheny County. Timothy S. Evans, American Geosciences, Inc., 3925 Reed Blvd., Suite 400, Murrysville, PA 15668-1848 (on behalf of Michael Hoag, National Industrial Lumber Company, 489 Rosemont Road, North Jackson, OH 44451) has submitted a Cleanup Plan concerning remediation of site soil contaminated with inorganics. The Cleanup Plan was approved by the Department on July 6, 2005.

No. 1 Cochran Automotive, Borough of Monroeville, Allegheny County. David J. Birchard, Environmental Remediation & Recovery, Inc., 5719 Route 6N, Edinboro, PA 16412 on behalf of Rob Cochran, No. 1 Cochran Automotive, 4200 William Penn Highway, Monroeville, PA 15146, and William Krahe, ECHO Real Estate, 701 Alpha Drive, Pittsburgh, PA 15228 has submitted a Remedial Investigation Report concerning the remediation of site soils and groundwater contaminated with benzene, naphthalene, MTBE, and ethyl benzene. The Remedial Investigation Report was approved by the Department on June 15, 2005.

REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

Registration Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Residual 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/or 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 Registration No. WMGR097R003. Philadelphia Fry-O-Diesel, Suite 1003, 1218 Chestnut Street, Philadelphia, PA 19107-4825. Registration to operate under General Permit No. WMGR097 for use of residual and municipal waste in research and development (R & D) activities to support the beneficial use or processing prior to beneficial use. The registration was issued by Central Office on July 26, 2005.

Persons interested in reviewing the general permit may contact 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, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

MUNICIPAL WASTE GENERAL PERMITS

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 municipal waste regulations for a general permit to operate municipal waste processing facilities and the beneficial use of municipal waste.

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. WMGM019D003. J. A. Rutter, Co., P.O. Box 540, Murrysville, PA 15668.

General Permit No. WMGM019D003 is for the processing of concrete and asphalt waste, leaf and yard waste, wood waste and soil for beneficial use as: (1) construction material; and (2) topsoil and mulch for commercial purposes generated by J. A. Rutter, Co. facility, located in Allegheny County. The general permit was issued by Central Office on July 20, 2005.

Persons interested in reviewing the general permit may contact 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, (717) 787-7381. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.
OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit 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.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Permit No. 101625. Tamaqua Transfer Station, Environmental Awareness Corp., Inc., 244 East Broad Street, Tamaqua, PA 18252. A Permit Renewal for the continued operation of this municipal waste transfer facility located in Walker Township, Schuylkill County. Due to the location of the site, the permit area has been slightly adjusted to include the scale and the in-between access road (1.41 acres to 1.58 acres). A permit was issued by the Regional Office on July 15, 2005. No other changes to the facility’s design, construction, operation, and operation have been approved. Also, obsolete permit conditions have been deleted.

Southwestern Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA15241) on July 18, 2005, to operate a gas compressor at Compressor Site No. 25 in Gilmore Township, Greene 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.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA15241) on July 18, 2005, to operate a gas compressor at Compressor Site No. 25 in Gilmore Township, Greene County.

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

40-00033A: Watsontown Brick Co. (P. O. Box 68 Route 405, Watsontown, PA 17777) for installation of a replacement fabric collector to control emissions from an existing 100 ton per hour pug mill and associated conveyors in Delaware Township, Northumberland County.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA1522-4745; William Charlton, New Source Review Chief, (412) 442-4174.

90-00090D: Webscraf, LLC. (4371 County Line Road, Chalfont, PA 18914) on 25, 2005, to operate a printing press and thermal oxidizer in New Britain Township, Bucks County.

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

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.

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

GP7-36-03118: Continental Press, Inc. (520 E. Bainbridge Street, Elizabethtown, PA 17022-2201) on July 19, 2005, for a sheetfed offset lithographic printing press under GP7 in Elizabethtown Borough, Lancaster County.

GP3-36-03156: Brubacher Excavating, Inc. (825 Reading Road, P. O. Box 528, Bowmanville, PA 17507) on July 20, 2005, to operate a portable nonmetallic mineral processing plant under GP3 in East Earl Township, Lancaster County.

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

GP1-19-03: Windsor Foods (595 West 11th Street, Bloomsburg, PA 17815) on July 19, 2005, to operate one natural gas fired Johnston model PF TE500-4G120S boiler with a rated heat input capacity of 20.92 MMBtu per hour under the General Plan Approval and General Operating Permit for Small Gas and No. 2 Oil Fired Combustion Units (BAQ-GPA/GP-1) in the Town of Bloomsburg, Columbia County.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 1522-4745; William Charlton, New Source Review Chief, (412) 442-4174.

GP5-30-00153: CNX Gas Co., LLC (1800 Washington Road, Pittsburgh, PA 15241) on July 18, 2005, to operate a gas compressor at Compressor Site No. 15 in Gilmore Township, Greene County.

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GP5-30-00154: CNX Gas Co., LLC (1800 Washington Road, Pittsburgh, PA 15241) on July 18, 2005, to operate a gas compressor at Compressor Site No. 25 in Gilmore Township, Greene County.
41-399-026: Penn Recycling Incorporated (2525 Trenton Avenue, Williamsport, PA 17701) on July 20, 2005, to operate an automobile/metal shredding system and associated air degrading devices (a foam injection system and cyclone collector) on a temporary basis until November 17, 2005, in the City of Williamsport, Lycoming County. The plan approval has been extended.

17-399-023: Prism Enterprises, LLC d/b/a Permagrain (717) 705-4702. Elmerton Avenue, Harrisburg, PA 17110; Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702. for their Lancaster West facility in the City of Lancaster, Lancaster County. This is a renewal of the Title V Operating Permit.

41-00005C: Lycoming Engines (652 Oliver Street, Williamsport PA 17701) on June 24, 2005, to increase the perchloroethylene emission limitation from 1.84 tons to 2.75 tons in any 12-consecutive month period and an increase in the throughput limitation of perchloroethylene from 273.4 gallons to 408.6 gallons in any 12-consecutive month period in the City of Williamsport, Lycoming County. The plan approval has been extended.

36-05026: R. R. Donnelley and Sons Co. (1375 Harrisburg Pike, Lancaster, PA 17601-2699) on July 18, 2005, to operate printing presses controlled by a regenerative thermal oxidizer at their Lancaster West facility in the City of Lancaster, Lancaster County. This is a renewal of the Title V Operating Permit.

67-05006: York County Solid Waste and Refuse Authority (700 Blackbridge Road, York, PA 17402-7901) on July 20, 2005, to operate three municipal waste combustors in Manchester Township, York County. This is a renewal of the Title V Operating Permit.


25-00037: Joseph McCormick Construction Co., Inc.—Wesleyville Plant (1507 Wesley Avenue, Erie, PA 16510-1675) on July 21, 2005, for a Natural Minor Permit to operate a hot mix asphalt plant in Wesleyville Borough, Erie County. The significant sources are batch asphalt plant with dryer, material conveyors and baghouse.

42-00196: Catalyst Energy Inc. (State Route 59 W and State Route 219N, Timbuck, PA 16738) on July 14, 2005, for an Administrative amendment to the Natural Minor operating permit for the Swamp Angel facility. This amendment incorporates the requirements of plan approval 42-0196B. The facility is in Lafayette Township, McKean County.

25-938: Safety Kleen Systems Inc. (1606 Pittsburgh Avenue, Erie, PA 16505) on July 21, 2005, for a Natural Minor operating permit for their Erie facility in the City of Erie, Erie County.

25-00943: Serv-All Concrete (2 East Bay Drive, Erie, PA 16512) on July 21, 2005 for a Natural Minor operating permit for their Erie Blue Batch Plant in the City of Erie, Erie 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 Chapter 127, Subchapter F.

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

67-03069: H and H Castings, Inc. (4300 Lincoln Highway, York, PA 17406-8022) on July 18, 2005, to operate their aluminum foundry in Helml Town, York County. This Operating Permit was administratively amended to incorporate plan approval 67-03069A. This is revision No. 1.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701; David Aldenderfer, Program Manager, (570) 327-3637.
Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745; Mark Wayner, Facilities Permitting Chief, 412-442-4174.

63-00549: Arden Landfill, Inc. (Waste Management, Cherrington Corporate Center, 625 Cherrington Parkway, Moon Township, PA 15108) on July 20, 2005, to incorporate the names of the new responsible official, change of address and permit contact for their Arden Landfill in Chartiers Township, Washington County.

The Department of Environmental Protection (Department) has administratively amended the Operating Permit on July 20, 2005, to incorporate the names of the new responsible official, change of address and permit contact. Through a minor permit modification the Department has revised the permit to incorporate specific alternatives to the collection and control system operation. The proposed methods are acceptable and conform with language allowing such a change in the Operating Permits and also mirror language found in 40 CFR 60.752(b)(2)(i)(B) and 40 CFR 60.753 that allow for alternatives to operational standards for collection and control systems.

The Department has approved this minor operating permit modification in accordance with 25 Pa. Code § 127.462. This is a TV Facility

56-00181: Southern Alleghenies Landfill, Inc. (Waste Management, Cherrington Corporate Center, 625 Cherrington Parkway, Moon Township, PA 15108) on July 20, 2005, to incorporate the names of the new responsible official, permit contact and the conditions of Plan Approval PA-56-00181B for their Southern Alleghenies Landfill in Conemaugh Township, Somerset County.

The Department of Environmental Protection (Department) has administratively amended the Operating Permit on July 20, 2005, to incorporate the names of the new responsible official, permit contact and conditions of Plan Approval PA-56-00181B. Through a minor permit modification the Department has revised the permit to incorporate specific alternatives to the collection and control system operation. The proposed methods are acceptable and conform with language allowing such a change in the Operating Permits and also mirror language found in 40 CFR 60.752(b)(2)(i)(B) and 40 CFR 60.753 that allow for alternatives to operational standards for collection and control systems.

The Department has approved this minor operating permit modification in accordance with 25 Pa. Code § 127.462. This is a Title V Facility

63-00550: South Hills Landfill (Waste Management, Cherrington Corporate Center, 625 Cherrington Parkway, Moon Township, PA 15108) on July 20, 2005, to incorporate the names of the new responsible official, change of address and permit contact for their South Hills Landfill in Union Township, Washington County.

The Department of Environmental Protection (Department) has administratively amended the Operating Permit on July 20, 2005, to incorporate the names of the new responsible official, change of address and permit contact. Through a minor permit modification the Department has revised the permit to incorporate specific alternatives to the collection and control system operation. The proposed methods are acceptable and conform with language allowing such a change in the Operating Permits and also mirror language found in 40 CFR 60.752(b)(2)(i)(B) and 40 CFR 60.753 that allow for alternatives to operational standards for collection and control systems.

The Department has approved this minor operating permit modification in accordance with 25 Pa. Code § 127.462. This is a Title V Facility

11-00370: Laurel Highlands Landfill (Waste Management, Cherrington Corporate Center, 625 Cherrington Parkway, Moon Township, PA 15108) on July 20, 2005, to incorporate the names of the new responsible official and permit contact and change the address for their Laurel Highlands Landfill in Jackson Township, Cambria County.

The Department of Environmental Protection (Department) has administratively amended the Operating Permit on July 20, 2005, to incorporate the names of the new responsible official and permit contact and change the address. Through a minor permit modification the Department has revised the permit to incorporate specific alternatives to the collection and control system operation. The proposed methods are acceptable and conform with language allowing such a change in the Operating Permits and also mirror language found in 40 CFR 60.752(b)(2)(i)(B) and 40 CFR 60.753 that allow for alternatives to operational standards for collection and control systems.

The Department has approved this minor operating permit modification in accordance with 25 Pa. Code § 127.462. This is a Title V Facility

32-00266: Evergreen Landfill (Waste Management, Cherrington Corporate Center, 625 Cherrington Parkway, Moon Township, PA 15108) on July 20, 2005, to incorporate the names of the new Responsible Official and permit contact for their Evergreen Landfill in Center Township, Indiana County.

The Department of Environmental Protection (Department) has administratively amended the Operating Permit on July 20, 2005, to incorporate the names of the new responsible official and permit contact. Through a minor permit modification the Department has revised the permit to incorporate specific alternatives to the collection and control system operation. The proposed methods are acceptable and conform with language allowing such a change in the Operating Permits and also mirror language found in 40 CFR 60.752(b)(2)(i)(B) and 40 CFR 60.753 that allow for alternatives to operational standards for collection and control systems.

The Department has approved this minor operating permit modification in accordance with 25 Pa. Code § 127.462. This is a Title V Facility.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

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

55-00021: Shreck’s Painting (P. O. Box 6, Mount Pleasant Mills, PA 17853) on July 20, 2005, application returned due to applicant’s failure to correct an administrative deficiency in a reasonable time frame in Perry Township, Snyder 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); and 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 and the NPDES permit application. 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. §§ 6018.1001—6018.1003); and the Solid Waste Management Act (35 P. S. §§ 6018.1003).

Coal Permits Actions

Greensburg District Mining Office R. R. 2, Box 603-C, Greensburg, PA 15601, (724) 925-5500.

65010102. Coal Loaders, Inc. (210 East Main Street, P. O. Box 556, Ligonier, PA 15658). Permit revised to add removal of the Redstone Limestone and incidental removal of the Redstone coal seam at an existing bituminous surface mining site located in Fairfield Township, Westmoreland County, affecting 133.6 acres. Receiving streams: UNT of Hypocrite Creek to Hypocrite Creek to Hendricks Creek to Tubmill Run to Conemaugh River; and UNT of Hannas Run to Mill Creek to Loyalhanna Creek to Conemaugh River. Application received: May 11, 2005. Permit revision issued: July 21, 2005.


Knox District Mining Office P. O. Box 669, Knox, PA 16232, (814) 797-1191.

33900105. Hepburnia Coal Company (P. O. Box 1, Grampian, PA 16838). Renewal of an existing bituminous strip and auger operation in Snyder Township, Jefferson County, affecting 650.2 acres. Receiving streams: UNTs to Little Toby Creek and UNTs to Mill Creek. Application received: May 8, 2000. Permit issued: July 21, 2005.

Moshannon District Mining Office 186 Enterprise Drive, Philipsburg, PA 16666, (814) 342-8200.

18793005 and NPDES Permit No. PA0596129. Confer Coal Company (P. O. Box 471, Milesburg, PA 16853). Renewal of an existing bituminous surface mine-auger permit in Beech Creek Township, Clinton County affecting 329 acres. Receiving streams: South Fork of the Tangasocootac Creek to Tangasocootac Creek to West Branch of the Susquehanna River. Application received: January 20, 2005. Permit issued: April 8, 2005.

17000102 and NPDES Permit No. PA0242888. Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838). Transfer of an existing bituminous surface mine-auger permit from Johnson Brothers Coal Company. The permit is located in Bell Township, Clearfield County and affects 131.3 acres. Receiving streams: UNTs to Whiskey Run, UNTs to Bear Run. Application received: January 12, 2005. Permit issued: April 26, 2005.


Pottsville District Mining Office 5 W. Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118.


Coal NPDES Permit Renewal Applications Issued:

Cambria District Mining Office 286 Industrial Park Road, Ebensburg, PA 15931, (814) 472-1900.

40A77SM12, PBS Coals, Inc. (P. O. Box 260, Friedens, PA 15541), renewal of NPDES Permit No. PA0249815, Brothersvalley Township, Somerset County, receiving stream Piney Run. NPDES Renewal Application Received May 20, 2005. Permit issued July 19, 2005.

Noncoal Permits Actions

Moshannon District Mining Office 186 Enterprise Drive, Philipsburg, PA 16666, (814) 342-8200.


59910301 and NPDES Permit No. PA0206580. J Ill D. Cross (P. O. Box 240, Mainsburg, PA 16932), renewal of NPDES Permit, Delmar Township, Tioga County. Receiving stream: UNT to Marsh Creek. NPDES renewal application received: March 4, 2005. Permit issued: April 13, 2005.

Pottsville District Mining Office 5 W. Laurel Boulevard, Pottsville, PA 17901, (570) 621-3118.

38970301C and NPDES Permit No. PA022448. Haines & Kibblehouse, Inc. (P. O. Box 196, Skippack, PA 19474), depth correction and addition of NPDES Permit for discharge of treated mine drainage from a quarry operation in Cornwall Borough, Lebannon County affecting 194.14 acres, receiving stream: UNT to Snitz Creek. Application received January 13, 2005. Correction issued July 19, 2005.
7475SM5C3 and NPDES Permit No. PA0223522. ESROCCement Corp. (Route 248 and Easton Road, Nazareth, PA 18064), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Upper Nazareth and Lower Nazareth Townships and Nazareth Borough, Northampton County, with an expiration date of December 31, 2005. Permit issued July 18, 2005.


21054147. John W. Gleim, J r., Inc. (625 Hamilton Street, Carlisle, PA 17013), construction blasting for Stonehedge Development in South Middleton Township, Cumberland County with an expiration date of December 30, 2005. Permit issued July 18, 2005.


28054142. David H. Martin Excavating, Inc. (4961 Cumberland Highway, Chambersburg, PA 17201), construction blasting for Rhine Manor in Greene Township, Franklin County with an expiration date of July 31, 2006. Permit issued July 18, 2005.

35054111. Hayduk Enterprises (P. O. Box 554, Dalton, PA 18414), construction blasting for two homes in Old Forge Borough, Lackawanna County with an expiration date of July 31, 2006. Permit issued July 18, 2005.

35054112. Hayduk Enterprises (P. O. Box 554, Dalton, PA 18414), construction blasting for a trench in Scott Township, Lackawanna County with an expiration date of December 31, 2005. Permit issued July 18, 2005.


45054129. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting for Alpine Lake in Pocono Township, Monroe County with an expiration date of March 20, 2006. Permit issued July 18, 2005.

45054130. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting for Leisure Lands in Middle Smithfield Township, Monroe County with an expiration date of March 29, 2006. Permit issued July 18, 2005.

45054131. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting for The Estates at Tannerville in Pocono Township, Monroe County with an expiration date of March 8, 2006. Permit issued July 18, 2005.

45045432. Explosive Services, Inc. (7 Pine Street, Bethany, PA 18431), construction blasting for Blue Mountain Lake in Stroud Township, Monroe County with an expiration date of March 22, 2006. Permit issued July 18, 2005.

21054148. John W. Gleim, J r., Inc. (625 Hamilton Street, Carlisle, PA 17013), construction blasting for Keystone Arms Development in Middlesex and North Middleton Townships, Cumberland County with an expiration date of April 30, 2006. Permit issued July 19, 2005.
28054144. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013), construction blasting for Mill Creek Acres in Chambersburg Borough, Franklin County with an expiration date of December 31, 2005. Permit issued July 19, 2005.


36054137. Gerlach’s Drilling & Blasting (172 Bender Mill Road, Lancaster, PA 17603), construction blasting for Wenger Feed Mill in West Donegal Township, Lancaster County with an expiration date of August 1, 2006. Permit issued July 21, 2005.

36054138. Gerlach’s Drilling & Blasting (172 Bender Mill Road, Lancaster, PA 17603), construction blasting for the Farm at Quarry Road in Manheim Township, Lancaster County with an expiration date of August 1, 2006. Permit issued July 21, 2005.


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).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation 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.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the Pennsylvania Bulletin, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary 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 decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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 FWPCA (33 U.S.C.A. § 1341). Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401.

E15-725. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Newlin Township, Chester County, ACOE Philadelphia District.

To remove the existing Brandywine Creek Road (SR 3049, Section 47M) bridge; a 20-foot long 14-foot wide by 5-foot high structure, and to replace with a 28-foot long 22-foot wide by 4-foot 7-inch high box culvert across an UNT to the West Branch of the Brandywine Creek (CWF-MF). The site is located approximately 400 feet...
northwest of intersection of Brandywine Creek and Green Valley Roads (Coatesville, PA, USGS Quadrangle: N: 10.8 inches, W: 0.9 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

**E15-578. Linden Hall Development, LLC**, 30 Jackson Road, Suite C-3, Medford, NJ 08055, East Whiteland Township, **Chester County**, ACOE Philadelphia District.

To Reissue and amend Joint Permit E15-578
To construct and maintain the following water obstructions and encroachment associated with the proposed Linden Hall Subdivision. The site is located immediately to the north of the intersection of Lancaster Pike (SR 030) and Sprout Road (SR 0352). Malvern, PA Quadrangle: N: 6.0 inches; W: 8.4 inches).

Work will consist of:
1. Construction and maintenance of a 6-inch sanitary sewer line across an UNT to Valley Creek (EV).
2. The placement and maintenance of two stormwater outfall structures (EW No. 1 and EW No. 3) along the 100-year floodway of an UNT of Valley Creek (EV).
3. To place and maintain fill in 0.08 acre of wetland (PEM) for the construction of an underground stormwater management and parking facility associated with the proposed shopping center.

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


To remove three existing twin culverts at three separate roadway crossings, then to construct and maintain: 1) a 24 linear foot 16-foot by 5-foot, 8.5 inch corrugated metal pipe arch with wingwalls and R-5 rip-rap rock bank, footer and wingwall protection at a point where Spangler’s Road crosses a UNT to the South Branch Codorus Creek (WWF) (Seven Valleys, PA Quadrangle N: 16.5 inches; W: 7.7 inches); 2) a 24 linear foot 16-foot by 5-foot, 2 inch corrugated metal pipe arch with wingwalls and R-5 rip-rap rock bank, footer and wingwall protection at a point where Brush Valley Road crosses over a UNT to the South Branch Codorus Creek (WWF) (Seven Valleys, PA Quadrangle N: 13.8 inches; W: 11.6 inches) all in North Codorus Township, York County.

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

**E02-1477. Penn Hills Prop., LP**, One Atlantic Avenue, Pittsburgh, PA 15202-1707. To fill in two wetlands in the Borough of Penn Hills, **Allegheny County**, Pittsburgh ACOE District (Braddock, PA Quadrangle N: 17.7 inches; W: 4.2 inches and Latitude: 40° 28’ 35” — Longitude: 79° 46’ 50”). To place and maintain fill in two wetlands, wetland A—0.02 acre (PEM) and wetland C—0.01 acre (PEM) for a total impact of 0.03 acre (de minimis). The project will also impact approximately 378 ft. of a tributary to Thompson Run, to a point where the contributory drainage area is less than 100 acres. The proposed impacts are for a proposed development to be known as Penn Hill Retail Center located in the southeast corner of the intersection of Saltsburg Road and Reiter Road (Braddock, PA Quadrangle N: 17.7 inches; W: 4.2 inches and Latitude: 40° 28’ 26” — Longitude: 79° 46’ 50”). To mitigate for the stream channel impacts, the permittee will stabilize approximately 294 ft. of the left bank of Steels Run (HQ-CWF). The permittee will also provide an approximately 40 ft. wide vegetated buffer on both sides of the stream channel, for approximately 420 ft. The mitigation project is located within the Murrysville Community Park, along Westertown Road, in the Municipality of Murrysville, Westmoreland County (Six Villa, PA Quadrangle N: 14.28 inches; W: 16.93 inches and Latitude: 40° 27’ 13” — Longitude: 79° 37’ 18”).

**E02-1489. Allegheny County Airport Authority**, Pittsburgh International Airport, 1000 Airport Boulevard, Suite 4000, Pittsburgh, PA 15231-0370. To place fill in wetlands and place culvert in Independence Township, **Beaver County**, Pittsburgh ACOE District (Ambridge, PA Quadrangle N: 0.2 inch; W: 14.5 inches; and Latitude: 40° 30’ 4” — Longitude: 80° 13’ 45”). To place and maintain fill in 0.02 acre of wetlands (PEM), to construct and maintain a 9’ diameter culvert extension to an existing 7.2’ by 11.2’ elliptical culvert for approximately 610’ in McClares Run (TSF) to construct and maintain a 30 inch diameter culvert approximately 23’ wide via the McClaren’s Run to connect the existing culvert structure to the proposed structure, to construct and maintain an approximately 190’ long stream channel relocation on the upstream end of the proposed culvert, to construct and maintain a 4’ diameter culvert approximately 450’ long within a tributary to McClarens Run (TSF) and to construct and maintain various storm water outfalls to the 4’ diameter culvert. The proposed work is part of Runway 28R safety area improvement for the Pittsburgh International Airport. The project is located between Cargo Road and Business Route 60 (Ambridge, PA Quadrangle N: 0.2 inch; W: 14.5 inches; and Latitude: 40° 30’ 4” — Longitude: 80° 13’ 45”) in Moon and Findlay Townships, Allegheny County. To mitigate for the stream impacts the applicant will perform mitigation in Raredon Run for approximately 780’. The mitigation area is located along the west side of SR 3013 between SR 151, and the streams confluence with Raccoon Creek (Aliquippa, PA Quadrangle N: 8.9 inches; W: 7.2 inches and Latitude: 40° 32’ 56” — Longitude: 80° 18’ 7”).

**E02-1492. Encore Real Estate Services, LLC**, 2208 South Villa Drive, Gibsonia, PA 15044. To place fill in wetlands in McCandless Township, **Allegheny County**, Pittsburgh ACOE District, (Emsworth, PA Quadrangle N: 14.58 inches; W: 1.00 inch; and Latitude: 40° 34’ 49” — Longitude: 80° 0’ 26”). To place and maintain fill in a de minimis area of PEM/PSW wetlands (0.04 acre), to construct and maintain an approximately 350 foot long storm water encroachment culvert of a 30-inch diameter culvert in a UNT to Pine Creek (TSF) and to excavate within said stream and the floodway to construct and maintain a storm water detention pond for the purpose of constructing the proposed Grace Manor Assisted Living Facility. The project is located on the north side of Babcock Boulevard, approximately 3,000 feet northeast from the intersection of Babcock Boulevard and Kummer Road, across from Beatty Technical School and will impact 0.04 acre of wetlands and 450 linear feet of stream channel.

**E04-300. Calaco, Inc.**, 307 4th Avenue, Suite 604, Pittsburgh, PA 15222. To construct a culvert and place fill in New Sewickley Township, **Beaver County**, Pittsburgh
ACOE District (Baden, PA Quadrangle N: 11.6 inches; W: 15.4 inches and Latitude: 40° 41’ 20’’—Longitude: 80° 14’ 10’’). To construct and maintain a dual 60’ diameter HDPE culvert (one culvert to be depressed 6’) for a distance of approximately 76 ft. within a tributary to Crows Run (WWF) with 11 ft. of riprap on the upstream and 25 ft. of riprap at the downstream ends, to place and maintain fill for a distance of approximately 400 ft. along the right bank floodway of Crows Run, to construct and maintain various storm water outfalls to Crows Run and to place and maintain fill in a de minimus wetland of 0.02 acre (PEM). The encroachments are for a proposed development to be known as Pine Run Townhouses. The project is located on the west side of Pine Run Road approximately 1,000 ft. north of its intersection with 9th Street.

E65-865. Westmoreland County Airport Authority, 200 Pleasant Unity Road, Suite 103, Latrobe, PA 15650. To place fill in wetlands in Unity Township, Westmoreland County, Pittsburgh ACOE District (Latrobe, PA Quadrangle N: 4.65 inches; W: 3.75 inches and Latitude: 40° 16’ 32’’—Longitude: 79° 24’ 07’’). To place and maintain fill in 1.44 acres of wetlands, in 130 linear feet of a UNT to Monastery Run (WWF) and in 205 linear feet of a UNT to Ninemile Run (WWF) for the purpose of extending Runway 5-23, replacing navigational aids and improving safety at the Arnold Palmer Regional Airport.

E65-865. Levin Furniture, 301 Fitz Henry Road, Smithton, PA 15479. To place fill in wetlands in South Huntingdon Township, Westmoreland County, Pittsburgh ACOE District (Smithton, PA Quadrangle N: 8.83 inches; W: 16.88 inches and Latitude: 40° 10’ 25’’—Longitude: 79° 44’ 45’’). To place and maintain fill in 0.49 acre of wetlands, located in the watershed of a UNT to Youghiogheny River (WWF), for the purpose of expanding the existing Levin Furniture warehouse facility. The site is located at the intersection of SR 3031 and T-378. The permittee will construct 0.49 acre of replacement wetland.

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

E33-223. Department of Transportation, District 10-0, 2550 Oakland Avenue, P. O. Box 429, Indianapolis, IN 46206. DuBois-Jefferson County Airport Access Road in Washington Township, Jefferson County, ACOE Pittsburgh District (Hazen, PA Quadrangle N: 4.9 inches; W: 2.0 inches).

To construct Phase 2 of the DuBois-Jefferson County Airport Access Road, designated as SR 6830, Section 590, a 4.5-mile two-lane full access arterial roadway to provide improved access between Interstate 80 and the DuBois-Jefferson County Airport in Washington Township, Jefferson County. Phase 2 will impact 0.69 acre of wetland and 5,475 linear feet of stream impacts (ephemeral, intermittent and perennial), including the following activities:

1. Construct (on SR 6830) a 141-foot precast reinforced concrete box culvert with a 14-foot span and 8-foot-high waterway opening (9-foot-high box with 1-foot depressed invert and concrete baffles) in a tributary to Keys Run (CWF) (Hazen, PA Quadrangle N: 9.4 inches; W: 5.5 inches).

2. Construct (on SR 6830) a 235-foot-long precast reinforced concrete box culvert with a 12-foot span and 8-foot-high waterway opening (9-foot-high box with 1-foot depressed invert and concrete baffles) and realignment of approximately 368 feet of stream channel downstream of the structure in a tributary to Hurn Run (CWF) (Hazen, PA Quadrangle N: 7.0 inches; W: 5.2 inches).

3. Replace and existing 48-inch corrugated metal pipe culvert (on SR 6830) with an 85-foot-long precast reinforced concrete box culvert with a 20-foot-span and 8-foot-high waterway opening (9-foot-high box with 1-foot depressed invert and concrete baffles) and realignment of approximately 174 linear feet of the channel upstream of the proposed structure in Horm Run (CWF) (Hazen, PA Quadrangle N: 5.6 inches; W: 3.6 inches).

Project includes construction of 0.84 acre of wetlands as mitigation for the 0.69 acre of wetland impacts. Phase II wetland impacts will be mitigated at the wetland mitigation site authorized under DEP Permit E33-219 Phase 1 I-80 interchange project. All 5,475 linear feet of stream impacts (ephemeral, intermittent and perennial) will be mitigated at a 1:1 ratio based on stream surface area.

E37-166. Department of Transportation, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. SR 2005, Section L02, VanGorder Mill Road Across Slippery Rock Creek, in Perry and Wayne Townships, Lawrence County, ACOE Pittsburgh District (Portersville, PA Quadrangle N: 1.65 inches; W: 15.1 inches).

To remove the existing Van Gorder Mill steel truss bridge and to construct and maintain a prestressed concrete or steel beam bridge having two clear spans of 141.25 feet (145 feet bearing to bearing) and a maximum underclearance of 22.8 feet on a 77° skew across Slippery Rock Creek on SR 2005, Section L07 approximately 1.4 miles north of SR 488.

E42-314. Department of Transportation, District 2-0, 1924-30 Daisy Street, P. O. Box 342, Clearfield, PA, SR 0219, Section C09, Bradford Bypass Upgrade in Bradford and Foster Township, McKean County, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 18 inches; W: 0.75 inches to N: 9.75 inches; W: 3.25 inches).

The Department of Transportation is proposing pavement reconstruction and shoulders of 3.3 miles of mainline SR 0219 and to replace the existing two structures with the following:

• To construct and maintain a dual 4-span steel plate girder bridge having clear spans of 70.3 feet, 105.4 feet, 105.4 feet, 70.3 feet and an underclearance of 27.7 feet on a 70° skew across West Branch of Tununkwant Creek and Forman Street, on SR 0219, Segment 0550, Offset 0000.

• To construct and maintain a single span composite prestressed concrete spread box beam bridge having a clear span of 58 feet and an underclearance of 8.6 feet on a 82° 30’ skew across Bolivar Run on SR 0219, Segment 0570, Offset 1752.

This project will include no impacts to wetlands. According to the Department Chapter 93, the Branch of Tununkwant Creek and Bolivar Run are classified as CWF.

Wilkes-Barre District: District Engineer, 2 Public Sq., Floor 5, Wilkes-Barre, PA 18711-0790.

GP03131105002. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, 2 Public Square, Floor 5, Wilkes-Barre, PA 18711-0790. Foster Township, Luzerne County, ACOE Philadelphia District.

To eliminate a public health and safety hazard by removing an abandoned treatment facility located within Sandy Run. A total of 0.25 acre will be disturbed. The site is located 0.2 mile south of the intersection of TR 355 and Detweiler Lane. (White Haven, PA Quadrangle N: 0.75 inches; W: 8.5 inches).
ENVIRONMENTAL ASSESSMENTS

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

EA-06-007: Harry Shaak, 258 Mill Road, Hamburg,
PA 19526 in Tilden Township, Berks County, ACOE
Philadelphia District.

To: 1) relocate 60 lineal feet of channel; 2) to place fill
and rock stabilization within the left bank’s 100-year
floodway; 3) construct and maintain a 42-inch pipe cul-
vert; and 4) install two 6 inch outfalls at the channel of a
UNT to Mill Creek (TSF) as part of a barnyard improve-
ment project, located on the Harry Shaak Farm (Auburn,
PA Quadrangle N: 4.5 inches; W: 17.15 inches) in Tilden
Township, Berks County. The issuance of this permit also
constitutes approval of a Water Quality Certification
under section 401 of the Federal Water Pollution Control
Act (33 U.S.C.A. § 1341(a)).

Central Office: Bureau of Waterways Engineering,
Rachael Carson State Office Building, Floor 3, 400 Market
Street, Harrisburg, PA 17105.

D23-028EA. Southeast PA Resource Conservation
and Development Council, 1000 East Walnut Street,
Suite 704, Perkasie PA 18944, Nether Providence Town-
ship and City of Chester, Delaware County, ACOE
Philadelphia District.

Project proposes to breach and remove an unnamed
dam across Ridley Creek (TSF) for the purpose of elimi-
nating a threat to public safety and restoring the stream
to a free flowing condition. The dam is located approxi-
ately 3,300 feet northwest of the intersection of Prov-
dence Avenue (SR 320) and McDade Boulevard (SR 2006)
(Bridgeport, NJ -PA Quadrangle N: 22.1 inches; W: 17.15
inches).

SPECIAL NOTICES

Chesapeake Bay Point Source Nutrient Reduction
Strategy

In accordance with the 2000 Chesapeake Bay Agree-
ment, the Commonwealth has agreed to develop a Tribu-
tary Strategy (strategy) to reduce total nitrogen and
phosphorus to the Chesapeake Bay by about 40% from
both point and nonpoint sources by 2010. This reduction
is projected to improve the water quality in the Ches-
apke Bay to allow it to be removed from the impaired
waters list. The point source part of the strategy requires
that the existing dischargers start to monitor for total
nitrogen and phosphorus. The following dischargers have
been identified as possible significant contributors of
nutrients. These dischargers are being notified by letter
that their NPDES permits will be modified to include
monitoring requirements for nutrients. The monitoring
requirements concern Ammonia-N, Total Nitrogen (cal-
culated as the sum of Kjeldahl-N, Nitrite-N and Nitrate)
and Total Phosphorus.

Comments should be directed to the region responsible
for issuance of the permit.

NPDES
Permit No. Permittee
PA0023558 ASHLAND BORO
PA0023736 TRIBORO MUN AUTH
PA0026107 WYOMING VALLEY SAN AUTH
PA0026361 LOWER LACKAWANNA VLY SAN AUTH
PA0026492 SCRANTON CITY SEW AUTH
PA0026921 GREATER HAZELTON MNT SEW AUTH
PA0027065 LACKAWANNA RIVER BASIN SEW AUTH (ARCHBALD)
PA0027081 LACKAWANNA RIVER BASIN SEW AUTH (CLINTON)
PA0027090 LACKAWANNA RIVER BASIN SEW AUTH (THROOP)
PA0028576 CLARKS SUMMIT –S ABINGTON J SA
PA0030139 DALLAS SCI
PA0045985 MOUNTAINTOP AREA JNT SAN AUTH
PA0046272 PORTER TWP JNT MUN AUTH
PA0046388 BULTER TWP MUN AUTH (ST J OHNS)
PA0046396 BUTLER TWP AUTH (DRUMS)
PA0060046 CAN-DO INC
PA0060135 SHICKSHINNY BORO SA
PA0060801 MONTROSE MA
PA0061034 ABINGTON TWP SUPERVISORS
PA0061590 LITTLE WASHINGTON WW CO
PA0062201 SCHUYLKILL CO MA
PA0062219 FRACKVILLE AREA MA
PA0064025 KBM REGIONAL AUTH
PA0070041 MAHANOY CITY SA
PA0070386 SHENANDOAH MUN SEW AUTH

Southcentral Region

PA0027014 ALTOONA CITY AUTH—EAST
PA0027022 ALTOONA CITY AUTH—WEST
PA0021806 ANNVILLE TWP
PA0080519 ANTRIM TWP
PA0080265 APPLETON PAPERS INC
PA0022209 BEDFORD BORO MUN AUTH
PA0028088 BROWN TWP MA
PA0038920 BURNHAM BOROUGH
PA0026077 CARLISLE BORO
PA0026051 CHAMBERSBURG BORO
PA0087661 CHESTNUT RIDGE AREA J MA
PA0026123 COLUMBIA MUN AUTH
PA0024147 CUMBERLAND TWP MUN AUTH
PA0026484 DERRY TWP MUN AUTH—CLEARWATER
PA0026592 DERRY TWP MUN AUTH—SOUTHWEST
PA0024431 DILLSBURG AREA AUTH
PA0021644 DOVER BORO
PA0020826 DOVER TWP
PA0021245 DUNCANNON BORO
PA0032883 DUNSCONVILLE BORO
PA0038415 EAST PENNSBORO TWP
PA0023108 ELIZABETH TOWN BORO
PA0007552 EMIL BO KOCHER POULTRY INC
PA0027405 EPHRATA BORO AUTH
PA0027014 EPHRATA BORO AUTH—SOUTH
PA0027014 EPHRATA BORO AUTH #2
PA0009423 EVERETT BORO AREA MA
PA0081868 FAIRVIEW TWP
PA0082589 FAIRVIEW TWP AUTHORITY
PA0035157 FARMER’S PRIDE INC
PA0028142 FT DIAMONTOWN GAP
PA0021563 GETTYSBURG MUN AUTH
PA0020818 GLEN ROCK SEW AUTH
PA0021563 GETTYSBURG MUN AUTH
PA0032051 GRANVILLE TWP MIFFLIN
PA0028746 HAMPDEN TWP—PINEBROOK
PA0029106 GREENFIELD TWP MUN AUTH
PA0029106 GREENFIELD TWP MUN AUTH
PA0028088 BROWN TWP MA
PA0028088 BROWN TWP MA
PA0029106 GREENFIELD TWP MUN AUTH
PA0029106 GREENFIELD TWP MUN AUTH
Incentives Available Under EPA's National Environmental Performance Track Program

The Department of Environmental Protection (Department) announces the availability of incentives under the United States Environmental Protection Agency's (EPA) National Environmental Performance Track (NEPT) program. The air and waste incentives announced at 69 FR 21737 (April 22, 2004) are available for qualified facilities.

The EPA's April 22, 2004, final rulemaking revised the Resource Conservation and Recovery Act (RCRA) regulations to allow hazardous waste generators who are members of NEPT up to 180 days, and in some cases 270 days, to accumulate their hazardous waste without a RCRA permit or interim status. The EPA also simplified the reporting requirements for facilities that are members of Performance Track and governed by the Maximum Achievable Control Technology (MACT) provisions of the Clean Air Act (CAA). These changes serve as incentives for facility membership in NEPT while ensuring the current level of environmental protection provided by the relevant RCRA and MACT provisions. These incentives are applicable exclusively to member facilities of NEPT and include the following:

- Allowing large quantity hazardous waste generators who are NEPT members up to 180 days, and 270 days if the waste must be transported 200 miles or more, to accumulate hazardous waste without a RCRA permit or interim status. The Federal regulation for the extended storage of hazardous waste for NEPT members is found at 40 CFR 262.34(j), (k) and (l) (relating to accumulation time). The Commonwealth regulations incorporate these provisions by reference in 25 Pa. Code § 262a.10 (relating to incorporation by reference, purpose, scope and applicability). Generators that choose to take advantage of this incentive must give prior notice to the authorized state agency of their intent to accumulate hazardous waste in excess of 90 days. Information about the RCRA provisions of the NEPT, and the notification form that generators must complete, are available on the EPA's website at www.epa.gov/performancetrack/benefits/regadmin/waste.htm.

Questions concerning the RCRA provisions of the NEPT should be directed to D. Richard Shipman, Chief, Division of Hazardous Waste, (717) 787-6239, dshipman@state.pa.us.

- Reducing the frequency of reports required under the MACT provisions of the CAA, and in some cases submitting an annual certification in lieu of an annual report. The modification of these reporting requirements applies to any major source at a NEPT member facility subject to a MACT and which has reduced its total hazardous air pollutant (HAP) emissions to less than 25 tons per year, reduced its emissions of each individual HAP to less than 10 tons per year and reduced emissions of all HAPs covered by each MACT standard to at least the level of full compliance with the applicable standard. The reduced reporting requirements are found in 40 CFR 63.16 (relat-
Proposed Modifications to Chapter 105 General Permit BWM-GP-11 and Reissuance of 401 Water Quality Certification for the Maintenance, Testing, Repair, Rehabilitation or Replacement of Existing Water Obstructions and Encroachments

The Department of Environmental Protection (Department), under the authority of section 7 of the Dam Safety and Encroachments Act (act) (32 P. S. § 693.7) and 25 Pa. Code Chapter 105, Subchapter L (relating to general permits), proposes to modify General Permit BWM-GP-11 which authorizes the maintenance, testing, repair, rehabilitation or replacement of any existing water obstruction or encroachment. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, current construction codes or safety standards which are necessary to repair, to modify or to replace, are permitted, provided the environmental impacts resulting from the repair, rehabilitation, modification or replacement are minimal and there is no impact on public health and safety. This general permit also authorizes work being funded by the Natural Resources Conservation Service which qualifies as an "emergency situation" (requiring immediate attention) under its Emergency Watershed Protection Program. This permit may not be used for maintenance, repair, rehabilitation, removal or replacement of dams.

The Department is authorized by the act and regulations to issue general permits where it determines a category of projects are similar in nature and can be adequately regulated using standard specifications, performance criteria and conditions. The Department has found the maintenance, testing, repair, rehabilitation or replacement of water obstructions or encroachments to be a category of activity which meets the general permit requirements.

It is proposed that the permit condition regarding the widening of the structure to 12 feet on each side of the structure be modified to allow for necessary appurtenant upstream and downstream works beyond the immediate 12-foot limitation for the actual bridge or culvert. Language has been added to ensure the appurtenant works are limited to the extent necessary to restore, maintain and protect the stream and structure as well as ensure the protection of the public health, safety and the environment.

Additionally, language has been included in the permit condition that limits the use of bridges and culverts authorized under GP-11 to their existing use. For instance, GP-11 cannot be used to convert a logging road into a subdivision access.

Also proposed is clarifying language at standard Condition No. 16 Historical Resources.

Department staff review all GP-11 general permit registrations to ensure each project meets the terms and conditions of the general permit. Department staff may conclude that the project is more appropriately reviewed through an individual permit process and require the submission of an individual water obstruction and encroachment permit.

The Department’s GP-11 is comprehensive in that it provides for the same public health, safety and environmental performance achieved through an individual permit process. Terms and conditions in the permit provide for the protection for water quality and quantity, fish passage, wild trout, erosion and sediment control and species of special concern.

401 Water Quality Certification

Many projects authorized by General Permit BWM-GP-11 may also require a Federal license or permit. Section 401(a) of the Federal Clean Water Act (33 U.S.C.A. § 1341(a)) requires that an applicant for a Federal license or permit to conduct any activity which may result in any discharge into waters of the United States provide the Federal licensing or permitting agency with certification from the state in which the discharge will originate that the discharge will comply with applicable provisions of the Clean Water Act, as well as applicable state law related to water quality protection.

The Department issued 401 Water Quality Certification (WQC) with the final GP-11 published on July 10, 2004. The Department believes the proposed amendments to GP-11 comply with the Commonwealth’s water quality standards and proposes to reissue the 401 Water Quality Certification for GP-11.

Comments concerning the proposed modifications to the general permit and reissuance of the 401 Water Quality Certification should be directed to Kenneth R. Reisinger, Chief, Division of Waterways, Wetlands and Stormwater Management, Bureau of Watershed Management, P. O. Box 8775, Harrisburg, PA 17105-8775, (717) 787-6827 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. Comments submitted by facsimile will not be accepted. The Department will consider all relevant and timely comments received. Comments must be submitted by September 5, 2005.

KATHLEEN A. MCGINTY, Secretary

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WATERSHED MANAGEMENT

GENERAL PERMIT
BWM-GP-11

MAINTENANCE, TESTING, REPAIR, REHABILITATION, OR REPLACEMENT OF WATER OBSTRUCTIONS AND ENCROACHMENTS

1. GENERAL DESCRIPTION AND FEES—In accordance with the following registration requirements and
the standard general permit conditions, the Department of Environmental Protection hereby authorizes by General Permit the maintenance, testing, repair, rehabilitation or replacement of existing currently serviceable, water obstructions or encroachments, including bridges and culverts owned by railroad companies. Minor deviations in the structure's configuration or filled area including those due to changes in materials, construction techniques, current construction codes or safety standards which are necessary to repair, modify or replace the water obstruction or encroachment are permitted, provided the environmental impacts resulting from such repair, modification or replacement are minimal, those minimal impacts fall within the terms and conditions of this General Permit, and there is no adverse impact on public health and safety. There is no registration fee required for a project authorized under this General Permit.

2. DAMS—This General Permit may not be used for the maintenance, repair, modification, removal, or replacement of dams.

3. DENIAL OF AUTHORIZATION—The Department shall have the discretion, on a case-by-case basis, to deny, revoke or suspend the authorization to use this general permit for any project which the Department determines to have a significant adverse impact and would not adequately protect public health, safety or the environment or otherwise could not be adequately regulated by the provisions of this general permit.

4. AUTHORITY AND CONTINUING AUTHORIZATION—Authorization of this General Permit is under Section 7 of the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and the rules and regulations promulgated thereunder at 25 Pa. Code §§ 105.441—105.449 (relating to General Permits). This General Permit becomes effective August 10, 2004 and will remain in effect unless specifically modified, suspended, or revoked by the Department.

5. NOTIFICATION OF PROPOSED USE OF GENERAL PERMIT—Prior to the activity, the owner(s) shall submit the “Registration Form” along with the required attachments to the appropriate DEP Regional Office’s Soils and Waterways Section (see exhibit B). The Department may require additional information necessary to determine that the proposed maintenance complies with the terms and conditions of this General Permit. A copy of the “Registration Form” shall also be sent to the municipality and county in which the work will be performed. The owner may not begin work until he has received the acknowledged “Registration Form” from the Department.

6. DEFINITIONS—The terms as used in this General Permit shall have the following meanings:

ALONG—Touching or contiguous; to be in contact with; to abut upon.

APPURTENANT WORKS—Structures or materials incident to water obstructions or encroachments which are built or maintained in connection with the water obstruction or encroachment and essential to their proper maintenance, function, operation and stability.

BODY OF WATER—Any natural or artificial lake, pond, reservoir, swamp, marsh or wetland.

DEPARTMENT—The Department of Environmental Protection.

EARTH DISTURBANCE—Any construction or other human activity which disturbs the surface of the land including, but not limited to clearing and grubbing, grading, excavations, embankments, land development, subdivision development, mineral extraction and the moving, depositing or storing of soil, rock or earth. This includes any excavation or fill within a stream channel.

EROSION AND SEDIMENT CONTROL PLAN—A plan which is designed to minimize accelerated erosion and sediment developed in accordance with the requirements of 25 Pa. Code Chapter 102.

ENCROACHMENT—A structure or activity which changes, expands or diminishes the course, current or cross section of a watercourse, floodway or body of water.

FLOODWAY—The channel of the watercourse and portions of the adjoining floodplains which are reasonably required to carry and discharge the 100-year frequency flood. Unless otherwise specified, the boundary of the floodway is as indicated on maps and flood insurance studies provided by the Federal Emergency Management Agency (FEMA). In an area where no FEMA maps or studies have defined the boundary of the 100-year frequency floodway, it is assumed, absent evidence to the contrary, that the floodway extends from the stream to 50 feet from the top of the bank of the stream.

OWNER—A person who owns, controls, operates, maintains, or manages a reservoir, water obstruction or encroachment.

REGULATED WATER OF THIS COMMONWEALTH—Watercourses, streams or bodies of water and their floodways wholly or partly within or forming part of the boundary of this Commonwealth.

STOCKED TROUT STREAMS—Regulated waters of this Commonwealth classified by the Pennsylvania Fish and Boat Commission as waters approved for trout stocking. Steam classification shall be verified by contacting the Pennsylvania Fish and Boat Commission’s Division of Fisheries Management (see Exhibit A).

STREAM—A watercourse.

STREAM ENCLOSURE—A bridge, culvert or other structure in excess of 100 feet in length upstream to downstream which encloses a regulated water of this Commonwealth.

SUBMERGED LANDS OF THIS COMMONWEALTH—Waters and permanently or periodically inundated lands owned by the Commonwealth, including lands in the beds of navigable lakes and rivers and beds of streams declared public highways which are owned and held in trust by the Commonwealth.

TESTING—A procedure (internal or external to the structure) used as a means of analysis or diagnosis.

WATERCOURSE—A channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow.

WATER OBSTRUCTION—A dike, bridge, culvert, wall, wingwall, fill, pier, wharf, embankment, abutment or other structure located in, along or across or projecting into a watercourse, floodway or body of water. In the case of ponds, lakes and reservoirs, a water obstruction is considered to be in or along the body of water if, at normal pool elevation, the water obstruction is either in the water or adjacent to and abutting the water's edge.

WATERWAY OPENING—The cross-sectional area of a structure that is available to convey stream flow. This area is expressed in terms of span multiplied by underclearance.
WETLANDS—Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas.

WILD TROUT STREAMS—A stream classified as supporting naturally reproducing trout populations by the Fish Commission. For a list of wild trout streams, the Fish and Boat Commission can be contacted at: Fish and Boat Commission, Bureau of Fisheries, Division of Fisheries Management, 450 Robinson Lane, Bellefonte, Pennsylvania 16823-9620.

7. SPECIAL CONDITIONS

A. No new stream relocation, stream encloasure or stream channel is authorized by this General Permit.

B. No stream realignments are permitted except for those incidental activities immediately adjacent to the upstream and downstream waterway opening of bridges and culverts that are necessary to support the structure.

C. All projects must be designed and constructed to protect or enhance existing aquatic habitat.

D. Wetlands must be identified in accordance with the 1987 U.S. Army Corps of Engineers Manual for Identifying and Delineating Wetlands and properly flagged or otherwise identified on the site to ensure they are protected. Impacts to wetland and other waters of the Commonwealth must be avoided or minimized to the maximum extent practicable at the project site. Wetland areas which cannot be avoided and which will be temporarily impacted during the maintenance activity must be identified on the plan and be stabilized and restored to original contours and grade at the conclusion of the activity. Wetland areas which cannot be avoided and which will be permanently impacted are limited to a cumulative total of 0.05 acres per project site.

E. Utilization of General Permit BDWM-GP-8, Temporary Road Crossing—Temporary road crossings of streams and causeways that are necessary to access the project must be constructed in accordance with BDWM-GP-8. The applicant shall indicate utilization of BDWM-GP-8 on the General Permit Registration form, and provide location and dimensions of the temporary crossing on the plan drawing or sketch plan that is required for General Permit 11 Registration.

F. Paving the metal bottom pipes, arches and culverts with concrete, grouting or the use of concrete for scour protection shall be done in dry conditions.

G. Bridge or culvert maintenance, replacement projects, or upgrades to existing facilities to meet current standards are subject to the following:

- Bridge and culvert replacement for purposes of converting the existing structure to a new or differing use, e.g., converting a logging or forest road or a private access road to a residential, retail, or commercial subdivision access, is not authorized by this general permit.

- No significant reduction in existing waterway openings is permitted.

- There will be no significant changes to grades of approach roadways or to overtopping characteristics.

- Increases in culvert length will be limited to a maximum of 12 feet perpendicular to the roadway on each side of the culvert as measured from the outer most portion of the structure (including wingwalls, headwalls, riprap, and other appurtenant structures).]

- Increases in culvert length are limited to a maximum of 12 feet on each end of the existing culvert. Appurtenant works beyond the maximum 12 feet increase on each end of the culvert, such as, but not limited to, wingwalls, headwalls, bank stabilization, and scour protection are also authorized under this general permit. The appurtenant works must be minimized and limited to the extent necessary to ensure the protection of the structure, public health and safety, and the environment.

- Increases in bridge width will be limited to a maximum of 12 feet on each side of the bridge as measured from the outer most portion of the structure (including wingwalls, headwalls, riprap, and other appurtenant structures).]

- Increases in bridge width are limited to a maximum of 12 feet on each side of the bridge deck to the downstream side of the bridge deck. Appurtenant works beyond the maximum 12 feet increase on each side of the bridge deck, such as, but not limited to, wingwalls, headwalls, bank stabilization and scour protection are also authorized under this general permit. The appurtenant works must be minimized and limited to the extent necessary to ensure the protection of the structure, public health and safety and the environment.

- The removal of debris and accumulated sediment to ensure adequate hydraulic capacity for bridges or culverts is limited to 50 feet upstream and downstream of the bridge or culvert and shall be conducted in accordance with the Department's Standards for Channel Cleaning at Bridges and Culverts.

- Bridges and culverts with paved bottoms shall provide for fish passage by constructing a low flow channel.

- Bridge and culvert replacement projects may not increase water surface elevations for the 100-year flood event.

- Backfill material may not be stored in the floodway and/or wetlands.

Hydraulic capacity.

- Bridge and culvert maintenance or replacement projects shall be designed and constructed in accordance with the following criteria:
  - The structure shall pass flood flows without loss of stability.
  - The structure may not create or constitute a hazard to life or property, or both.
  - The structure may not materially alter the natural regimen of the stream.
  - The structure may not increase velocity or direct flow in a manner which results in accelerated erosion of stream beds and banks.
Multiple pipes and spans.

- Multi-culvert groups and multiple span bridges which may tend to collect debris, contribute to the formation of ice jams, and cause excessive increases in head losses shall be avoided to the maximum extent practicable. Spans of less than 15 feet shall be by single-opening structure, except where conditions make it impractical to design the crossing with a single span.

Bridge piers.

- Bridge piers shall be kept to a minimum in number and cross-sectional area and shall be designed to offer the least obstruction to the passage of water and ice, consistent with safety and current engineering practice.

- Bridge piers in channels subject to unstable or super critical flow shall require special investigation and shall be so designed as to minimize backwater and avoid standing waves downstream of the pier.

Bridge abutments.

- Bridge abutments shall be aligned with the flow of the stream for the design flood. The Department may require the construction of wing walls on either side of the bridge to assist in directing flood flows through the bridge opening.

Culverts.

- Culverts shall be aligned with the stream flow.

- Culverts shall be of sufficient width to minimize narrowing of the stream channel.

- The ends of culverts shall be protected by wing walls, or with other structures sufficient to assist in directing flood flows to and through the culvert opening.

- Culverts with a drainage area of 640 acres or less shall be installed with the invert a minimum of 6 inches below natural streambed and in such a manner that the average gradient of the invert shall not deviate from that of the natural streambed.

- Culverts with a drainage area of greater than 640 acres shall be installed with the invert a minimum of 12 inches below natural streambed and in such a manner that the average gradient of the invert shall not deviate from that of the natural streambed.

- The flow velocities of water discharging from culverts must not cause erosion of the downstream channel.

Professional Engineer Certification

Plans, specifications and reports for bridges and culverts across a stream which are to be used by the general public such as an access to an industrial, commercial or residential development, etc., shall be prepared by a registered professional engineer and shall be affixed with their seal and certification which shall read as follows:

"I (name) do hereby certify pursuant to the penalties of 18 Pa.C.S.A. Sec. 4904 to the best of my knowledge, information and belief, that the information contained in the accompanying plans, specifications, and reports has been prepared in accordance with accepted engineering practice, is true and correct, and is in conformance with Chapter 105 of the rules and regulations of the Department of Environmental Protection."

H. Pipelines and utilities:

- Trenches excavated for the maintenance and replacement of utility lines shall be the minimum width necessary.

- Trenches excavated for the maintenance and replacement of utility lines shall be backfilled with suitable material, stabilized and restored to pre-existing elevation and condition.

- Construction material such as pipes, rock and bedding materials may not be stored in the floodway and/or wetlands.

- Excavated material to be used as backfill may be temporarily stored adjacent to the trench, but for no more than 72 hours.

- Trench Plugs must be installed within the trench on both sides of the stream channel. In wetlands, trench plugs, must be used to prevent the trench from draining the wetland.

I. A copy of this General Permit along with the Erosion and Sediment Control Plan must be provided to all contracting and construction entities involved with the project and must be available on site during all phases of the project.

8. EROSION AND SEDIMENT CONTROLS—Activities conducted under this General Permit which involve an earth disturbance must be done in compliance with Chapter 102 of the Department's Rules and Regulations (relating to Erosion Control). The Erosion and Sediment Control Plan shall be submitted with the General Permit registration, for review by the DEP Regional Office. The Erosion and Sediment Control Plan must be available at the site at all times, and all BMP's on the plan must be implemented and maintained prior to, during and after construction.

9. SPECIES OF SPECIAL CONCERN

A. No regulated activity is authorized under this General Permit which is likely to directly or indirectly adversely affect a State or Federal species of special concern or a species proposed for such designation, or which is likely to destroy or adversely modify the critical habitat of such a species, as identified under the Federal Endangered Species Act of 1973; Title 30, Chapter 75 of the PA Fish and Boat Code; Title 17, Chapter 25, Conservation of Wild Plants; and Title 31 Chapter 133 Game Wildlife Code.

B. Permit registrations shall include a Pennsylvania Natural Diversity Inventory (PNDI) search receipt. Activities conducted under this General Permit beyond one year of the date acknowledged will require the submission of an updated PNDI search to the DEP Regional Office. Information on PNDI searches is available through the PA Department of Conservation and Natural Resources, Bureau of Forestry, Ecological Services Section, P. O. Box 8552, Harrisburg, PA 17105-8852, telephone 717-787-3444.

C. Applicants must comply with special bog turtle screening requirements. See Section H of the Registration Form.

10. BEACH NOURISHMENT—Sand used for beach nourishment shall be free from zebra mussels.
11. EQUIPMENT—Use of motorized vehicles or equipment in a watercourse, stream or body of water is limited to the minimum necessary to complete the project. Motorized vehicles or equipment working in wetlands must be placed on mats or other measures must be taken to minimize disturbance.

12. PROPER MAINTENANCE—Facilities and activities authorized under this General Permit must be operated and maintained to protect public health, safety and the environment.

13. AQUATIC LIFE MOVEMENTS—No regulated activity may substantially disrupt the movement of those species of aquatic life indigenous to the watercourse, stream or body of water, including those species which normally migrate through the area.

14. WILD AND STOCKED TROUT WATERS—Activities authorized by this General Permit in regulated waters of this Commonwealth are prohibited in the following streams for the specified time period unless written approval is obtained from the PA Fish and Boat Commission’s Division of Environmental Services at 459 Robinson Lane, Bellefonte, PA 16823-9616 or the local DEP Regional Office. Stocked and wild trout stream locations are compiled and available through the Commission’s Division of Fishery Management.

Stocked trout streams March 1 through June 15
Wild trout streams October 1 through December 31
Lake Erie tributaries September 1 through April 30

15. WATERFOWL BREEDING AREAS—Breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

16. HISTORICAL RESOURCES
A. No regulated activity is authorized which is likely to have adverse impact:

- Historical, cultural or archaeological sites as identified in the latest published version of the Pennsylvania Inventory of Historic Places or the National Register of Historic Places.
- Local historical sites officially approved or recognized by a municipality.

B. Any archaeological artifacts discovered during the performance of work authorized under this General Permit must be adequately protected and their discovery promptly reported to the Bureau for Historic Preservation, Pennsylvania Historic and Museum Commission, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120-0093.

17. FILL—Fill material must be uncontaminated, non-water-soluble, nondecomposable inert solid material and must be free of asphalt, trash, construction debris, tires, toxic pollutants and never been subject to a spill or release of a contaminated substance. Temporary fills for construction purposes (e.g. road embankments, equipment staging, cofferdams and causeways) shall consist of only clean non-water-soluble rock material (without fine particles or small-grained materials) to prevent the introduction of sediment to water resources.

18. REMOVAL OF TEMPORARY FILLS—Temporary fills must be removed in their entirety, and the affected areas stabilized and returned to their pre-existing elevations.

19. NAVIGATION—No authorized activity shall permanently hinder commercial or recreational navigation.

20. EFFECTIVE TIME PERIOD—This General Permit will remain in effect indefinitely unless specifically modified, suspended or revised by the Department.

21. SUBMERGED LANDS OF THIS COMMONWEALTH—This General Permit shall not be effective to authorize any project over, across or occupying submerged lands of this Commonwealth until the owner has obtained a license from the Department authorizing the occupation of such submerged lands issued under Section 15 of the Dam Safety and Encroachments Act (32 P. S. § 693.15), Section 514 of the Administrative Code of 1929 (71 P. S. § 194), or other applicable laws. Upon receipt of notification from the owner, the Department will review the project, determine if its location is over, across or occupies submerged lands of the Commonwealth. If applicable, the Department will prepare a Submerged Lands License Agreement and forward same to the owner for execution prior to acknowledgement of registration to use the General Permit. No annual charge is required for facilities constructed, owned or operated by a Political Subdivision of the Commonwealth.

22. USE OF EXPLOSIVES—Prior to the use of explosives in a watercourse or body of water, the permittee shall secure a written permit from the Pennsylvania Fish and Boat Commission, under the Fish and Boat Code, Act 1980-175 Title 30 Pennsylvania Consolidated Statutes, Section 2906. Requests should be directed to the Pennsylvania Fish and Boat Commission, Division of Environmental Services (see Exhibit A).

23. SUSPENSION, MODIFICATION OR REVOCATION—The Department may suspend, modify or revoke this General Permit at any time upon notice in the Pennsylvania Bulletin.

24. PROJECT INTERFERENCE—This General Permit does not authorize any interference with any existing or proposed local, State, Federal or Federally licensed project, and permittee shall not be entitled to compensation for damage or injury to the work authorized herein which may be caused by or a result of existing or future operations undertaken by the United States or the Commonwealth of Pennsylvania or its Political Subdivisions in the public interest.

25. INSPECTION—As a condition of use of this General Permit, and of the owner’s authority to conduct the activities authorized by this General Permit, the owner hereby authorizes and consents to allow authorized employees or agents of the Department, including the County Conservation District, without advance notice or a search warrant, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated or maintained. The authorization and consent shall include consent to conduct tests or sampling, to take photographs, to perform measurements, survey and other tests, to inspect the methods of construction, operation or maintenance, to examine and copy books, papers and records pertinent to any matter under investigation, and to take any other action necessary to assure that the project is constructed, operated or maintained in accordance with the terms and criteria of the General Permit. This General Permit condition is referenced in accordance with Section 16 of the Dam Safety and Encroachments Act, 32 P. S. § 693.16, and in no way limits any other powers granted under the Dam Safety and Encroachments Act.
26. FISH AND BOAT COMMISSION NOTIFICATION—The owner(s) shall notify the Pennsylvania Fish and Boat Commission's Regional Field Office Manager (see "Exhibit A") responsible for the County where the activities are proposed ten (10) days prior to start of construction. Written notification is suggested. The project site shall at all times be available for inspection by authorized officers and employees of the Pennsylvania Fish and Boat Commission.

27. ACTIVITIES NOT IN ACCORDANCE WITH THE TERMS OR CONDITIONS—If the Department determines, upon inspection, that the construction, operation or maintenance of a project has violated the terms or criteria of this General Permit or of the Chapter 105 Rules and Regulations, the Department may take such actions, legal or administrative, that it may deem to be appropriate.

28. STRUCTURE REMOVAL—The owner shall remove all or any portion of the water obstruction upon written notification to the owner by the Department in the event the water obstruction is causing an adverse impact on public health, safety, or the environment, or in any other manner violates the conditions of this General Permit or Chapter 105 Rules and Regulations. The removal of railroad bridges and culverts is subject to this condition. The removal of railroad bridges and culverts is regulated exclusively by the Federal Surface Transportation Board under the Interstate Commerce Commission Termination Act of 1995, 49 U.S.C. Sections 10501(b), 10903.

29. PROPERTY RIGHTS—This General Permit does not convey any property rights, either in real estate or material, or in any exclusive privileges; nor does it authorize any injury to property or invasion of rights or any infringement of Federal, State or local laws or regulations.

30. WATER QUALITY CERTIFICATION—The issuance of this General Permit also constitutes approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341).

31. OTHER PERMITS—Nothing in this General Permit relieves the owner(s) of the obligation of complying with all Interstate Compacts, Federal, state and local laws, and regulations.

32. SIGNATURE—The General Permit Registration Form shall be signed by the person responsible for installation, operation and maintenance of the authorized activity.

Questions concerning the meeting should be directed to Ray Braun, (717) 772-2186, rbraun@state.pa.us.

KATHLEEN A. MCGINTY, Secretary

[Pa.B. Doc. No. 05-1485. Filed for public inspection August 5, 2005, 9:00 a.m.]

DEPARTMENT OF HEALTH

Approved Drugs for ALS Ambulance Services

Under 28 Pa. Code § 1005.11 (relating to drug use, control and security), the following drugs are approved for use by ground advanced life support (ALS) ambulance services and may be administered by emergency medical technician-paramedics, prehospital registered nurses and health professional physicians when use of the drugs is permitted by the applicable Department of Health (Department) approved regional medical treatment protocols:

1. Adenosine
2. Albuterol
3. Amiodarone
4. Aspirin
5. Atropine sulfate
6. Benzocaine—for topical use only
7. Bretlyum
8. Calcium chloride
9. Dexamethasone sodium phosphate
10. Diazepam
11. Dilaudid—for interfacility transports only
12. Diltiazem
13. Diphenhydramine HCL
14. Dobutamine
15. Dopamine
16. Epinephrine HCL
17. Fentanyl
18. Furosemide
19. Glucagon
20. Heparin by intravenous drip—for interfacility transports only
21. Heparin lock flush
22. Hydrocortisone sodium succinate
23. Glycoprotein IIb/IIIa Inhibitors—for interfacility transports only
   a. Abciximab
   b. Eptifibatide
   c. Tirofiban
24. Intravenous electrolyte solutions
   a. Dextrose
   b. Lactated Ringer's
   c. Sodium chloride
   d. Normosol
   e. Potassium—for interfacility transports only
25. Ipratropium bromide
26. Isoproterenol HCL—for interfacility transports only
27. Levalbuterol—for interfacility transports only
28. Lidocaine HCL
29. Lorazepam
30. Magnesium sulfate
31. Metaproterenol
32. Methylprednisolone
33. Midazolam
34. Morphine sulfate
35. Naloxone HCL
36. Nitroglycerin by intravenous drip—for interfacility transports only
37. Nitroglycerin ointment

Small Systems Technical Assistance Center Advisory Board

The Small Systems Technical Assistance Center Advisory Board's regular quarterly Board meeting scheduled for August 25, 2005, is canceled.

The next meeting will be held on November 17, 2005, at 10 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.
38. Nitroglycerin spray
39. Nitroglycerin sublingual tablets
40. Nitrous oxide
41. Oxytocin
42. Phenergan
43. Pralidoxime CL
44. Procainamide
45. Sodium bicarbonate
46. Sodium thiosulfate
47. Sterile water for injection
48. Terbutaline
49. Tetracaine—for topical use only
50. Verapamil

This list supersedes the list of approved drugs published at 34 Pa.B. 3987 (July 24, 2004).

Section § 1005.11 of 28 Pa. Code permits a ground ALS ambulance service to exceed, under specified circumstances, the drugs (taken from the master list) that a region's medical treatment protocols authorize for use within the region. In addition, under 28 Pa. Code § 1001.161 (relating to research), the Department may approve an ambulance service to engage in a research project that involves use of a drug not included in a region's medical treatment protocols. Finally, under 28 Pa. Code § 1001.4 (relating to exceptions), a ground ALS ambulance service and its ALS service medical director may apply to the Department for an exception to a region's medical treatment protocols.

The list of drugs in this notice does not apply to air ambulance services. Under 28 Pa. Code § 1007.7(2)(2) (relating to licensure and general operating requirements), each air ambulance service is to develop its own medical treatment protocols which identify drugs that may be used by the air ambulance service. The air ambulance service is to then submit the protocols to the medical advisory committee of the appropriate regional emergency medical services council for the medical advisory committee's review and recommendations. Following its consideration of the recommendations, and after making further revisions if needed, the air ambulance service is to file the protocols with the Department for approval.

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, or Braille) should contact Andrew Gilger, Department of Health, Emergency Medical Services Office, Room 1032, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-8740 or speech or hearing impaired persons, V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services, (800) 654-5984.

This meeting is subject to cancellation without notice.

CALVIN B. JOHNSON, M.D., M.P.H.,
Secretary

[Pa.B. Doc. No. 05-1486. Filed for public inspection August 5, 2005, 9:00 a.m.]

Prehospital Practitioner Scope of Practice

Under 28 Pa. Code §§ 1003.21(c)(13), 1003.22(e)(3), 1003.23(f), 1003.24(e) and 1003.25(b)(c), the Department of Health (Department) is publishing the scope of practice for ambulance attendants, first responders, emergency medical technicians (EMT), EMT-paramedics and prehospital registered nurses (PHRN) under the Emergency Medical Services Act (EMS Act) (35 P. S. §§ 6921—6938).

Skills identified may be performed by a prehospital practitioner at the practitioner's level of certification/recognition only if the practitioner has successfully completed training (cognitive, affective and psychomotor) on the specified skill, which includes training to perform the skill on adults, children and infants, as appropriate.

A PHRN with medical command authorization may perform, in addition to those services within an EMT-paramedic's scope of practice, other services authorized by The Professional Nursing Law (63 P. S. §§ 211—225.5), when authorized by a medical command physician through either on-line medical command or standing medical treatment protocols. To administer drugs in addition to those permitted by applicable medical treatment protocols, a PHRN must also have received approval to do so by the advanced life support service medical director of the advanced life support ambulance service under which the PHRN is functioning.

This list supersedes the list of skills in the scope of practice of prehospital personnel published at 34 Pa.B. 3988 (July 24, 2004).

Persons with a disability who require an alternate format of this notice (for example, large print, audiotape, Braille) should contact Andrew Gilger at the Department of Health, Emergency Medical Services Office, Room 1032, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-8740 or speech or hearing impaired persons may call by using V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

Yes—The skill is in the scope of practice for the level of certification.

No—The skill is not in the scope of practice for the level of certification.

AA—Ambulance Attendant.
FR—First Responder.
EMT—Emergency Medical Technician.
EMT-P—Emergency Medical Technician paramedic.

1. May assist higher level practitioner only when in the physical presence and under the direct supervision of the ALS practitioner.

2. Additional training and approval by service medical director required.

3. The skill may be performed by BLS personnel in accordance with Statewide BLSS protocols or medical command order.

4. The skill is not approved for the level of certification regardless if taught in a course approved for that level of certification.

5. The acronym is explained following the table.

6. Skill may only be used when functioning with a licensed ambulance service or QRS that complies with Department requirement for performing this skill.

7. May only be done as a physician extender under the Medical Practice act.

<table>
<thead>
<tr>
<th>TOPIC</th>
<th>SKILL</th>
<th>AA</th>
<th>FR</th>
<th>EMT</th>
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</thead>
<tbody>
<tr>
<td>Airway/ventilation/oxygenation</td>
<td>Airway—esophageal tracheal—dual lumen CombiTube®</td>
<td>No</td>
<td>No</td>
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<td>Airway/ventilation/oxygenation</td>
<td>Airway—oral and nasal</td>
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<td>Airway/ventilation/oxygenation</td>
<td>Airway—pharyngeal tracheal lumen (PTL)</td>
<td>No</td>
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<td>Airway/ventilation/oxygenation</td>
<td>Bag-valve-ETT/CombiTube® ventilation</td>
<td>No</td>
<td>Yes</td>
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<td>Airway/ventilation/oxygenation</td>
<td>Bag-valve-mask—with in-line small-volume nebulizer</td>
<td>No</td>
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<td>Airway/ventilation/oxygenation</td>
<td>Chest decompression—needle</td>
<td>No</td>
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<td>Airway/ventilation/oxygenation</td>
<td>CPAP/BiPAP—demonstrate application of</td>
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<td>Airway/ventilation/oxygenation</td>
<td>Cricoid pressure (Sellick maneuver)</td>
<td>No</td>
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<td>Airway/ventilation/oxygenation</td>
<td>Cricothyrotomy—needle</td>
<td>No</td>
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<td>Airway/ventilation/oxygenization</td>
<td>Cricothyrotomy—open/surgical</td>
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<td>Airway/ventilation/oxygenization</td>
<td>Cricothyrotomy—overwire (Seldinger) technique</td>
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<td>Airway/ventilation/oxygenization</td>
<td>End tidal CO2 monitoring/capnography</td>
<td>No</td>
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<td>Airway/ventilation/oxygenization</td>
<td>Esophageal obturator airway (EOA)/esophageal gastric tube airway (EGTA)</td>
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<td>Airway/ventilation/oxygenization</td>
<td>Extubation</td>
<td>No</td>
<td>No</td>
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<td>Flow restricted oxygen powered ventilation device (demand valve)</td>
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<td>Gastric decompression—OG® and NG® tube (suction)</td>
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<td>Airway/ventilation/oxygenization</td>
<td>Gastric tube insertion—nasal and oral</td>
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<td>Airway/ventilation/oxygenization</td>
<td>Head-tilt/chin-lift</td>
<td>Yes</td>
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<td>Airway/ventilation/oxygenization</td>
<td>Intubation—digital and lighted stylet</td>
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<td>Airway/ventilation/oxygenization</td>
<td>Intubation—endotracheal tube</td>
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<td>Intubation—medication paralytics assisted (RSI©)</td>
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<td>Intubation—nasotracheal and orotracheal</td>
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<td>Intubation—retrograde</td>
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<td>Intubation—transillumination/lighted stylet</td>
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<td>Jaw thrust and modified jaw thrust (trauma)</td>
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<td>Laryngeal mask airway (LMA)</td>
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<td>Mouth-to-mouth, nose, stoma, barrier and pocket mask</td>
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<td>Airway/ventilation/oxygenization</td>
<td>Obstruction—direct laryngoscopy (remove with forceps)</td>
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<td>Airway/ventilation/oxygenization</td>
<td>Obstruction—manual (Heimlich, finger sweep, chest thrusts) upper airway</td>
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<td>Oxygen therapy—humidifiers</td>
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<td>Oxygen therapy—nasal cannula</td>
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<td>Oxygen therapy—partial rebreather</td>
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<td>Peak expiratory flow assessment</td>
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<td>Airway/ventilation/oxygenation</td>
<td>Pulse oximetry</td>
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<td>Yes&lt;sup&gt;2&lt;/sup&gt;</td>
<td>Yes&lt;sup&gt;3&lt;/sup&gt;</td>
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<td>Airway/ventilation/oxygenation</td>
<td>Suctioning—meconium aspiration</td>
<td>No</td>
<td>No</td>
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<td>Suctioning—tracheobronchial</td>
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<td>Suctioning—upper airway (nasal)</td>
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<td>Airway/ventilation/oxygenation</td>
<td>Suctioning—upper airway (oral)</td>
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<td>Airway/ventilation/oxygenation</td>
<td>Transtracheal jet ventilation</td>
<td>No</td>
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<td>Ventilators—automated transport (ATV)</td>
<td>Yes&lt;sup&gt;1&lt;/sup&gt;</td>
<td>Yes&lt;sup&gt;2&lt;/sup&gt;</td>
<td>Yes&lt;sup&gt;2&lt;/sup&gt;</td>
<td>Yes&lt;sup&gt;2&lt;/sup&gt;</td>
<td>Yes&lt;sup&gt;3&lt;/sup&gt;</td>
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<td>Assessment of Glasgow Coma Scale (GCS)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>Assessment of Level of consciousness (LOC)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>Assessment of Vital sign—body temperature</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>Assessment of Vital sign—pulse</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes&lt;sup&gt;4&lt;/sup&gt;</td>
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<td>Assessment of Vital sign—respirations</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>Assessment of Vital sign—skin color/temperature and condition (CTC)</td>
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<td>Cardiovascular/circulation</td>
<td>Blood pressure—auscultation</td>
<td>Yes</td>
<td>Yes</td>
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<td>Cardiovascular/circulation</td>
<td>Blood pressure—electronic noninvasive</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes&lt;sup&gt;4&lt;/sup&gt;</td>
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<td>Blood pressure—palpation</td>
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<td>Yes</td>
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<td>Cardiovascular/circulation</td>
<td>Cardiac monitoring—apply electrodes</td>
<td>No</td>
<td>Yes&lt;sup&gt;3&lt;/sup&gt;</td>
<td>Yes&lt;sup&gt;3&lt;/sup&gt;</td>
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<td>Cardiovascular/circulation</td>
<td>Cardiac monitoring—multi lead</td>
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<td>No</td>
<td>No</td>
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<td>Cardiovascular/circulation</td>
<td>Cardiac monitoring—single lead (interpretive)</td>
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<td>No</td>
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<td>Cardiovascular/circulation</td>
<td>Cardiopulmonary resuscitation (CPR)  adult, infant, child, one and two person</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>Cardioversion—synchronized</td>
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<td>Carotid massage (vagal maneuvers)</td>
<td>No</td>
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<td>No</td>
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<td>Cardiovascular/circulation</td>
<td>Defibrillation—Counter shock—manual</td>
<td>No</td>
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<td>Cardiovascular/circulation</td>
<td>Defibrillation—automated external defibrillator (AED)</td>
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<td>Cardiovascular/circulation</td>
<td>Hemodynamic monitoring/assist (Swan Ganz, arterial, central venous lines)</td>
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<td>Cardiovascular/circulation</td>
<td>Intra-aortic balloon pump monitoring/assist</td>
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<td>Mechanical CPR device</td>
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<td>Military/Pneumatic Anti-Shock Trousers/Garment PASG/MAST&lt;sup&gt;5&lt;/sup&gt;)</td>
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<td>Thrombolytic therapy—initiation</td>
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<td>Thrombolytic therapy—monitoring</td>
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<td>Transcutaneous pacing</td>
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<td>Cardiovascular/circulation</td>
<td>Use a (cardiac) magnet to alter the mode of an AICD&lt;sup&gt;5&lt;/sup&gt; or pacemaker</td>
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<td>Communications</td>
<td>Verbal patient report to receiving personnel</td>
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<td>Communications</td>
<td>Communications with PSAPs&lt;sup&gt;5&lt;/sup&gt;, hospitals, medical command facilities</td>
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<td>Yes</td>
<td>Yes</td>
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<td>Out-of-Hospital Do Not Resuscitate (DNR) orders (Act 59)</td>
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<td>Yes</td>
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<td>Hazardous materials</td>
<td>Contaminated equipment disposal (sharps and PPE&lt;sup&gt;5&lt;/sup&gt;)</td>
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<td>Decontamination</td>
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<td>Yes</td>
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<td>PPE&lt;sup&gt;5&lt;/sup&gt; (personal protection equipment) use</td>
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<td>Immobilization</td>
<td>PASG/MAST&lt;sup&gt;5&lt;/sup&gt;—pelvic stabilization</td>
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<td>No</td>
<td>Yes</td>
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<td>Immobilization</td>
<td>Spinal immobilization—helmet stabilization or removal</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>Immobilization</td>
<td>Spinal immobilization—long board w/pt supine and standing</td>
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<td>Spinal immobilization—manual stabilization and cervical collar</td>
<td>Yes</td>
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<td>Spinal immobilization—seated patient</td>
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<td>Immobilization</td>
<td>Splinting—manual, ridged, soft, vacuum</td>
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<td>Immobilization</td>
<td>Splinting—traction</td>
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<td>Central venous cannulation (femoral vein only)</td>
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<td>IV initiation/maintenance/fluids</td>
<td>Central venous line—access of existing catheters</td>
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<td>IV initiation/maintenance/fluids</td>
<td>Clean technique</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>IV initiation/maintenance/fluids</td>
<td>External jugular vein cannulation</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>IV initiation/maintenance/fluids</td>
<td>Heparin/saline lock insertions as no-flow IV</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>IV initiation/maintenance/fluids</td>
<td>Indwelling intravenous catheters as described 28 Pa. Code § 1003.23(e)(2)</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>IV initiation/maintenance/fluids</td>
<td>Intraosseous—needle placement and infusion—anterior tibia or distal femur</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>IV initiation/maintenance/fluids</td>
<td>Peripheral venous—initiation (cannulation)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>IV initiation/maintenance/fluids</td>
<td>Sub-cutaneous indwelling catheters—access of existing catheters</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>IV initiation/maintenance/fluids</td>
<td>Vascular access devices in home healthcare—access of existing catheters</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>IV initiation/maintenance/fluids</td>
<td>Venous (blood sampling)—obtaining</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>IV initiation/maintenance/fluids</td>
<td>Venous central line (blood sampling)—obtaining</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>IV initiation/maintenance/fluids</td>
<td>Arterial line—capped—transport</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>IV initiation/maintenance/fluids</td>
<td>Arterial line—monitoring/assist</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>IV initiation/maintenance/fluids</td>
<td>Blood/Blood—by-products</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Lifting and moving</td>
<td>Patient lifting, moving and transfers</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Endotracheal tube (ET)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Inhalation (aerosolized/nebulized)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Intramuscular (IM)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Intravenous—anterior tibia or distal femur</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Intraosseous—needle placement and infusion—anterior tibia or distal femur</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Intravenous (IV)—bolus</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Intravenous (IV) infusion, including by intravenous pump</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Nasogastric</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Oral</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Rectal</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Subcutaneous</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Sub-lingual</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Topical</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Auto-injectors</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Medication administration routes</td>
<td>Activated charcoal</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Medications</td>
<td>As published in Pennsylvania Bulletin by PA DOH</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medications</td>
<td>Immunizations</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medications</td>
<td>Oral glucose</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Medications</td>
<td>Over-the-counter medications (OTC)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Medications</td>
<td>Oxygen</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Medications</td>
<td>Auto-injected epinephrine—primary use—not patient's own prescription</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Medications—Patient Assisted</td>
<td>Auto-injected epinephrine</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Medications—Patient Assisted</td>
<td>Metered dose inhaler—(MDI)—bronchodilator</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Medications—Patient Assisted</td>
<td>Nitroglycerin</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Patient assessment/management</td>
<td>Behavioral—Restrain violent patient</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>
### TOPIC SKILL AA FR EMT EMT-P

| Patient assessment/management | Blood glucose assessment | No | No | Yes | Yes |
| Patient assessment/management | Burns—chemical, electrical, inhalation, radiation, thermal | Yes | Yes | Yes | Yes |
| Patient assessment/management | Childbirth—umbilical cord cutting | No | Yes | Yes | Yes |
| Patient assessment/management | Childbirth (abnormal/complications) | No | No | Yes | Yes |
| Patient assessment/management | Childbirth (normal)—cephalic delivery | Yes | Yes | Yes | Yes |
| Patient assessment/management | Dislocation reduction (shoulder) | No | No | No | No^d |
| Patient assessment/management | Eye irrigation/care | Yes | Yes | Yes | Yes |
| Patient assessment/management | Hemorrhage control—diffuse, direct, pressure point, tourniquet, bandaging | Yes | Yes | Yes | Yes |
| Patient assessment/management | Intracranial monitoring/assist | No | No | No | No^d |
| Patient assessment/management | As outlined in DOH approved regional and Statewide tx^e and transport protocols | Yes | Yes | Yes | Yes |
| Patient assessment/management | Multiple Casualty Incident (MCI)/Incident Command System (ICS) | No | Yes | Yes | Yes |
| Patient assessment/management | Triage (prioritizing patients)—use of tags | Yes | Yes | Yes | Yes |
| Patient assessment/management | Urinary catheterization | No | No | No | Yes |
| Rescue | Vehicle access and extrication | Yes | Yes | Yes | Yes |

#### Acronym

- AICD: Automatic Implantable Cardioverter Defibrillators
- CPAP/BiPAP: Continuous positive airway pressure/biphasic positive airway pressure
- KED: Kendrick Extrication Device
- NSC: United States Department of Transportation National Standard Curriculum
- OG and NG: Oral gastric and nasal gastric tube
- PASG/MAST: Pneumatic antishock garment/military antishock trousers
- PPE: Personal protective equipment
- PSAP: Public safety answering point
- RSI: Rapid sequence induction
- TX: Treatment

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### Requests for Exception; Long-Term Care Nursing Facilities

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

**Valley View Haven, Inc.**  
4702 East Main Street  
Belleville, PA 17004

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 205.38(a) (relating to toilet facilities):

**Beverly Healthcare—Erie**  
2686 Peach Street  
Erie, PA 16508

**Barbara J. Egan Nursing and Rehabilitation Center**  
200 Luther Road  
Shrewsbury, PA 17361  
FAC ID 970902

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax: (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotape or Braille) should contact the Division of Nursing Care Facilities at the previously listed address or phone num-

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CALVIN B. JOHNSON, M.D., M.P.H., Secretary
DEPARTMENT OF REVENUE

Pennsylvania Quick Silver Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. Name: The name of the game is Pennsylvania Quick Silver.

2. Price: The price of a Pennsylvania Quick Silver instant lottery game ticket is $1.

3. Play Symbols: Each Pennsylvania Quick Silver instant lottery game ticket will contain one play area featuring a “QUICK NUMBERS” area and a “YOUR NUMBERS” area. The play symbols and their captions located in the “QUICK NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE) and 10 (TEN). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN) and Silver Bar symbol (SILVER).

4. Prize Symbols: The prize symbols and their captions located in the “YOUR NUMBERS” area are: FREE (TICKET), $1.00 (ONE DOL), $2.00 (TWO DOL), $5.00 (FIV DOL), $10.00 (TEN DOL), $20.00 (TWENTY), $50.00 (FIFTY), $100.00 (ONE HUN), $500.00 (FIV HUN) and $5,000 (FIFTY THO).

5. Prizes: The prizes that can be won in this game are: Free Ticket, $1, $2, $5, $10, $20, $50, $100, $500 and $5,000. A player may win up to five times on a ticket.

6. Approximate Number of Tickets Printed For the Game: Approximately 14,400,000 tickets will be printed for the Pennsylvania Quick Silver instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “QUICK NUMBERS” play symbols and a prize symbol of $5,000 (FIV THO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of $5,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “QUICK NUMBERS” play symbols and a prize symbol of $500 (FIV HUN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of $500.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Silver Bar symbol (SILVER), and a prize symbol of $500 (FIV HUN) appears under the Silver Bar symbol (SILVER) on a single ticket, shall be entitled to a prize of $500.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “QUICK NUMBERS” play symbols and a prize symbol of $100 (ONE HUN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of $100.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Silver Bar symbol (SILVER), and a prize symbol of $100 (ONE HUN) appears under the Silver Bar symbol (SILVER) on a single ticket, shall be entitled to a prize of $100.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “QUICK NUMBERS” play symbols and a prize symbol of $50 (FIFTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of $50.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Silver Bar symbol (SILVER), and a prize symbol of $50 (FIFTY) appears under the Silver Bar symbol (SILVER) on a single ticket, shall be entitled to a prize of $50.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “QUICK NUMBERS” play symbols and a prize symbol of $20 (TWENTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of $20.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Silver Bar symbol (SILVER), and a prize symbol of $20 (TWENTY) appears under the Silver Bar symbol (SILVER) on a single ticket, shall be entitled to a prize of $20.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “QUICK NUMBERS” play symbols and a prize symbol of $10 (TEN DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of $10.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Silver Bar symbol (SILVER), and a prize symbol of $10 (TEN DOL) appears under the Silver Bar symbol (SILVER) on a single ticket, shall be entitled to a prize of $10.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “QUICK NUMBERS” play symbols and a prize symbol of $5 (FIV DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of $5.
(SILVER), and a prize play of $2.00 (TWO DOL) appears under the Silver Bar symbol (SILVER) on a single ticket, shall be entitled to a prize of $2.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "QUICK NUMBERS" play symbols and a prize symbol of $1.00 (ONE DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of $1.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Silver Bar Symbol (SILVER), and a prize play of $1.00 (ONE DOL) appears under the Silver Bar Symbol (SILVER) on a single ticket, shall be entitled to a prize of $1.

8. Number and Description of Prizes and Approximate Odds: The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<table>
<thead>
<tr>
<th>Match Any Of Your Numbers</th>
<th>Approximate No. Of Winners Per 14,400,000 Tickets</th>
<th>Win With Prize(s) Of:</th>
<th>Approximate Odds 1 In:</th>
<th>Approximate No. of Winners Per 14,400,000 Tickets</th>
</tr>
</thead>
<tbody>
<tr>
<td>FREE</td>
<td></td>
<td>Win:</td>
<td>Odds 1 In:</td>
<td></td>
</tr>
<tr>
<td>$1 w/SILVER BAR</td>
<td></td>
<td>$1</td>
<td>30</td>
<td>480,000</td>
</tr>
<tr>
<td>$2 w/SILVER BAR</td>
<td></td>
<td>$2</td>
<td>30</td>
<td>480,000</td>
</tr>
<tr>
<td>$1 x 2</td>
<td></td>
<td>$2</td>
<td>50</td>
<td>288,000</td>
</tr>
<tr>
<td>$2</td>
<td></td>
<td>$2</td>
<td>50</td>
<td>288,000</td>
</tr>
<tr>
<td>$5 w/SILVER BAR</td>
<td></td>
<td>$5</td>
<td>100</td>
<td>144,000</td>
</tr>
<tr>
<td>$1 x 5</td>
<td></td>
<td>$5</td>
<td>100</td>
<td>144,000</td>
</tr>
<tr>
<td>$5</td>
<td></td>
<td>$5</td>
<td>150</td>
<td>96,000</td>
</tr>
<tr>
<td>$10 w/SILVER BAR</td>
<td></td>
<td>$10</td>
<td>300</td>
<td>48,000</td>
</tr>
<tr>
<td>$2 x 5</td>
<td></td>
<td>$10</td>
<td>300</td>
<td>48,000</td>
</tr>
<tr>
<td>$5 x 2</td>
<td></td>
<td>$10</td>
<td>300</td>
<td>48,000</td>
</tr>
<tr>
<td>$10</td>
<td></td>
<td>$10</td>
<td>300</td>
<td>48,000</td>
</tr>
<tr>
<td>$20 w/SILVER BAR</td>
<td></td>
<td>$20</td>
<td>1,500</td>
<td>9,600</td>
</tr>
<tr>
<td>$5 x 4</td>
<td></td>
<td>$20</td>
<td>1,500</td>
<td>9,600</td>
</tr>
<tr>
<td>$20 x 2</td>
<td></td>
<td>$20</td>
<td>1,000</td>
<td>14,400</td>
</tr>
<tr>
<td>$50 w/SILVER BAR</td>
<td></td>
<td>$50</td>
<td>6,000</td>
<td>2,400</td>
</tr>
<tr>
<td>$10 x 5</td>
<td></td>
<td>$50</td>
<td>5,581</td>
<td>2,580</td>
</tr>
<tr>
<td>$20 x 2 + $10</td>
<td></td>
<td>$50</td>
<td>6,000</td>
<td>2,400</td>
</tr>
<tr>
<td>$50</td>
<td></td>
<td>$50</td>
<td>5,581</td>
<td>2,580</td>
</tr>
<tr>
<td>$100 w/SILVER BAR</td>
<td></td>
<td>$100</td>
<td>120,000</td>
<td>120</td>
</tr>
<tr>
<td>$20 x 5</td>
<td></td>
<td>$100</td>
<td>120,000</td>
<td>120</td>
</tr>
<tr>
<td>$50 x 2</td>
<td></td>
<td>$100</td>
<td>120,000</td>
<td>120</td>
</tr>
<tr>
<td>$100</td>
<td></td>
<td>$100</td>
<td>120,000</td>
<td>120</td>
</tr>
<tr>
<td>$500 w/SILVER BAR</td>
<td></td>
<td>$500</td>
<td>1,440,000</td>
<td>10</td>
</tr>
<tr>
<td>$100 x 5</td>
<td></td>
<td>$500</td>
<td>1,440,000</td>
<td>10</td>
</tr>
<tr>
<td>$500</td>
<td></td>
<td>$500</td>
<td>1,440,000</td>
<td>10</td>
</tr>
<tr>
<td>$5,000</td>
<td></td>
<td>$5,000</td>
<td>2,880,000</td>
<td>5</td>
</tr>
</tbody>
</table>

SILVER BAR = Win prize shown under it automatically.
Prizes, including top prizes, are subject to availability at the time of purchase.

9. Retailer Incentive Awards: The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Quick Silver instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. Unclaimed Prize Money: For a period of 1 year from the announced close of Pennsylvania Quick Silver, prize money from winning Pennsylvania Quick Silver instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Quick Silver instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. Governing Law: In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law, 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. Termination of the Game: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be
Pennsylvania Ruby Red 7s Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. Name: The name of the game is Pennsylvania Ruby Red 7s.

2. Price: The price of a Pennsylvania Ruby Red 7s instant lottery game ticket is $2.

3. Play Symbols: Each Pennsylvania Ruby Red 7s instant lottery game ticket will contain one play area. The play symbols and their captions, printed in black ink, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (BKSEV), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT).

4. Prize Symbols: The prize symbols and their captions, located in the 10 “prize” areas are: $1.00 (ONE DOL), $2.00 (TWO DOL), $3.00 (THR DOL), $6.00 (SIX DOL), $9.00 (NIN DOL), $18$ (EGHTN), $27$ (TWY SVN), $54$ (FTY FOR), $90$ (NINTN), $270$ (TWOHUNSTY) and $27,000$ (TWOYSVNTN).

5. Prizes: The prizes that can be won in this game are: $1$, $2$, $3$, $6$, $9$, $18$, $27$, $54$, $90$, $270$ and $27,000$.
The player can win up to ten times on the ticket.

6. Approximate Number of Tickets Printed: For the Game: Approximately 10,080,000 tickets will be printed for the Pennsylvania Ruby Red 7s instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of $27,000 (TWOYSVNTN) appearing in the “prize” area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of $27,000.

(b) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of $270 (TWOHUNSTY) appearing in the “Prize” area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of $270.

(c) Holders of tickets with a play symbol of 7 (RSEV), with the symbol and caption printed in red ink, and a prize symbol of $905 (NINTY) appearing in the “Prize” area to the right of that 7 (RSEV) play symbol, on a single ticket, shall be entitled to a prize of $270.

(d) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of $905 (NINTY) appearing in the “Prize” area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of $90.

(e) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of $54$ (FTY FOR) appearing in the “Prize” area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of $54.

(f) Holders of tickets with a play symbol of 7 (RSEV), with the symbol and caption printed in red ink, and a prize symbol of $18$ (EGHTN) appearing in the “Prize” area to the right of that 7 (RSEV) play symbol, on a single ticket, shall be entitled to a prize of $18.

(g) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of $27$ (TWY SVN) appearing in the “Prize” area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of $27.

(h) Holders of tickets with a play symbol of 7 (RSEV), with the symbol and caption printed in red ink, and a prize symbol of $90$ (NINTY) appearing in the “Prize” area to the right of that 7 (RSEV) play symbol, on a single ticket, shall be entitled to a prize of $90.

(i) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of $18$ (EGHTN) appearing in the “Prize” area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of $18.

(j) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of $90$ (NINTY) appearing in the “Prize” area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of $90.

(k) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of $3$ (THR DOL) appearing in the “Prize” area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of $3$.

(l) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of $6$ (SIX DOL) appearing in the “Prize” area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of $6$.

(m) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of $1$ (ONE DOL) appearing in the “Prize” area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of $1$.

(n) Holders of tickets with a play symbol of 7 (RSEV), with the symbol and caption printed in red ink, and a prize symbol of $2$ (TWO DOL) appearing in the “Prize” area to the right of that 7 (RSEV) play symbol, on a single ticket, shall be entitled to a prize of $2$. 

Pennsylvania Bulletin, Vol. 35, No. 32, August 6, 2005
(p) Holders of tickets with a play symbol of 7 (BKSEV), with the symbol and caption printed in black ink, and a prize symbol of $1.00 (ONE DOL) appearing in the "Prize" area to the right of that 7 (BKSEV) play symbol, on a single ticket, shall be entitled to a prize of $1.

8. Number and Description of Prizes and Approximate Odds: The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

<table>
<thead>
<tr>
<th>Find A “7” Symbol, Win With Prize(s) Of:</th>
<th>Approximate Odds of 1 In:</th>
<th>Approximate No. of Winners Per 10,080,000 Tickets</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1 x 2</td>
<td>$2</td>
<td>18.75</td>
</tr>
<tr>
<td>$2</td>
<td>$2</td>
<td>17.65</td>
</tr>
<tr>
<td>$1 x 3</td>
<td>$3</td>
<td>50</td>
</tr>
<tr>
<td>$1 w/RED 7</td>
<td>$3</td>
<td>42.86</td>
</tr>
<tr>
<td>$3</td>
<td>$3</td>
<td>60</td>
</tr>
<tr>
<td>$1 x 6</td>
<td>$6</td>
<td>300</td>
</tr>
<tr>
<td>$2 x 3</td>
<td>$6</td>
<td>300</td>
</tr>
<tr>
<td>$3 x 2</td>
<td>$6</td>
<td>300</td>
</tr>
<tr>
<td>$6</td>
<td>$9</td>
<td>150</td>
</tr>
<tr>
<td>$1 x 9</td>
<td>$9</td>
<td>150</td>
</tr>
<tr>
<td>$3 x 3</td>
<td>$9</td>
<td>75</td>
</tr>
<tr>
<td>$3 w/RED 7</td>
<td>$9</td>
<td>150</td>
</tr>
<tr>
<td>$9</td>
<td>$9</td>
<td>150</td>
</tr>
<tr>
<td>$2 x 9</td>
<td>$18</td>
<td>1,500</td>
</tr>
<tr>
<td>$3 x 6</td>
<td>$18</td>
<td>1,500</td>
</tr>
<tr>
<td>$6 x 3</td>
<td>$18</td>
<td>1,500</td>
</tr>
<tr>
<td>$9 x 2</td>
<td>$18</td>
<td>1,500</td>
</tr>
<tr>
<td>$18</td>
<td>$18</td>
<td>1,500</td>
</tr>
<tr>
<td>$3 x 9</td>
<td>$27</td>
<td>75</td>
</tr>
<tr>
<td>$9 x 3</td>
<td>$27</td>
<td>166.67</td>
</tr>
<tr>
<td>$9 w/RED 7</td>
<td>$27</td>
<td>166.67</td>
</tr>
<tr>
<td>$27</td>
<td>$27</td>
<td>300</td>
</tr>
<tr>
<td>$9 x 6</td>
<td>$54</td>
<td>4,800</td>
</tr>
<tr>
<td>$18 x 3</td>
<td>$54</td>
<td>4,800</td>
</tr>
<tr>
<td>$18 w/RED 7</td>
<td>$54</td>
<td>4,615</td>
</tr>
<tr>
<td>$54</td>
<td>$54</td>
<td>4,800</td>
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<tr>
<td>$9 x 10</td>
<td>$90</td>
<td>40,000</td>
</tr>
<tr>
<td>$18 x 5</td>
<td>$90</td>
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<tr>
<td>$90</td>
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<tr>
<td>$27 x 10</td>
<td>$270</td>
<td>120,000</td>
</tr>
<tr>
<td>$90 x 3</td>
<td>$270</td>
<td>120,000</td>
</tr>
<tr>
<td>$90 w/RED 7</td>
<td>$270</td>
<td>120,000</td>
</tr>
<tr>
<td>$270</td>
<td>$270</td>
<td>120,000</td>
</tr>
<tr>
<td>$27,000</td>
<td>$27,000</td>
<td>1,440,000</td>
</tr>
</tbody>
</table>

RED 7 = Triples the prize.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. Retailer Incentive Awards: The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Ruby Red 7s instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. Unclaimed Prize Money: For a period of 1 year from the announced close of Pennsylvania Ruby Red 7s instant lottery game tickets, prize money from winning Pennsylvania Ruby Red 7s instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Ruby Red 7s instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. Governing Law: In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law, 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. Termination of the Game: The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Ruby Red 7s or through normal communications methods.

GREGORY C. FAJT, Secretary

[Pa.B. Doc. No. 05-1491. Filed for public inspection August 5, 2005, 9:00 a.m.]
DEPARTMENT OF TRANSPORTATION
Application for Lease of Right-of-Way

The Department of Transportation (Department), under the authority contained in section 2002(e) of The Administrative Code of 1929 (71 P. S. § 512 (c)) and 67 Pa. Code § 495.4 (relating to application procedure), gives notice that an application to lease highway right-of-way has been submitted to the Department by Montgomery County, Courthouse, P. O. Box 311, Norristown, PA 19404-0311 seeking to lease highway right-of-way located at Old Park Avenue, Perkiomen Township, Montgomery County, 31,020 sq. ft. + adjacent to SR 1022 Section 3 for the purpose of a bike trail.

Interested persons are invited to submit, within 30 days from the publication of this notice in the Pennsylvania Bulletin, written comments, suggestions and/or objections regarding the approval of this application to Andrew Warren, P. E., District Executive, Engineering District 6-0, Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, Attention: Amin Jackson, R/W.

Questions regarding this application or the proposed use should be directed to Amin Jackson, R/W, Real Estate Technician, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, (610) 205-6514.

ALLEN D. BIEHLER, P. E., Secretary

GOVERNOR’S OFFICE
Catalog of Nonregulatory Documents

Pursuant to 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 ninth list of the nonregulatory documents. This list is 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 6, 2005; however, due to the breadth and changing nature of these documents, we cannot guarantee absolute accuracy. Facilitating access to information is important to enhancing the partnership between the regulated community and the state.

Edward G. Rendell
Governor

ADMINISTRATION

Editor’s Note: The Index of Issuances, Manual M210.3, issued by the Governor’s Office of Administration, Directives Management System, includes Executive Orders, Management Directives and Manuals. New or revised documents to the Index are published monthly in the PA Bulletin and the entire index is revised yearly in the PA Code.

AGING

DECISIONS:
Office of Chief Counsel
Contact: Jacqueline Welby, Assistant Counsel (717) 783-2529

• Pennsylvania Department of Aging v. Lindbergh, 469 A.2d 1012 (Pa.1983).
• Calabro v. Department of Aging, 689 A.2d 34 (Pa Commw. 1997).
• Calabro v. Department of Aging, 698 A.2d 596 (Pa. 1997).
INTERNAL GUIDELINES:
PHARMACEUTICAL PROGRAM (PACE)

Contact: Gretchen Beard, Chief of Compliance Division (717) 787-7313

PACE PROVIDER BULLETINS: 2005

- January 28, 2005—PACE & Generic Substitution: Senate Bill 1167 permits PACE to continue reimbursing for brand name products if the brand name drug is determined to be “less expensive to the Program” than the newly introduced A-Rated generically equivalent drug.


- January 28, 2005—Optometrist’s Prescribing Privileges: Notifies of updated list of drugs established by the Department of Health on October 9, 1998, when The Department of Health promulgated the amending of § 6.1 of the regulations of the Department, 28 Pa. Code Chapter 6, to permit the prescribing of certain medications by optometrists certified to prescribe and administer pharmaceutical agents under § 4.1 of the Optometric Practice and Licensure Act.

- January 28, 2005—Optometrists Allowable Pharmaceutical Products: Updated list for PACE providers.

- February 11, 2005—Prospective Drug Utilization (ProDur) Additions: Effective Monday, February 14, 2005 this criteria will be applied to the following listed drugs

- February 18, 2005—Payer Specifications NCPDP 5.1 FUTURE EDITS: (PLEASE WATCH FOR REVISIONS) The fields listed below are contained in the current version of PACE/PACENET NCPDP v5.1 Payer Specifications dated June 1, 2004. Currently these data fields are not edited. Effective March 22, 2005, PACE will begin editing these fields. Providers are encouraged to contact their software vendors to ensure that valid data is being submitted to PACE in the data fields listed below:

- March 11, 2005—PACE Patient Location Definitions: (PLEASE WATCH FOR REVISIONS) At the request of PACE Providers, we are providing the following definitions to assist in the determining the number to be entered in NCPDP v5.1 field 307-C7, Patient Location.

- March 18, 2005—Non-Participating Manufacturer: Eli Lilly

- April 1, 2005—REVISED PAYER SPECIFICATIONS NCPDP 5.1 FUTURE EDITS: The fields listed below are contained in the current version of PACE/PACENET NCPDP v5.1 Payer Specifications dated June 1, 2004.

- April 8, 2005—Bextra: Effective April 7, 2005: PACE no longer reimburses for Bextra. The FDA announced that effective April 7, 2005, Pfizer Inc. was voluntarily withdrawing Bextra at the request of the Food and Drug Administration.

- May 6, 2005—Payer Specifications NCPDP 5.1 Future Edits Reminder (Part 1 of 2): The fields listed below are contained in the current version of PACE/PACENET NCPDP v5.1 Payer Specifications dated June 1, 2004. PACE is monitoring these fields and is returning the paid claim with an E.O.B. (Explanation Of Benefits) message whenever Missing or Invalid Data has been entered. Claims containing incorrect or invalid data in these fields will continue to be paid and returned with these EOB’s until September 27, 2005. Effective September 27, 2005, claims with missing or invalid data in these fields will deny.


- May 13, 2005—Medicare Outpatient Drug Benefit Cardholder Information: The Department of Aging recognizes that many PACE cardholders are worried that this new Medicare benefit will diminish their current PACE coverage. This letter is intended to assure PACE cardholders that the new Medicare outpatient benefit will assist, not replace, PACE.

- June 3, 2005—Payer Specifications NCPDP 5.1 Future Edits REMINDER (Part 1 of 2): The fields listed below are contained in the current version of PACE/PACENET NCPDP v5.1 Payer Specifications dated June 1, 2004. PACE is monitoring these fields and is returning the paid claim with an E.O.B. (Explanation Of Benefits) message whenever Missing or Invalid Data has been entered. Claims containing incorrect or invalid data in these fields will continue to be paid and returned with these EOB’s until September 27, 2005. Effective September 27, 2005, claims with missing or invalid data in these fields will deny.


- June 3, 2005—Eli Lilly & Company: Reconsideration of Rebate Participation.

PACE PROVIDER BULLETINS: 2004

- January 9, 2004—Federal Upper Limits (FUL) Pricing for A-Rated Multiple Source Products—Pending additional review, effective January 20th, 2004, the Department of Aging is temporarily suspending FUL reimbursement pricing on A-rated multiple source products.

- January 23, 2004—Provider Telephone Calls: Changes in PACE/PACENET Legislation have the potential for lessening the program’s ability to address phone calls in a timely manner. The potential for thousands more to be enrolled in the program requires some interim information to be presented.


- February 13, 2004—Clarifications: This memo provides examples of the possible situations involved with helping people understand the use of the PACENET $40 deductible.
PACE PROVIDER BULLETINS: 2003

- February 20, 2004—Manufacturers' Rebate REINSTATEMENT NOTICE FOR: MYLAN AND UDL Labs.
- February 27, 2004—Timoptic XE Days Supply Permissions: Merck was last manufacturer of 0.25% strength in 2ML size. Only 5ML size is available from Merck and Falcon. Days supply requirement is listed.
- March 12, 2004—Lorazepam/Clorazepate Assistance Program: On March 29, 2004, the Department of Aging will implement the Lorazepam/Clorazepate Assistance Program known as the PA (Pennsylvania) Patient Assistance Program. This new program reimburses for generic formulations of lorazepam and clorazepate.
- March 26, 2004—Renagel®: Effective Monday, March 29, 2004 all claims for sevalamer hydrochloride (Renagel®) will be denied at the point of sale.
- March 26, 2004—ProDUR Edit Revisions: Effective March 29, 2004, the following list shows the recommended initial maximum dose, maximum daily dose and duration criteria have been added to the Department of Aging's Prospective Drug Utilization Review Program for the following class of drugs.
- May 14, 2004—Non-Participating Drug Manufacturers: Manufacturer Rebate Program requires manufacturers' whose products are paid for by PACE, to pay a rebate to continue having PACE pay for their products. Attached is the latest information on non-participants.

PACE PROVIDER BULLETINS: 2002

- January 24, 2003—PACE Software Vendor List: Updates list of known software vendors that will be contacted regarding the requirements of the HIPPA initiative during the testing phase regarding NCPDP 5.1 and requests contact information from providers for vendors not included on the list.
- January 24, 2003—Requests to Void Prescriptions: The PACE Provider Manual, page IV.24 states that providers are responsible for voiding claims for prescriptions paid for by the Program but never received by the cardholder. This bulletin specifies costs and conditions involved with submitting voided claims.
- January 31, 2003—Important Cardholder Information: Lists retained and changed general access telephone numbers, as well as, new address of First Health Services/PACE.
- February 14, 2003—Lumigan® (bimatoprost): Describes dosing restrictions recommended by the manufacturer Allergan and describes subsequent PACE claim handling procedures regarding this medication.
- February 14, 2003—Avage® and Botox Cosmetic®: PACE legislation prohibits payment for “drugs prescribed for wrinkle removal . . . .”. This bulletin includes these medications in the category and removed them from PACE coverage.
- February 14, 2003—Medical Exception Processing for Lotronex®, Forteo® and Humira®: Specific guidance for these medications.
- March 28, 2003—Early Refill Edit: Effective Monday, April 14, 2003, PACE cardholders must use 85% of their medication, based on the previous prescription's days supply, before the Program will consider the refill for reimbursement.
- April 4, 2003—HIPAA: This bulletin is in response to inquiries regarding the responsibility of the Department of Aging, PACE Program and its contractor, First Health in achieving HIPAA (Health Insurance Portability and Accountability Act of 1999) compliance.
- April 11, 2003—Cardholder Information for Early Refill Edit Poster: Illustrated poster describing that effective Wednesday, May 14, 2003, PACE cardholders must use 85% of their medication, based on the previous prescription's days supply, before the Program will consider the refill for reimbursement.
- May 23, 2003—Provider Manual Insert: PACE legislation was amended in 1993 to require that cardholders be informed of the Usual and Customary price of the prescription they received under the PACE Program.
- June 6, 2003—Early Refill Edit: The Department of Aging is delaying the implementation of the revised early refill edit. As announced earlier, this revision will require that PACE cardholders must use 85% of their medication, based on the previous prescription's days supply, before the Program will consider the refill for reimbursement.
- August 22, 2003—Important Telephone Numbers: Lists retained and changed general access telephone numbers, as well as, new address of First Health Services/PACE.
- November 28, 2003—Program Changes: Changes pursuant to House Bill 888 become effective January 1, 2004. This bulletin specifies the most notable changes applicable to providers.

PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
• April 19, 2002—ProDUR Additions: Specifies several new additions to PACE Prospective Drug Utilization Review System. Included are: Prozac Weekly, Rivastigmine, Galantamine, Perindopril, Meloxicam, Doxycycline, Acetaminophen, Propoxyphene Napsylate and Propoxyphene HCL.

• May 3, 2002—PACE Moratorium Information: Provides for a readjustment of the COLA factor used by PACE to reprocess enrollments that were affected by a 2000 Social Security COLA adjustment in mid 2001.

• May 24, 2002—Tracleer™: Specifies the addition of Actelion Pharmaceutical’s Tracleer™ (bosentan) product to the PACE drug file. Describes the only approved diagnosis and explains the mandatory medical exception processing claims for Tracleer™ must undergo.

• August 23, 2002—PACE Moratorium Information: A supplemental PACE moratorium reprocessing project announcement. All affected cardholders and providers are being notified. A toll-free phone number is provided for additional information.

• September 6, 2002—Remodulin™: A treatment for pulmonary arterial hypertension (PAH), Remodulin™ (treprostinil) injection has been added to PACE program coverage but only for this diagnosis. Claims for this medication must go through the medical exception process to be considered for payment.

• November 8, 2002—HIPAA Compliance: Lists software vendors that will be contacted regarding the requirements of the HIPAA initiative and requests contact information from providers for vendors not included on the list.

• December 27, 2002—Mandatory Substitution of Prilosec: Identifies manufacturers that will be a source for the generic version of Prilosec, omeprazole.

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.

• May 25, 2001—TOBI®: Notified Providers that effective June 4, 2001, PACE will deny claims for TOBI®. Only approved FDA indication is for the “management of cystic fibrosis patients with Pseudomonas aeruginosa.” Off label indications will be denied. Medical Exceptions granted only upon confirmation from prescriber of a diagnosis of cystic fibrosis.

• June 26, 2001—PACE Moratorium Information: Provides for a readjustment of the COLA factor used by PACE to reprocess enrollments that were affected by a 2000 Social Security COLA adjustment in mid 2001.

• June 26, 2001—PACE Moratorium Information: A supplemental PACE moratorium reprocessing project announcement. All affected cardholders and providers are being notified. A toll-free phone number is provided for additional information.

• September 6, 2002—Remodulin™: A treatment for pulmonary arterial hypertension (PAH), Remodulin™ (treprostinil) injection has been added to PACE program coverage but only for this diagnosis. Claims for this medication must go through the medical exception process to be considered for payment.

• November 8, 2002—HIPAA Compliance: Lists software vendors that will be contacted regarding the requirements of the HIPAA initiative and requests contact information from providers for vendors not included on the list.

• December 27, 2002—Mandatory Substitution of Prilosec: Identifies manufacturers that will be a source for the generic version of Prilosec, omeprazole.
• June 26, 2001—Legislative Changes: PACE Moratorium: Notified Providers that PACE cardholders whose eligibility was terminated in 2001 solely because of a Social Security cost-of-living-adjustment would be reinstated automatically in PACE. An automated process to be established to address PACENET claims for cardholders reinstated into PACE.

• July 6, 2001—GLEEVECTM: Notified Providers that Novartis Pharmaceutical’s anti-cancer drug added to PACE drug file. Approved only for treatment of chronic myelogenous leukemia (CML) and not currently covered by Medicare. Provider should understand that PACE will ensure that drug is approved FDA indication and is prescribed in the approved dosage before authorizing payment.


• July 20, 2001—Renagel®: Notified Providers that effective immediately, only Medical Exception documentation received from prescriber verifying calcium phosphate products of 70 or greater will be considered for the granting of medical exceptions.

• August 10, 2001—Baycol: Notifies Providers that effective August 9, 2001, PACE no longer reimburses for Baycol because of a voluntary manufacturer withdrawal of the product.

• August 24, 2001—PACE Moratorium Agreements: Notifies Providers of agreement mailings and of process involved in the provider refunding the cardholder and PACE reimbursing the provider due to the Moratorium.

• September 21, 2001—Bronchodilator Drugs: Notifies Providers that effective October 1, 2001, the restriction of denying at point-of-sale the reimbursement of these agents has been removed. Medicare remains primary payor. PACE continues to reimburse at 20%, the part not covered by Medicare.

• September 28, 2001—Miscellaneous Agents, Maximum Dosing Edit: Notifies providers that effective October 8, 2001, PACE will review several new agents. Patients whose prescribing regimen exceeds PACE maximum daily dose will have their prescriber contacted to obtain documentation to support dosing therapy.

• November 30, 2001—National Drug Code (NDC) Accuracy: Reminds Providers of their responsibilities in accurately reporting NDCs. Discusses prohibited acts. Providers with error rates greater than 50% may be subject to recovery audit and termination.

• December 14, 2001—Other Prescription Coverage Edit: Specifies proper use of “Other Prescription Code” field and identifies NCPDP claim denial responses in the event of improper submission.

**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®; Hyaigan®; Polygam®; Imovax®; Leukine®; and Aredia® because PACE has been advised that, with the proper diagnosis, physicians may submit these claims to Medicare.


• 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 QTc value exceeds 450 milliseconds; and 3) Propulsid® is contraindicated in patients with electrolyte disorders (hypokalemia, hypocalcemia and hypomagnesemia). Serum electrolytes should be assessed in diuretic-treated patients before initiating Propulsid® and periodically thereafter.

• March 24, 2000—Dentist Prescribers. Notified Providers that effective April 3, 2000, and thereafter, claims containing a dentist’s license number in the prescriber license number field and submitted for pharmaceuticals other than antibiotics, analgesics, non-steroidals or fluoride preparations will reject with NCPDP Error 88, accompanied by the DUR response “CH.”

• March 24, 2000—Duplicate Therapy Edit. Notified Providers effective April 17, 2000 and thereafter, PACE is augmenting its Duplicate Therapy Edit for Benzodiazepines and Miscellaneous Sedative Hypnotics with the inclusion of Ambien® and Sonata®.
• March 31, 2000—Oral Antidiabetic Agents. Notified Providers effective June 5, 2000 and thereafter PACE will review claims submitted for oral antidiabetic agents for maximum daily dose.

• March 31, 2000—Antirheumatic Drug Therapy. Notified Providers that effective June 5, 2000 and thereafter, PACE will review claims submitted for the antirheumatic drug etanercept (Enbrel®).

• March 31, 2000—COX-2 Inhibitors. Notified Providers that effective June 5, 2000 and thereafter, PACE will review claims submitted for the COX-2 inhibitors (Celebrex®) and rofecoxib (Vioxx®) for maximum daily dose.

• March 31, 2000—Antiplatelet Agent PLETAL®. Notified Providers effective June 5, 2000 and thereafter, PACE will review claims submitted for the antiplatelet agent cilostazol (Pletal®) for maximum daily dose of 200 mg.

• March 31, 2000—Skeletal Muscle Relaxants. Notified Providers effective June 5, 2000 and thereafter, PACE will review claims submitted for skeletal muscle relaxants for both maximum daily dose and duration of therapy.


• 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

• 2/19/99: Kytril® and Zofran®: Reminder to providers that PACE will reimburse only on the 20% not reimbursed by DMER

• 2/19/99: 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.

• 2/19/99: Optometrist’s License Numbers: Notifies providers that Optometrists certified to prescribe and administer pharmaceutical agents for therapeutic purposes under section 4.1 of the Optometric Practice and Licensure Act are being issued a license with a suffix of “T.”

• 3/5/99: PACENET Deductible: Reminder to PACE Providers that the $500 PACENET deductible is accumulated based on each individual cardholder’s enrollment year; not the calendar year.

• 4/9/99: Notified PACE Providers that effective May 14, 1999, PACE will mandate substitution on the following medications: Lasix®, Depakene®, Mysoline®, Quinaglute Dura-tabs®, Mexitil®, Tegetrol® and all sustained-release Theophylline preparations.

• 4/9/99: Betoptic® Solution: Notified PACE Providers that Alcon Laboratories had informed PACE that it had discontinued production of Betoptic® solution in the 2.5 and 5 ml sizes.

• 4/30/99: Propulsid® Drug to Drug Interactions: Notifies providers that effective May 10, 1999, PACE will review history across all providers and reject all prescriptions in the drug classes which are contraindicated for patients using Propulsid®.

• 5/7/99: Drug Utilization Review Program: Notified Providers that effective May 15, 1999, several new and revised maximum daily dose criteria, duration criteria and duplicate criteria will be added to the PACE ProDUR Program.

• 7/2/99: Trovan®(Trovafoxacin/Alatrofoxacin Mesylate): Notified Providers that effective July 6, 1999, PACE will deny all claims for Trovan®. In accordance with FDA recommendations, PACE will reimburse for Trovan® only through the Medical Exception Process.

• 7/2/99: Medicare Reimbursable Chemotherapeutics: Notified Providers that effective July 12, 1999, the following pharmaceuticals will be included with those products being reimbursed by the PACE/PACENET Program at 20% Oaklide® and Neumega®.

• July 16, 1999—HISMANAL®. Notified Providers that effective July 26, 1999, PACE will no longer reimburse for HISMANAL®. This action is in response to Janssen Pharmaceutica informing the U.S. Food and Drug Administration that it has voluntarily decided to discontinue the manufacturing and distribution of HISMANAL® 10 mg tablets.

• July 16, 1999—Cellcept® and Prograf®. Notified Providers that effective July 26, 1999, PACE claims for Cellcept® and Prograf® may be submitted to the Program using the PACE On-Line Claims Adjudication System (POCAS) Medical Exception process.

• July 16, 1999—Drug Utilization Review Program Anti-obesity Agents. Notified Providers that effective July 26, 1999, maximum dose and initial duration of therapy criteria will be added to the PACE ProDUR Program specifically for the anti-obesity class of medication.

• September 3, 1999—NEORAL® and SANDIMMUNE®. Notified Providers that effective September 13, 1999, PACE claims for Neoral® and Sandimmune® will be adjudicated by the Program using the PACE On-Line 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

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PACENET cardholder for the prescription. The out of pocket expense, borne by the cardholder, is the amount the Program accumulates toward the cardholder’s $500 deductible.

- December 3, 1999—Medicare Reimbursable Agents. Notified Providers that effective December 13, 1999, PACE will deny claims submitted for all Medicare Reimbursable Agents. Providers attempting to bill for these products may contact Provider Services for a Medical Exception.

**PACE Provider Bulletins: 1998**

- 2/13/98: PACENET Deductible: Reminder to Providers that the PACENET $500 deductible is accumulated based on each individual’s enrollment year, not the calendar year. 2/13/98: PACE Required Documentation for “Brand Medically Necessary” (DAW Code 1) Prescriptions: Reminder to Providers who are being reimbursed for a Brand Name product having an A-rated generic because the Program has granted a cardholder medical exception or because the Program has elected not to require substitution must, by PACE regulation, have at the time of dispensing, a prescription on which the prescriber has handwritten “Brand Medically Necessary” or “Brand Necessary.”

- 2/13/98: Clozapine (Clozaril): Notified Providers that Clozaril is subject to the PACE Program’s mandatory substitution requirement. Generic clozapine is available from Zenith Goldline Pharmaceuticals.

- 2/13/98: Use of NDC Codes and Calculation of Reimbursement: Reminder to PACE Providers that all claims submitted to the Program for reimbursement must accurately report the labeler code and product code of the drug dispensed. Reimbursement paid by the PACE Program will be based upon the package size as reported by the Provider.

- 2/20/98: Other Prescription Coverage: Notified Providers that EOB Message “041—Billable to Other Payor” will soon be rejected with an Error Code 041.

- 2/27/98: Bromfenac Sodium Capsules (DURACT): Reminder to Providers that DURACT is only intended for the short term (10 days or less) management of acute pain and is not indicated for long term use. Notified Providers effective March 2, 1998 PACE will reject all claims for DURACT at the point of sale. A one-time medical exception will be considered, upon request from the Provider, for a maximum 10-day supply at a maximum dose that does not exceed 150 mg per day. Written correspondence from the cardholder’s physician will be necessary for reimbursement beyond ten days.

- 2/27/98: Mibefradil Dihydrochloride (POSICOR): Notified Providers of advisory issued by Roche Laboratories Inc. of reported cases of interaction of POSICOR with certain HMG-CoA Reductase Inhibitors. PACE claims for POSICOR identified as being coadministered with either lovastatin or simvastatin will reject with the NCPDP Error “88, DUR Reject”; PACE Error Code “706,” accompanied with the Conflict Code “DD,” the free text message of “DRUG-DRUG,” and the NDC of the drug in conflict.

- 4/10/98: PACE Cardholders Enrolled in Medicare HMO’s: Reminder to Providers that PACE Cardholders enrolled in Medicare certified HMO’s are entitled to the same prescription medications under the Medicare certified HMO as those covered under Medicare Part “B.” This entitlement is not affected by a cardholder’s decision not to subscribe to supplemental HMO offered prescription coverage.

- 4/17/98: Drug Utilization Review Program: Notified Providers effective April 22, 1998, several new maximum daily dose criteria, duration criteria and duplicate therapy criteria will be added to the PACE ProDUR Program. The criteria 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.

- 5/22/98: Drug Utilization Review Program: Notified Providers effective May 26, 1998 several new criteria will be added to the PACE ProDUR Program and applied to all claims submitted on or after this date for the medication Viagra. The criteria added are: maximum daily dose of 50 mg. Claims submitted for greater than 50 mg daily will require a diagnosis and approval through the PACE medical exception process. Duration of therapy will be thirty tablets per month. PACE will only reimburse claims submitted for male cardholders. Claims submitted for female cardholders will be reversed.

- 6/1/98: Drug Utilization Review Program: Notified Providers that Pfizer, Inc. has recently reiterated that patients taking nitrates in any form, including nitroglycerin and long-acting nitrates commonly used for chest pain, should not take Viagra. PACE will reject prescriptions for Viagra and Nitroglycerin at the point-of-sale in order to comply with this guideline for appropriate use.

- 6/12/98: RECALL: Notified Providers that a Voluntary Class I recall has been initiated by Meridian Medical Technologies, manufacturer of both Epipen and Epipen Jr. Auto-Injectors. All PACE cardholders for whom reimburse-ment was made during this period have been instructed to return their product to their pharmacy for a lot number review.

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• 6/12/98: RECALL: POSICOR—Notified Providers that Roche Laboratories Inc. is withdrawing POSICOR from the market effective June 8, 1998. The PACE Program will deny reimbursement for claims submitted with dates of service of June 9, 1998 or thereafter will be denied.

• 6/19/98: Cholinesterase Inhibitors: Notified Providers that effective June 22, 1998, several new maximum initial dose and maximum daily dose criteria will be added to the PACE ProDUR Program. The criteria added are for Tacrine (Cognex®), initial maximum dose 40 mg/6 weeks; 80 mg/6 weeks; 120 mg/6 weeks and a maximum dose of 160 mg; and Donepezil (Ariccept®), initial maximum dose 5 mg and a maximum dose of 10 mg.


• 6/26/98: Early Refill Edit Applied to Ophthalmics: Notified Providers that effective July 6, 1998, PACE is applying the early refill edit criteria to ophthalmic preparations requiring that at least 75% of the medication, based on the day’s supply submitted on the previous claim, has been used before PACE will consider reimbursement for a prescription refill.

• 12/11/98: Meridia® Drug to Drug Interactions: Notified Providers that in order to comply with the manufacturers’ warnings that Meridia® should not be used concomitantly with MAOI’s (at least a 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.

• 12/31/98: Drug Utilization Review Program: Notified Providers that effective January 4, 1999, revised criteria will be added to the PACE ProDUR Program and applied to all claims submitted on or after this date for the medication Viagra®. The criteria is as follows: Maximum Daily Dose—50 mg; Duration of Therapy decreased from thirty to eight tablets per month.

PACE Provider Bulletins: 1997

• 02/07/97: Brand Medically Necessary Update: Notified Providers that effective immediately PACE is no longer mandating generic reimbursement on the following brand medications: Lasix, Depakene, Tegretol, Myosoline, Quinaglute Durataabs (Quinidine Gluconate), Pronestyl SR, Mexitil and All Sustained Release Theophylline Preparations.

• 02/14/97: Mandatory Substitution Nitroglycerin Transdermal Patch: Notified Providers that effective February 21, 1997, the PACE Program will be mandating substitution on both Nitro-Dur and Transderm-Nitro.

• 03/01/97: PACENET: Reminder to Providers to encourage their older customers to make application for the new PACENET Program. Bulletin includes income requirements, information regarding the crediting of out-of-pocket expenses; use of 1997 PACE applications to apply for both PACE and PACENET and a reminder to discard the old 1996 enrollment applications.

• 03/28/97: Drug Utilization Review Program: Notified Providers that effective April 14, 1997, PACE will be adding new criteria to our Prospective Drug Utilization Review Program for HMG Co-A Reductase Inhibitors.

• 05/09/97: PACENET Claim Submission: Provides explanation to Providers regarding the $500 deductible and submission of out-of-pocket prescription expenses for PACENET cardholders.

• 06/20/97: Claim Timeliness: Reminder to Providers that PACE claims are to be submitted on the date of dispensing.

• 07/11/97: Fragmin: Notified Providers that on July 18, 1997, PACE would reimburse claims submitted for Fragmin only when being prescribed for the prevention of deep venous thrombosis, which may lead to a pulmonary embolism following abdominal surgery or hip replacement. Further, since Fragmin is indicated for short-term treatment (five to ten days), PACE would apply a duration of therapy edit of not greater than 14 days to all incoming claims.

• 8/7/97: Generic Update: Ranitidine: Notified Providers that Ranitidine currently being manufactured by Novopharm and Geneva is now available as a therapeutically equivalent generic for Zantac and effective Friday, August 15, 1997, PACE would be mandating substitution on Ranitidine.

• 8/7/97: 1997 Pharmacy Licensure: Reminder to Pharmacies that current pharmacy licenses expire August 31, 1997 and that PACE Regulations mandate that, “Only pharmacies and dispensing physicians that are currently licensed by the Commonwealth are eligible to participate as providers in the PACE Program.”

• 8/15/97: PACENET Claims: Reminder to Providers that they must submit all PACENET Cardholder prescription claims on POCAS to permit the accurate recording of the amount accumulating toward the $500 deductible.

• 8/15/97: Other Prescription Coverage: Reminder to Providers that, by statute, the PACE Program is the payor of last resort and will accept responsibility only for those costs not covered by the cardholder’s other prescription drug benefit program.

• 8/15/97: Notified Providers effective August 18, 1997, several new maximum dose criteria will be added to the PACE ProDUR Program. These new additions are: 1) Maximum daily dose and duplicate therapy (with ACE inhibitors) edit for angiotensin II antagonist inhibitor: Valsartan ( Diovan) 320 mg; 2) Maximum initial dose and maximum daily dose for antipsychotic agent Olanzapine (Zyprexa) 2.5 mg (initial) 10 mg (maximum); 3) Maximum daily dose and duplicate therapy for the HMG CoA Reductase Inhibitor: Atorvastatin (Liptitor) 80 mg (maximum); 4) Maximum daily dose and duplicate therapy for the beta blocker: Cavediol (Coreg) 100 mg (maximum); 5) Maximum initial dose and maximum daily dose for the antidepressant: Mirtazapine (Remeron) 15 mg (initial) 45 (maximum); 6) Maximum dose and duplicate therapy for the calcium channel blocker Nisoldipine (Sular) 60 mg (maximum); and 7) Maximum initial dose and maximum daily dose for the antipsychotic: Clozapine (Clozaril) 25 mg (initial) 100 mg (maximum).

• 8/29/97: Updated listing of Non-Participating Manufacturers.
9/12/97: Reinstatement of Common Package Size: Notified Providers effective September 15, 1997, PACE will reinstitute the Common Package Size pricing which was discontinued in November, 1996.

9/19/97: Audit Issues: Reminder to Providers their responsibilities regarding voiding claims payments for prescriptions that are not picked up by cardholders as well as maintaining an accurate, current signature log to identify the individuals who are receiving the PACE prescriptions dispensed by the Provider.

9/19/97: DAW/Product Selection Code: Reminder to Providers of the five codes used by POCAS.

10/3/97: Injectable Chemotherapy Antineoplastics: Reminder to Providers that Injectable chemotherapeutic antineoplastic claims are only reimbursed based on the 20% not covered by Medicare.

10/3/97: Claim Submission Timeliness: Reminder to Providers that they are required by contract to submit claims prior to dispensing.

10/17/97: Other Prescription Coverage: Notification to Providers effective November 3, 1997, PACE is implementing edit criteria to ensure compliance with the Program's requirement of billing other prescription plans prior to billing PACE. Providers entering a TPL indicator identifying “no other coverage” for a cardholder identified as having other prescription coverage will have the claim denied with the NCPDP Error Code 41 “Submit Bill to Other Payor.”

11/14/97: Drug Utilization Review Program: Notified Providers effective November 24, 1997, the following new maximum daily dose criteria will be added to the PACE ProDUR Program: Maximum daily dose edit for the centrally acting analgesic Tramadol (Ultram) 300 mg maximum for individuals 75 years of age or older and 400 mg for individuals younger than 75 years.

11/14/97: Drug Utilization Review Program: Notified Providers effective November 24, 1997, the following new maximum daily dose criteria will be added to the PACE ProDUR Program: Maximum daily dose edit for the miscellaneous sedative/hypnotics are as follows: Amobarbital (Amytal) 200 mg; Butabarbital (Butisol) 100 mg; Chloral Hydrate 1 gm; Pentobarbital (Nembutal) 100 mg; Etchchlorvynol (Placidyl) 500 mg; Secobarbital (Seconal) 100 mg; Amobarbital/Secobarbital (Tnuinal) 50/50 mg.

11/21/97: Reminder to PACE Providers to review their Remittance Advice and to pay particular attention to those claims with Message Codes 041 and 918, which address those claims for cardholders with other prescription coverage.

11/21/97: Oral Anti-Nausea Medication: Notified Providers effective December 1, 1997, PACE will be reimbursing only 20% of the Average Wholesale Price of oral formulations of Kytril and Zofran. Remaining cost of the drug will have to be submitted to the regional Medicare carrier, United Health Care in Wilkes-Barre for reimbursement.

12/26/97: Reminder to PACE Providers that claims submitted for brand name pharmaceuticals having an A-rated generic therapeutic equivalent will be denied unless a medical exception is granted or PACE does not mandate substitution for the product. PACE does not require substitution on these products with A-rated generics Warfarin Sodium (Coumadin); Carbamazepine (Tegetrol); Phenytoin (Dilantin); or Furosemide (Lasix).

PACE Provider Bulletins: 1996

1/08/96: Prilosec and Prevacid: Notified Providers these drugs would be edited for maximum duration for all claims dispensed on or after January 8, 1996.

1/26/96: Non-Participating Manufacturer List.

5/24/96: Biaxin FilmTabs (NDC: 00074248660): Notified providers of an error on the formulary file from 1/22/96 to 3/21/96.

5/24/96: Solopak Pharmaceuticals: Notified Providers that Labeler Codes 39769 and 59747 would be participating in the PACE Program.

7/12/96: PACE Cardholders with PEBTF Prescription Coverage: Notified Providers that PACE Cardholders with drug coverage through the Commonwealth's Retired Employees Health Plan had been notified they were being canceled from the PACE Program.

8/2/96: Other Insurance Coverage: Reminder to Providers to exercise reasonable diligence in ascertaining the existence of other prescription benefits before billing the PACE Program.

10/18/96: Injectable Chemotherapeutics: Reimbursement restrictions (20% of Average Wholesale Price) applied to injectable chemotherapy medications when administered through a home infusion pump or in a physician's office.

10/18/96: Vaccine Reimbursement: Notified Providers of a change in the reimbursement of vaccines to be implemented on November 11, 1996 for claims with a date-of-service on or after that date. The change is as follows: Vaccines used to provide immunization against pneumococcal pneumonia and influenza will no longer be reimbursed by the PACE Program. Vaccines used to provide immunization against hepatitis B will be reimbursed at 20% of the Average Wholesale Price.

10/18/96: Bronchodilator Drugs: Notified Providers that effective November 11, 1996, PACE will begin reimbursing only 20% of Average Wholesale Price for the following products: Acetylcysteine 10%; Acetylcysteine 20%; Albuterol Sulfate 0.08%; Albuterol Sulfate 0.5%; Bromodryn 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%; Metaproteron Sulfate 0.6% and Metaproteren Sulfate 5.0%.

11/21/96: PACE Legislative Changes: Notified Providers of increased income limits ($14,000 maximum for singles and $17,200 maximum for married); and Mandatory Substitution of A-Rated Multiple-source products.

11/21/96: PACENET Requirements: Notified Providers of income limits for PACENET cardholders (Between $14,000 and $16,000 if single; Between $17,200 and $19,200 if married); Annual Deductible ($500 per person) which PACE
Providers are expected to enter PACENET Enrollee’s out-of-pocket prescription expenses in POCAS; Mandatory Copayments ($8 per prescription for non-innovator, multiple-source (generic) products; and $15 per prescription for single-source and innovator multiple-source products); Mandatory Substitution of A-Rated Multiple-source products after deductible is met; and the claims reimbursement formula for PACENET claims would be AWP - 10% + $3.50 dispensing fee.

- 11/22/96: Third Party Liability: Notified Providers that a PACE cardholder’s I.D. card could currently contain two indicators that may affect coverage. The first indicator is a “Y” appearing in the lower right quadrant of the I.D. card meaning the cardholder has informed PACE that they have other third party insurance that is to be billed before PACE. The second indicator is an “L” appearing in the lower right quadrant of the I.D. card. This “L” means the cardholder has been restricted into receiving their PACE benefits at one specific provider.

- 11/22/96: Lovenox: Notified Providers that effective December 9, 1996, PACE will reimburse claims submitted for Lovenox only when being prescribed for the prevention of deep venous thrombosis, which may lead to a pulmonary embolism following hip or knee replacement surgery or general surgery which includes abdominal, gynecologic, urologic or thoracic. Further, since Lovenox is indicated for short-term treatment (seven to ten days), the Program will apply a duration edit of not greater than 14 days to all incoming claims.

- 11/22/96: Oral Vancomycin: Notified Providers that PACE would be applying a duration of therapy edit of not greater than 14 days for all incoming claims for oral Vancomycin.

- 11/22/96: Bronchodilator Drug Update: Reminder for Providers that reimbursement for the bronchodilator solutions used in either IPPB machines or nebulizers is limited to 20% of the Average Wholesale Price by PACE and suggested that Providers who do not currently have a Medicare provider number contact the National Supplier Clearinghouse in North Carolina to request an application.


- 12/01/96: Processing PACENET Claims: Provides information to assist pharmacies in the processing of claims for cardholders enrolled in PACENET.

- 12/13/96: Imitrex Tablets: Notified Providers that effective December 30, 1996, all claims for Imitrex will not be reimbursed for a quantity greater than nine or a days’ supply less than or equal to 25.

- 12/13/96: Nimotop: Notified Providers that effective December 30, 1996, claims for Nimotop will be denied at the point-of-sale. After determining the diagnosis, providers can contact the POCAS operators and obtain a Medical Exception. Although this medication is approved only for use in subarachnoid hemorrhage, there are several other off-label uses for which reimbursement will be made.

- 12/13/96: Revision: Non-Participating Manufacturer List.

- 12/20/96: Mandatory Generic Substitution: Advises providers to direct cardholder questions about the new mandatory substitution policy to the Cardholder Services toll-free number (1-800-225-7223).
—9/6/95: Early Refill Edit: Additional classes added to the Early Refill Edit.
—9/22/95: Drug Utilization Review Program: Effective 9/25/95 duplicate therapy edit applied to the following class of drugs: Proton Pump Inhibitors—Prilosec and Prevacid.
—10/95: PACE POCS Telecommunications Number: New direct number available to pharmacy providers for Primary Claim Submission: 950-5545.

**PACE Provider Bulletins: 1994**
—5/94: Prograf Billing Instructions
—5/94: Betaseron Billing Instructions
—7/1/94 Ophthalmics: Noted billing discrepancies regarding pharmacies reporting of the days supply.
—7/23/94: Narrow Therapeutic Index Exemption Listing (Revised)
—8/94: Incorrect Physician License Numbers: Notice to Pharmacy Providers of Procedures to Disallow Claims Submitted with Wrong Prescriber I.D.
—8/19/94: Physician/Medical Assistants: PACE Reimbursement of Prescriptions Written by Physician Assistants.
—9/23/94: Serevent: PACE will no longer reimburse for more than 13 gm of Serevent per prescription.
—9/30/94: Manufacturers’ Rebate Update
—10/3/94: DAW/Product Selection Code (Revised)
—10/21/94: Oral Contraceptives: Effective 10/30/94 PACE no longer reimburses except through the Medical Exception process.
—10/21/94: New Maximum Dose Criteria Added to the PACE ProDUR Program: Maximum daily dose and duplicate therapy criteria for NSAIDs (Trilisate; Disalcid; and Cataflam) and maximum daily dose criteria for miscellaneous anti-ulcer preparations (Propulsid and Reglan).
—11/18/94: Oral Chemotherapeutics: Effective 12/15/94 PACE reimburses only 20% of AWP for Cyclophosphamide 25 mg/oral; Cytoxan 50 mg/oral; Etoposide/Vepesid 50 mg/oral; and Melphalan/Alkeran 2 mg/oral.

**PACE Provider Bulletins: 1993**
—1/1/93: PACE Legislative Changes Effective 1/1/93
  • Dispense as Written (DAW) Codes
  • Mandatory Generic Substitution when an “A” rated generic therapeutically equivalent drug is available.
  • Pricing Information
  • Consultation Fee Discontinued
—3/1/93: Standard Error Codes
—3/1/93: Early Refill Edit
—3/1/93: Halcion Error Code Revisions
—3/1/93: Processing Requirements: Conversion to NCPDP Version 3.2
—5/14/93: Delay in Provider Reimbursement
—5/21/93: Change in the ProDUR screening criteria for H2 Receptor Antagonists effective 6/1/93.
—6/28/93: Implementation of PACE ProDUR Changes:
  • Maximum daily dose for NSAIDs
  • Maximum daily dose for Omeprazole, Sucralfate and Misoprostol.
  • Maximum daily dosage allowed for Famotidine (Pepcid) changed from 80 mg/day to 40 mg/day.
—7/1/93: Non-Participating Manufacturers List
—7/23/93: 30-Day Supply Requirements
—7/23/93: Narrow Therapeutic Index Exemption Listing (Revised)
—9/28/93: Manufacturers Rebate Update (Non-Participating Manufacturer List, effective 10/5/93 was attached.)
PACES Provider Bulletins: 1992
— 4/92: Provider Training Seminars (5/11/92 through 7/2/92)
— 5/29/92: Manufacturers' Rebate News: Center Laboratories
— 6/19/92: Manufacturers' Rebate News: Roxane Laboratories, Inc.
  — Astra Pharmaceutical Products
  — Ocumed
  — IPR Pharmaceutical
  — Immunex Corporation
— 8/16/92: PACE Rescue Plan: Implementation of ProDUR; NCPDP Version 3.2 and related Program Changes
— 9/92: Dixon-Shane recoupments/pharmacy credits.
— 12/23/92: Narrow Therapeutic Index Exemption Listing
— 12/92: Generic Substitution on Oral Prescriptions (Included Poster and Informational Flyers).

PACES Provider Bulletins: 1991
— 6/21/91: Co-Pay Change ($4 to $6 effective 7/1/91)
— 8/14/91: General Program Issues: Claims Payment
  Cardholder Eligibility Changes (Income Eligibility Changed to $13,000 for Single and $16,200 for Married Couples)
  Nursing Home Providers
  Cosmetic Drugs (Effective 10/1/91 claims for Rogaine and Retin-A no longer paid)
  Paper Claims (Only claims for Compound Drugs or claims whose Quantity is in Excess of 9999 accepted as paper claims)
  Persantine and Dipyridamole (These two drugs must have an indication on the prescription that it is being used as an adjunct to Coumadin anticoagulants for the prevention of postoperative thromboembolic complications of cardiac valve replacement in order to be allowed payment by (PACE).
  Audit Issues (Telephone Prescriptions and Brand Medically Necessary Requirements).
— 8/21/91: Final Instructions Concerning the PACE On-line Claims Adjudication System (POCAS).
— 9/27/91: Billing Instructions Cosmetic Drugs Exception Claim Processing POCAS, post payment review Nursing Home Claims

DIVISION OF CONSUMER PROTECTION
Contact: Robert Hussar, Division Chief (717)-783-6207

Current Aging Program Directives
Provided below is a comprehensive list of current Aging Program Directives. 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
— 95-01-09 Assessments of Persons With “An Other Related Condition” Who Are Exceptional Admissions
— 97-01-02 Accounting Manual For AAA Programs
— 98-01-02 Area Agency on Aging Program Income Policies
— 01-01-02 AAA Utilization of Federal Funds in Provision of Caregiver Services
— 01-01-10 Assistive Technology/ Risk Reduction Home Modification Program
— 02-01-03 Contract Procurement Requirements
— 02-01-11 Updated Area Plan Assurances—Attachment A—Attachment B
— 03-01-03 OPTIONS Cost Sharing—Fee Scale Attachment
— 03-01-06 Home and Community Based Services Procedures Manual (This Manual is a comprehensive guide to Department of Aging procedures. It is the operational handbook used by employees of Area Agencies on Aging. The
following are individual chapters from the Manual. They contain a significant number of appendices, which are not yet displayed. They will be added to this site in the near future. In the meantime, please contact the Department at 717-783-6207 for additional information.)

- Table of Contents
- Chapter 1—Assessments
- Chapter 2—Care Management
- Chapter 3—Programs and Requirements
- Chapter 4—Services
- Chapter 5—Hearings and Appeals

- Comprehensive OPTIONS Assessment Form (COAF) Instructions
- Comprehensive OPTIONS Assessment Form
- Nursing Facility OPTIONS Assessment Form
- 03-01-07 HIPAA Standards for Privacy of Individually-Identifiable Health Information and How the Requirements Impact the Pennsylvania Aging Network
- 03-01-10 FY 2004-2008 Four-Year Plan Requirements
- 04-01-02 AAA Program Requirements, Planning Allocations and Aging Services Block Grant Format for Fiscal Year 2004-2005
- 04-01-03 AAA Program Requirements, Planning Allocations and Tobacco/Bridge Agreement Format for Fiscal Year 2004-2005
- 04-01-05 FY 2004-2005 Program and Financial Reporting Requirements
- 05-01-01 (Amends APD 03-01-06, Chapter 3 of the Home and Community Based Procedures Manual)
- 05-01-02 2004-2005 Aging Block Grant Amendment: Final Funding Allocations
- 05-01-03 Area Agency on Aging (AAA) Program Requirements and Amended Planning Allocations for the Tobacco/Bridge Agreement for Fiscal Year 2004-2005
- 05-01-04 Area Agency on Aging (AAA) Program Requirements, Planning Allocations and Aging Services Block Grant Format for Fiscal Year 2005-2006
- 05-01-05 AAA Data Submission Requirements

Program Area 02—“Home Delivered Meals”
- See APD #04-03-01

Program Area 03—“Congregate Meals”
- 04-03-01 Policies and Standards for the Department of Aging-Funded Nutrition Service Programs

Program Area 04—“Socialization/Recreation/Education/Health Promotion”
- 96-04-01 Senior Community Center And Satellite Center Policies and Standards
- 98-04-01 PrimeTime Health Program

Program Area 05—“Employment Services”
- 95-05-02 Title V Senior Community Service Employment Program: Final Rule
- 96-05-02 Title V S.C.S.E.P.: Eligibility and Assessment Forms

Program Area 06—“Volunteer Services”
- 85-06-01 Volunteer Services

Program Area 07—“Passenger Transportation Services”
- 85-07-01 Policies for Transportation Services
- 04-07-01 Payer of Last Resort Policy

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
- 02-10-01 Implementation of Ombuds Manager
- 04-10-01 Components of an Effective Ombudsman Program

Program Area 11—“Information and Referral”
- 85-11-01 Policies and Procedures for the Provision of I & R Services by AAAs

Program Area 12—“Home Health”
- See APD #03-01-06.
Program Area 13—“Personal Care”
—See APD #03-01-06.

Program Area 14—“Personal Assistance Service”
—See APD #03-01-06.

Program Area 18—“Medical Equipment, Supplies and Adaptive Devices”
—See APD #03-01-06.

Program Area 19—“Home Support”
—See APD #03-01-06.

Program Area 20—“Adult Day Care”
—See 6 Pa. Code Chapter 11, Sections 11.1 to 11.292 and APD #03-01-06.

Program Area 22—“Assessments”
—See Book I of APD #03-01-06.

Program Area 23—“Care Management”
—See APD #03-01-06.

Program Area 24—“Protective Services Intake/Investigation”
—89-24-02 Required Standard Forms for Protective Services
—93-24-01 Protective Services Investigations
—93-24-02 Protective Services Investigations
—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 25—“Domiciliary Care”
—85-25-02 Statewide Expansion of Domiciliary Care Program
—93-25-01 Keys Amendment Implementation as It Relates to the Domiciliary Care Program
—03-25-01 Revised Domiciliary Care Agreement Forms
—04-25-01 Domiciliary Care Consumer Payment To Providers

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
—85-29-06 Interdepartmental Cooperative Agreement between the PDA and DPW, Office of Mental Health
—92-29-07 Advance Notice to Health Care Facilities Prior to Termination of Utility Service
—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
—00-29-01 Department of Aging Energy Emergency Response Plan

AGRICULTURE

POLICY STATEMENTS:

Bureau of Administrative Services
• Right-to-Know Procedures—Public Access to Information
Contact: Derek Ruhl (717-783-3577)

Bureau of Animal Health and Diagnostic Services
• Scrapie Containment and Eradication Strategy
Contact: Dr. Paul Knepley (717-783-8300)
• Chronic Wasting Disease Containment and Eradication Strategy
Contact: Dr. Paul Knepley (717-783-8300)

Bureau of Flood Distribution
• Allowable Uses of State Food Purchase Program Capital Asset Program (CAP) Monies
Contact: Sandy Hopple (717-772-2693)

Bureau of Market Development
• Instructions for Completion of Application for Capital Improvement Matching Funds Grant
Contact: Brant Bickel (717-787-5342)
• Guidelines: Agricultural and Rural Youth Grant Program Direct and Matching Grants
Contact: Brant Bickel (717-787-5342)
Pennsylvania State Harness Racing Commission
- Licensing Procedures and Standards for Applicants
  Contact: Anton J. Leppler (717-787-5196)

Pennsylvania Horse Racing Commission
- Licensing Procedures and Standards for Applicants
  Contact: Benjamin H. Nolt, Jr. (717-787-1942)

Pennsylvania State Conservation Commission
- Pennsylvania's Nutrient Management Plan Implementation Grants Program Application Form and Guidelines
  Contact: Karl Brown (717-787-8821)
- Pennsylvania's Nutrient Management Act Technical Manual
  Contact: Karl Brown (717-787-8821)
- Nutrient Management Program Administrative Manual
  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
- Woman, Infants and Children ("WIC") Clinic Procedure Manual
- Self Declaration of Need: Income Poverty Guidelines for TEFAP
  Contact: Sandy Hopple (717-772-2693)

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)
- Food Safety Concession Guidelines
- Ice Manufacturing Plants Consumer Confidence Program Guidelines
- Listeria Handbook for Retail Food Establishments
- Model Food Service Self-Inspection Checklist
- 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)

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 Act
- Directions for Renewing Specialty Fertilizer Registration in Pennsylvania
- Instructions for Licensing under the Pennsylvania Agricultural Liming Materials Act
  Contact: John Breitsman (717-787-4843)
- Instructions for Licensing under the Pennsylvania Seed Act
  Contact: Joe Garvey (717-787-5609)
- Directions for Registering Pesticides in Pennsylvania
• Experimental Pesticide Use Permits
• Grower Record Keeping Guidelines for Pesticide Applications made under an Emergency Exemption
• Instructions for Licensing under the Pennsylvania Soil and Plant Amendment Act
• Directions for Soil and Plant Amendment Registration in Pennsylvania
  Contact: John Lake (717-787-4843)
• IPM for Pennsylvania Schools: A How-To Manual
  Contact: Sara Pickel (717-772-5227)
• Greenhouse IPM with Emphasis on Biocontrol
  Contact: Cathy Thomas (717-772-5204)

**Bureau of Ride and Measurement Standards**
• Amusement Ride Operators’ and Attendants’ Manual
  Contact: Kent Shelhamer (717-787-6772)

**Pennsylvania State Conservation Commission**
  Contact: Karl Brown (717-787-8821)
• Interim Guidance Addressing Phosphorus and other Nutrients in Nutrient Management Plans
  Contact: Doug Goodlander (717-705-3895)

**INTERNAL GUIDELINES:**
**Bureau of Farmland Preservation**
• Checklist for Review of an Agricultural Conservation Easement Purchase Recommendation
• Checklist for Evaluation of a County Agricultural Conservation Easement Purchase Program
  Contact: Sandra Robison (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
• Producer Record Transfer Program
  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: Brant Bickel (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)
• Fertilizer Enforcement Action Penalty Matrix
  Contact: John Breitsman (717-787-4843)
• Soil and Plant Amendment Enforcement Action Penalty Matrix
  Contact: John Breitsman (717-787-4843)
• Pesticide Enforcement Action Penalty Matrix
  Contact: Joseph Uram (717-787-4843)
• Seed Enforcement Action Penalty Matrix
  Contact: Joe Garvey (717-787-5609)

**Pennsylvania Harness Racing Commission**
• Procedures with respect to Unlicensed Owners
  Contact: Anton J. Lepler (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)
• A Retailer’s Guide to Assuring Shelf Egg Safety & Quality
• Safe Handling of Eggs
• Safe Handling of Fresh Fruits & Vegetables
  Contact: Kim F. Miller (717-787-3294)

**Bureau of Plant Industry**
• Pennsylvania Pesticide Hypersensitivity Registration Information
  Contact: Dave Scott (717-772-5214)

**BANKING**

Nonregulatory public documents of the Department of Banking are divided into three indexed categories listed below: Letters from Secretaries of Banking to Regulated Entities; Guidance Available Regarding Compliance with Depository Institution Statutes and Regulations; and, Guidance Available Regarding Compliance with Licensee Statutes and Regulations. The contact person for all Department of Banking documents is Carter Frantz (717) 787-1471.

**SECRETARIES’ LETTERS**

The following is a historical list of letters to regulated entities from respective Secretaries of Banking providing guidance regarding compliance with statutes and regulations applicable to Pennsylvania state-chartered banking institutions, savings associations, credit unions, and nondepository institutions licensed to make mortgage and other types of loans in Pennsylvania.

**2005**

04/13/05  Secretary’s Letter states that overdraft protection programs are permissible for state-chartered depository institutions and provides guidelines for such programs

**2004**

12/1/04  The Secretary’s Letter request that State and National Banks, State and Federally Chartered Savings Banks and State and Federally Chartered Savings and Loan Associations consider the difficult winter period and the effect it will have on the cash flow of over 600 heating oil dealers operating in the Commonwealth.

09/30/04  Pennsylvania state-chartered trust companies, bank and trust companies, and savings banks and savings associations with trust powers may engage in fiduciary activities to the same extent as national banks without notice to the Department.

09/23/04  Secretary’s Letter on behalf of Governor Edward G. Rendell, encourage leaders of financial institutions to act with reasonable forbearance toward local governments, individuals and businesses which are experiencing financial difficulties due to the recent floods.

08/03/04  The Secretary’s Letter informs all lenders and brokers under the jurisdiction of the Department of the Department’s concerns related to the use of improperly influenced appraisals. Letter also addresses “builder exception” under the Mortgage Bankers and Brokers and Consumer Equity Protection Act.

03/19/04  Secretary’s Letter addresses terms and conditions of “selective first payment due date” options and “deferred first payment” options that may be offered to buyers as part of installment sale contracts under the MVSFA.

**2003**

9/30/03  The Secretary’s Letter states that overdraft protection programs permissible for state-chartered depository institutions and provides guidelines for such programs. OCC Interpretive Letter #914

9/2/03  The Secretary’s Letter informs all mortgage lenders and/or mortgage brokers of the restrictions regarding the use of lock-in agreements.
The Secretary's Letter reminds all motor vehicle lenders that PA law requires motor vehicle lienholders to mail or deliver the outstanding motor vehicle certificate of title to the vehicle owner immediately upon satisfaction of the respective lienholder's security interest in the vehicle.

The Secretary's Letter informs all mortgage lenders and/or mortgage brokers of the requirement to provide the written cautionary notice disclosure to an applicant for a "covered loan" at least three business days prior to consummation of that type of mortgage loan transaction.

The Secretary's Letter requests licensees and registrants under the Check Casher Licensing Act to voluntarily adopt a policy of cashing all government-issued checks at the rate authorized for government assistance checks in Section 503(a)(1) of the Check Casher Licensing Act.

The Secretary's Letter states that the Act 207 of 2002 provides Pennsylvania state-chartered credit unions parity with federally-chartered credit unions in regard to activities, field of membership requests, and investing in credit union service organizations, subject to a notice requirement.

Secretary's Letter stating that check cashers licensed by the Department of Banking must comply with the statement of policy issued May of 1998 concerning the Check Casher Licensing Act. The statement of policy provides that check cashers should post a notice of exact fees and charges, which shall be within the maximum prescribed in the act. The notice should be in plain view and in a location readily apparent to the consumer transacting business at each check cashier location.

Secretary's Letter stating that retail food stores registered with the Department of Banking must comply with the statement of policy issued May of 1998 concerning the Check Casher Licensing Act. The statement of policy provides that check cashers should post a notice of exact fees and charges, which shall be within the maximum prescribed in the act. The notice should be in plain view and in a location readily apparent to the consumer transacting business at each check cashier location.

The Secretary's Letter discusses state-chartered banks engaging in payday lending activities.

The Secretary's Letter discusses the Streamlined Call Report filing requirements.

This letter is to set forth in writing the Pennsylvania Department of Banking (the "Department") position on issues related to the ability of a Pennsylvania state-chartered bank, bank and trust company, or savings bank ("PA Bank") under Section 322 of the Banking Code of 1965 ("Section 322"). 7 P. S. § 322.

Secretary's Letter regarding President Bush's Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit or Support Terrorism.

Letter to announce Act 55 of 2001, the Mortgage Bankers and Brokers and Consumer Equity Protection Act. A summary of Act 55 is attached to the Secretary's letter.

Letter announces that Pennsylvania state banking institutions and Pennsylvania national banks are hereby permitted to observe Monday, November 12, 2001, as an optional legal holiday in recognition of Veteran's Day.

Governor Ridge signed into law as Act 89 of 2000, the Bank Parity Bill, HB 2533 of 2000 (P. N. 4073).

Pennsylvania State-chartered banks, bank and trust companies and savings banks may establish and operate messenger service branches.

Loans to Directors and Section 1414.

Department's General Position on Internet Banking.

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."

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.

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.

1998
1-23-98  Year 2000 readiness and credit underwriting criteria for credit unions.
1-15-98  Year 2000 readiness and credit underwriting criteria.

1997
6-9-97   Letter addresses electronic submission of Call Reports.
4-24-97  Letter discusses computer problems in the year 2000.
1-31-97  Letter regarding federal regulatory agencies having adopted a revised Uniform Financial Institutions Rating System which has been known as CAMEL.

1996
11-25-96 Letter discusses the adjustment to the overhead assessment methodology for non-depository trust companies that it implemented in 1994.
4-16-96  Letter regarding authority of Pennsylvania state-chartered banking institutions to sell annuities issued by insurance companies.
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 your customers by this devastation.

1995
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, effective February 12, 1995.
7-11-95  Letter regarding Act 39 of 1995, amends the provisions of Pennsylvania's Banking Code to authorize full interstate banking and branching under Pennsylvania law and to facilitate the operations of interstate banks in Pennsylvania.
3-24-95  Letter regarding the Simplification and Availability of Bank Credit Act.

1994
11-17-94 Letter to the Presidents and Chief Compliance Officers of Pennsylvania First Mortgage Companies regarding mortgage companies disbursing loan proceeds in a form prescribed by applicable law.
11-8-94   Letter to all Chief Executive Officers of Banks, Bank and Trust Companies, Savings Banks regarding Assets pledged for uninsured trust deposits.
10-13-94  Letter to the Presidents of Pennsylvania State-Chartered Credit Unions regarding automated teller machines at locations other than credit union's principal place of business.
10-5-94   Letter to all Chief Executive Officers of Banks, Bank and Trust Companies, Trust Companies, Savings Banks, Savings and Loan Associations regarding role change for outside auditors.
8-22-94  Letter to Chief Executive Officers of Pennsylvania Banking Institutions regarding bank holidays.
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.
3-29-94  Letter to the Chief Executive Officers of Pennsylvania State-Chartered Non-Depository Trust Companies regarding the Department revising its examination/assessment billing method for non-depository trust companies.

1993
12-9-93  Letter to the Presidents and Chief Executive Officers of Pennsylvania State-Chartered Banking Institutions regarding a new schedule for costs associated with the examination and supervision of state-chartered banks.

1992
9-24-92   Letter to the Presidents and Chief Executive Officers of Pennsylvania State-Chartered Banking Institutions regarding evaluating the adequacy of capital and loan loss reserves separately.

1991
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.
8-23-91 Letter to all CEOs of Pennsylvania Chartered Savings Associations and all Pennsylvania Department of Banking Examiners clarifying its 7-29-91 interpretation of section 510 of the Savings Association Code of 1967, 7 P. S. § 6020-70(a)(3) 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.

7-29-91 Letter to all CEOs of Pennsylvania Chartered Savings Associations and all Pennsylvania Department of Banking Examiners interpreting section 510 of the Savings Association Code of 1967, 7 P. S. § 6020-70(a)(3).

5-2-91 Letter to all Pennsylvania State-Chartered Banks, Savings Associations, and Credit Unions, OCC, OTS, NCUA, FDIC, Federal Reserve Board and all State Financial Regulatory Agencies informing them that Settlers Trust Savings Bank has not been and is not currently chartered to be a Pennsylvania state-chartered or federally chartered bank, bank and trust company, savings bank, or savings association.

1990

12-3-90 Letter to the Executive Officer of the banking institution addressed: regarding the new minimum requirements for Annual Audits performed by Certified Public Accountants.

7-10-90 Letter to CEOs of Pennsylvania Financial Institutions informing them of an enforcement order against Mellon Bank, N. A. by the Pennsylvania Department of Insurance—re: Collateral Protection Insurance. Letter requests a summary of any existing collateral protection insurance programs to be used by the Department to assist the Department in drafting regulations to determine reasonable fees for licensees under the MVSFA.

7-10-90 Letter to CEOs of all Pennsylvania financial institutions informing them of the Department’s opinion on the applicability of the “Anti-takeover law,” Act 36 of 1990.

7-10-90 Letter to CEOs of all Pennsylvania Credit Unions informing them that credit unions must take immediate action in order to retain the power to indemnify their directors and volunteer officers. Also informing them that a special meeting of the board of directors should be called immediately to discuss adoption of a bylaw opting out of new provisions of the recently enacted “Anti-takeover Law,” Act 36 of 1990.

6-11-90 Letter to CEOs and Boards of Directors of State-Chartered Credit Unions informing them that strict compliance with section 27 of the Credit Union Act, 15 Pa.C.S.A. § 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.

6-6-90 Letter to CEOs of state-chartered commercial banks and state-chartered credit unions informing them of the Department’s opinion on the permissibility of the Federal Home Loan Bank of Pittsburgh (“FHLB/P”) offering membership to other depository institutions in PA. Specifically, the FHLB/P would like to extend offers of membership to state-chartered commercial banks and state-chartered credit unions in PA.

5-17-90 Letter to CEOs of all Pennsylvania banking institutions informing them that the Department has recently issued an opinion regarding the impermissible collateralization of interest rate swap agreements.

4-30-90 Letter to all state-chartered credit unions issuing a new fee schedule for overhead assessment.

3-5-90 Letter to CEOs of all federally-insured state-chartered banks and S & Ls discussing the Resolution Trust Corporation, who is soliciting potential bidders for failing S&Ls. Letter requests institutions who are considering bidding to notify this Department before the bidding process begins.

1-18-90 Letter discusses FIRREA and additional language added to Section 222, entitled ACTIVITIES OF SAVINGS ASSOCIATIONS, which adds a new section to the Federal Deposit Insurance Act, Section 28, which states that Disclosures by Uninsured Savings Associations which are not insured by the Corporation, shall disclose that Disclosures by Uninsured Savings Associations which are not insured by the Corporation, shall clearly and conspicuously that the savings association’s deposits are not federally insured.

1989

11-1-89 Letter to CEOs of PA Banking Institutions discusses legal holidays for 1990. The Department has been advised by the Federal Reserve Banks of Philadelphia and Cleveland that it is their intention to observe Veterans' Day on Mayday, November 12. The Department exercises its authority under Section 113(b)(x) that all state-chartered institutions have the option to observe Monday, November 12, 1990, as an optional holiday.


8-11-89 Letter to PA savings associations which are insured by the PSAIC regarding Financial Institutions Reform, Recovery and Enforcement Act and Section 222, entitled “Activities of Savings Associations” which requires certain disclosures be made by non-federally insured savings associations.

4-13-89 Letter discusses House Bill 979, Act 173 of 1988 which makes several significant changes in the Banking Code of 1965, 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.

1988

11-3-88 Letter regarding survey of institutions offering low-cost checking and savings accounts.
Letter announces survey to be conducted by the Department regarding low-cost deposit accounts availability
at banks and savings and loan associations.


Letter mailed to state-chartered banking institutions asking for a Report of Condition and Report of Income
as of the close of business 9-30-88.

Letter to lenders asking them to act with forbearance toward farmers who may have been experiencing
financial difficulties due to poor weather conditions.

Letter announces increase in assessments.

Letter to CEOs of bank and trust companies discusses the review of assessment fees for trust companies and
trust departments. Letter asks institutions to complete a Report of Trust Assets.


Letter to realtors discusses Senate Bill 7 of 1988, the Mortgage Bankers and Brokers Act.

Letter discusses the liquidation of TMIC Insurance Company and the need for some financial institutions to
obtain alternate coverage.

Letter to bank and savings and loan association CEOs—re: provisions of the Uniform Commercial Code
regarding full-day hours during the holidays.


Letter discusses requirements under Section 403 of the Banking Code of 1965 relating to report of condition
& report of income.

Letter addressed to CEOs of all PA state-chartered banking institutions discusses Sections 1407(a) and
1407(c) of the Banking Code of 1965, which revises the minimum requirements for Directors' audits
performed by CPAs.

Letter discusses permissibility of purchase or establishment of discount brokerage office subsidiaries under
sections 311(b), 502(d) and 203(d) of the Banking Code of 1965.

Letter discusses Senate Bill 1389, Act No. 205 of 1986, amending various provisions of the Banking Code of
1965 (P. L. 847 No. 346) particularly § 1610 relating to fair pricing provisions.

Letter discusses permissibility of investment on mutual funds under the provision of the Banking Code of
1965, 7 P. S. § 307.

Letter contains a list of fixed and optional bank holidays for 1987.


Letter discusses ownership of stock by state chartered institutions of out-of-state bank holding companies and
7 P. S. §§ 116, 311.


Letter announces CSBS Computer Audit & Control Conference for bankers.


Letter announces Martin Luther King, Jr.'s Birthday as a fixed holiday.

Letter lists all fixed and optional bank holidays for 1986.

Letter requests report of condition and income as of the close of business—9/30/85.

Letter announces upcoming examination of all corporations licensed under Pennsylvania's Secondary
Mortgage Loan Act.

Letter discusses brokered loan fraud.

Letter announces “Day with the Secretary” program.

Letter discusses requirements for directors' audits pursuant to 7 P. S. § 1407(a) and the relevant regulations.

Letter announces CSBS Computer Audit and Control Conference for bankers.

Letter announces substantive amendments to 7 P. S. § 408, House Bill No. 2453, Act No. 1984-217.

Letter announces staff changes in the banking bureau of the Department.

Letter discusses requirement of § 1407 of the Banking Code of 1965 regarding audit requirements.

Letter discusses increasing fees and charges for traditional financial services.
10-9-84 Letter discusses Section 105(B.1) of the Banking Code of 1965, establishment of additional offices in Pennsylvania by foreign banking organizations.
7-13-84 Letter discusses amendment to Section 1910(d) of the Banking Code of 1965, which requires directors and officers to have an audit performed of the books and affairs of the institution at least once per year.
6-18-84 Letter announces Department's revisions to branch application forms.
6-14-84 Letter discusses Banking Code of 1965, § 307—Investment Securities (other than stock) and OCC revising its interpretation of ruling 7.1100, redefining capital and surplus for the purposes of investment limitations.
3-5-84 Letter is a reminder of importance of making and maintaining arrangements to backup data processing equipment and provide for reconstruction of records.
2-23-84 Letter discusses Section 319 of the Banking Code of 1965 and variable rate consumer installment loans.
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.
1-24-84 Letter discusses Section 307 of the Banking Code of 1965 and investments in shares of money market mutual funds.

1983

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 of 1965.
12-1-83 Letter discusses impact of deregulation on industry.
10-13-83 Letter announces deletion of Section 14.1 and 14.2 from Title 10 of the Pa. Code.
10-7-83 Letter announces 1984 legal bank holidays.
4-14-83 Letter discusses Garn-St. Germain Depository Act of 1982 and preemption of state law re: alternative mortgage loans and override of 7 P. S. § 505.
4-12-83 Letter regarding electronic automation.
4-8-83 Letter regarding the 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.
2-28-83 Letter discusses annual audits requirement contained in Section 17.1(a), Title 10 of the Pennsylvania Code.
2-15-83 Letter discusses mortgage loans requiring special consideration such as those affected by temporary unemployment of borrower.
1-24-83 Letter discusses exercising of compassion and forbearance in dealing with unemployed customers.
1-17-83 Letter discusses recent amendments to Chapter 7 of the Banking Code of 1965, as amended.
1-3-83 Letter concerns substantial increase in the number of institutions advertising repurchase agreements.

1982

12-8-82 Letter discusses examination of PA Bank Holding Companies by Department.
7-30-82 Letter addressed to thrift CEOs and discusses asset restatement accounting.
7-2-82 Letter to MVSFA licensees discusses Act No. 160 of 1982 and maximum permissible finance charges.
4-5-82 Letter announces change of policy from capital-to-deposit ratio as a measurement of capital adequacy to capital-to-assets ratio.
4-2-82 Letter discusses the technological revolution which is affecting the banking industry. The letter also announces a presentation of CSBS Bank Executives EDP/EFT Conference to be held in Philadelphia, April 27-28, 1982.

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.

1981
10-13-81 Letter discusses sections 702(c) and 610(c) of the Banking Code of 1965, as amended.
10-9-81 Letter announces CSBS Computer Audit and Control Conference for Bankers.
1-21-81 Notice of authorization to close banks in Philadelphia for official celebrations.

1980
11-7-80 Letter lists legal bank holidays for 1981.
10-28-80 Letter discusses proposed amendments to Department regulations pertaining to Legal Reserve Funds, 10 Pa. Code, Chapter 11.
7-7-80 Letter announces “Day with the Secretary” program.
6-17-80 Letter discusses Chapter 7 and Section 103 of the Banking Code of 1965, as amended, and Section 202 of the Banking Code of 1933, as amended, legal reserves of PA nonmember banks.
6-10-80 Letter discusses Section 318 of the Banking Code of 1965 and permissible interest computations.
3-13-80 Letter discusses proposed legislation requiring mandatory reserves to be maintained at the Federal Reserve.
2-14-80 Letter discusses Act No. 286 of 1980 and new requirements for CPAs.
2-4-80 Letter discusses conversions of PA National Banks to State Charters.
1-2-80 Letter discusses federal law preemption of first lien residential mortgage rate portion of Pennsylvania usury law.

1979
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.
11-16-79 Letter discusses legal bank holidays.
11-1-79 Letter discusses attempts to curb inflation and to maintain stability and balance in Pennsylvania.
10-26-79 Letter regarding a Conference on technological revolution involving electronics.
10-9-79 Letter discusses Outstanding Mortgage Loans
10-8-79 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.
7-26-79 Letter discusses outstanding mortgage loans.

1975
3-7-75 Letter discusses instructions for filing documents with the Corporation Bureau of the Department of State.

1966
3-14-66 Letter

POLICY STATEMENTS
- 10 Pa. Code §§ 13.61—13.68—Exception to Definition of “Branch”
- 10 Pa. Code § 21.61—Insurance and Annuities (Act 40 of 1997 was enacted after issuance of this Statement of Policy)
- 10 Pa. Code § 41.3a—Calculation of Consumer Discount Company Act default charges—Statement of Policy
- 10 Pa. Code Chapter 81—Check Cashers—Statement of Policy

INDEX OF GUIDANCE AVAILABLE REGARDING COMPLIANCE WITH DEPOSITORY INSTITUTION STATUTES AND REGULATIONS
The following is a list of applications and instructions to assist depository institutions in complying with various provisions of the statutes and regulations respectively applicable to Pennsylvania state-chartered banking institutions, thrift institutions, and credit unions.
Branch Applications:
DeNovo Branch—Bank, Savings Association, Credit Union, Non-Depository Trust Company
Purchase of Assets/Assumption of Liabilities—Bank, Savings Association
Remote Service Facility—Savings Association
Branch Relocation—Bank, Savings Association
Relocation of Main Office—Savings Association
Branch Discontinuance—Bank, Savings Association
Foreign Bank Office
• Conversions
National Bank to State Bank
Savings Association to Savings Bank
Mutual Savings Bank to Stock Savings Bank
Mutual Savings Association to Stock Savings Association
Federal Credit Union to State Credit Union
• Mergers
Banks
Savings Associations
Credit Unions
• Charters
Bank
Interim Bank
Savings Association
Interim Savings Association
Credit Union
Non-Depository Trust Company
• Dissolutions
Savings Associations
Bank
• Intrastate Acquisitions
Bank Holding Company
Thrift Holding Company
• Interstate Acquisitions
Thrift Holding Company
• Other
Change In Bank Control—Individuals
Mutual Holding Company Reorganizations
Trust Department—Bank, Savings Association
Bank Subsidiary and Parity Notice
INDEX OF GUIDANCE AVAILABLE REGARDING COMPLIANCE WITH LICENSEE STATUTES AND REGULATIONS
Instructions for license applications, and Guidelines for compliance are available regarding each of the following statutes and, to the extent that regulations have been promulgated, their respective underlying regulations:
• Mortgage Bankers and Brokers Act,
• Secondary Mortgage Loan Act,
• Consumer Discount Company Act,
• Money Transmitter Act,
• Motor Vehicle Sales Finance Act,
• Pawnbrokers License Act,
• Check Cashers Licensing Act, and
• Credit Services Act.
In addition to the above indices, the Department of Banking maintains interpretive letters addressing the applicability of statutes and regulations administered by the Department of Banking to specific fact patterns. The Department may provide a summary of the Department’s position on a particular issue or a redacted interpretive letter when appropriate in response to particular questions previously addressed by the Department, in order to assist the public and members of the lending industry in complying with laws administered by the Department. The Department of Banking will continue to issue interpretive letters on a case basis when appropriate regarding new issues raised by persons requesting such interpretive information.

COMMUNITY AND ECONOMIC DEVELOPMENT

I. POLICY STATEMENTS:
Center for Business Financing
- Loans:
  - Machinery and Equipment Loan Fund
  - Pennsylvania Industrial Development Authority
  - Steven Clarke (717-787-6245)

Center for Private Financing
- Private Activity Bonds
  - Gail Wagner (717-783-1109)

Strategic Planning and Operations Office
- Community Revitalization Program
  - Richard Guinan (717-787-7402)

II. GUIDANCE MANUALS:
Business Development Deputate
- Business Financing Programs
  - Customer Service: 1-800-379-7448 or 717-787-3405

Center for Entrepreneurial Assistance
- Entrepreneurs Guide: Starting and Growing a Business in Pennsylvania
  - Isabelle Smith (1-800-280-3801)

Governor’s Center for Local Government Services
- Administering Police Services in Small Communities
- Annual Audit and Financial Report
- Auditor’s Guide
- Borough Council Handbook
- Borough Mayor’s Manual
- Boundary Change Procedures
- Chart of Accounts
- Citizen’s Guide to Local Government
- City Government
- Councils of Governments, 2002 Directory
- Councils of Governments Director’s Handbook
- County Annual Financial Report
- County Chief Clerk’s/Administrator’s Manual
- County Commissioners Manual
- Debt Management Handbook
- Flood Plain Management Regulations
- Elective Office in Local Government
- Financial Monitoring Workbook
- Fiscal Management Handbook
- Home Rule in Pennsylvania
- Insurance Primer for Municipal Officials
- Intergovernmental Cooperation Handbook
- Local Taxpayers Bill of Rights and Real Property Tax Payer Programs under Act 50 of 1998
- Local Government Regulation of Wireless Telecommunications Facilities
- Model Hiring Manual
- Municipal Authorities
- Municipal Secretary’s Manual
- Municipalities Financial Recovery Act
- Open Meetings/Open Records, The Sunshine Act and Right to Know Law
- Pension Manual
- Public Works Manual
- Purchasing Handbook
- Referendum Handbook
- Regional Police
- Risk Manager’s Insurance Guide
- Solicitor’s Handbook
- Tax Collector’s Manual
III. DECISIONS:

IV. INTERNAL GUIDELINES:

Center for Business Financing

Grants Division:
- Commonwealth Financing Authority—First Industries/Agriculture
- Commonwealth Financing Authority—First Industries/Tourism
- Customized Job Training Program
- Guaranteed Free Training Program (WEDnet)
- Local Economic Development Assistance Program
- Opportunity Grant Program
- Opportunity Grant Program—Flood Disaster Relief Grant Program

Lynne Ruby (717-787-7120)

Loans Division:
- Machinery and Equipment Loan Fund
- Pennsylvania Industrial Development Authority
- Steven Clarke (717-787-6245)
Site Development Division:
Commonwealth Financing Authority—Business in Our Sites
Commonwealth Financing Authority—PennWorks
Infrastructure and Facilities Improvement Program
Industrial Sites Reuse Program
Infrastructure Development Program
Brian Eckert (717-787-7120)
Keystone Opportunity Zone
Thomas Usiadek (717-720-7344)

Small Business Financing Division:
Commonwealth Financing Authority—First Industries/Small Business First Program
Community and Economic Development Loan Program
Export Financing Program
Pollution Prevention Assistance Account
Small Business First
Underground Storage Tank Loan Program
Cathy Onyeaka (717-787-6245)

Tax Credit Division:
Educational Improvements Tax Credits
Job Creation Tax Credit Program
Pre-Kindergarten Tax Credit Business Guidelines
Ted Knorr (717-787-7120)

Center for Private Financing
Pennsylvania Capital Access Program
Accreditation Standards
Capacity Building Grants
Pennsylvania Community Development Bank Business Plan
State Accreditation Guidelines and Application
Underwriting
Steve Drizos (717-783-1109)

Commonwealth Financing Authority
Tax Increment Financing Guarantee Program
Brian Deamer (717-783-1109)
First Industries Tourism Loan Guarantee Program
First Industries Agriculture Loan Guarantee Program
Second Stage Loan Program
Craig Petrasic (717-783-1109)

Pennsylvania Economic Development Financing Authority
Conventional Bond Financing Taxable
Exempt Facility and Small Issue Bonds
Industrial Development Fund Financing
Revenue Bond & Mortgage Program
Gail Wagner (717-783-1109)
Taxable and Tax-Exempt Bond Financing
Craig Petrasic or Brian Deamer (717-783-1109)

Community Affairs and Development
Appalachian Regional Commission
Neil Fowler (717-214-5395)

Local Government Services Center
Early Intervention Program
Dean Fernsler (1-888-223-6837)
Floodplain Management
Kerry Wilson (1-888-223-6837)
Land Use Planning and Technical Assistance Program
John Mizerak (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
Ron Stern (1-888-223-6837)
Shared Municipal Services Program
Dean Fernsler (1-888-223-6837)
Tax Collector Training, Examination, Qualification and Continuing Education Program
Sharon Grau (1-888-223-6837)
Office of Community Development
Community Development Block Grant
Housing and Redevelopment Assistance
Emergency Shelter Grant Program
HOME Investment Partnerships Program
New Communities Program (Elm Street, Main Street, Enterprise Zone)
PA Community Development Block Grant Program
Pennsylvania Access Grant Program
Section 108 (of the Housing and Community Dev. Act) Loan Guarantee Program
   Ed Geiger (717-787-5327)

Office of Community Services
Community Services Block Grant Directives
Community Services Block Grant Program
Community Services Block Grant Discretionary Grants
   Jamie Reed (717-787-1984)
Family Savings Account Program
Family Savings Account Program Directives
   Patsy Taylor-Moore (717-787-1984)
Neighborhood Assistance Program
Neighborhood Assistance Comprehensive Service Program (not accepting new applications)
Neighborhood Assistance Enterprise Zone Tax Credit Program
Neighborhood Assistance Program
   Jamie Reed (717-787-1984)
Supported Engagement Program (instructions for application)
Weatherization Program
Weatherization Program Directives
   Patsy Taylor-Moore (717-787-1984)

Office of International Business Development
Export 2000 Block Grant
Governor’s Export Excellence Award
Market Access Grant
   Scott Conrad (717-787-7190)

Technology Investment Office
Ben Franklin Technology Partners
   Bill Cook (717-787-4147)
Commonwealth Financing Authority—New PA Venture Investment Program
Commonwealth Financing Authority—Building PA Program
   Rebecca Bagley (717-720-1367)
Cyberstart
   Sue Klosinski (717-705-6755)
Keystone Innovation Zones Program
   Tom Palisin (717-787-4147)
Keystone Innovation Grants
   Sherri Bushey (717-346-7046)
LifeSciences Greenhouse Program
   Lauren Lenfest (717-720-2359)
Pennsylvania Infrastructure Technology Alliance, PITA
   Bill Cook (717-787-4147)
Pennsylvania Industrial Resource Center Program
   Tom Palisin (717-787-4147)
Research and Development Tax Credit Assignment
   Bill Cook (717-787-4147)
Technology Company Investment
   Rebecca Bagley (717-720-1367)
Technology Development Grant
   Jeanine Marttila (717-787-4147)
University Research Grant
   Kelly Wylam (717-214-5330)
Workforce Leadership Grants
   Tom Palisin (717-787-4147)

Strategic Planning and Operations Office
Community Conservation and Employment Program
Emergency Responders Program
Local Municipal Resources and Development Program
Urban Development Program
   Richard Guinan (717-787-7402)
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: (Vacant) (717-783-3307)

Transfer or Exchange of State Park Land
Contact: Greg Schrum (717-787-6674)

State Park Natural Areas
Contact: Greg Schrum (717-787-6674)

Bureau of Recreation and Conservation
Land Acquisition Grants
Contact: Mike Schneider (717-772-3742)

GUIDANCE MANUALS:

Bureau of Forestry
Cooperative Forest Insect Pests Suppression Program—Procedure for Cooperator Participation Manual—County/Municipal Cooperator

Cooperative Forest Insect Pests Suppression Program—Procedure for Cooperator Participation Manual—Other Agency Cooperator

Cooperative Forest Insect Pests Suppression Program—Procedure for Cooperator Participation Manual—Forest Stewardship Cooperator

Cooperative Gypsy Moth Suppression Program Operating Procedure and Deadlines Manual
Contact: Donald Eggen (717-948-3941)

Forest Fire Warden Manual
Contact: Paul Sebasovich (717-783-7953)

Wildland/Urbanface Guidance Document
Contact: Paul Sebasovich (717-783-7953)

Forest Camp Lease Manual
Right-of-Way Manual
Contact: Jason Hall (717-787-2014)

Snowmobile Instructor's Manual
Contact: W. Paul Szabara (717-783-7941)

Forest Products Permit
Contact: John Hecker (717-787-4009)

Camping Permit
Contact: James Foose (717-783-7941)

District Forester Permit
Contact: John Hecker (717-787-4009)

Road Use Agreement
Contact: Jason Hall (717-787-2014)

Special Activities Agreement
Contact: James Foose (717-783-7941)

License for Right of Way
Contact: Jason Hall (717-787-2014)
Prospecting Permit
Contact: Ted Borawski (717-787-4835)

Seismic Survey Agreement
Contact: Ted Borawski (717-787-4835)

Oil and Gas Leases
Contact: Ted Borawski (717-787-4835)

Surface Use Agreements
Contact: Ted Borawski (717-787-4835)

Gas Storage Leases
Contact: Ted Borawski (717-787-4835)

Agreements of Consent to Assignments
Contact: Ted Borawski (717-787-4835)

Coal Agreements
Contact: Ted Borawski (717-787-4835)

Hard Mineral Agreement
Contact: Ted Borawski (717-787-4835)

Bureau of Recreation and Conservation
Pennsylvania Scenic Rivers Program Guidelines
Pennsylvania Scenic Rivers Program Management Guidelines
Pennsylvania Scenic Rivers Program Eligibility Process and Criteria
Contact: Terry Hough (717-783-2712)

Community Conservation Partnerships (C2P2) Grant Manual and Forms
A Guide to Funding Recreation and Conservation Projects
Contact: Greg Gove (717-783-2662)

Swimming Pool Management Manual
Contact: Greg Gove (717-783-2662)

Heritage Parks Program Manual and Forms
Contact: Alan Chace (717-783-5877)

County Greenways and Open Space Network Guidelines
Contact: Diane Kripas (717-772-1282)

Bureau of State Parks
Boat Docks
Rights-of-Way and Antenna Sites
Marina Manuals Contact: (Vacant) (717-783-3307)

EDUCATION

POLICY STATEMENTS:

State Board of Education
• Statement of Policy—Accrediting Organizations
  Contact: Jim Buckheit (717-787-3787)

Office of Educational Technology
• Act 197 Letter
  Contact: Kathy Brautigam (717-705-4486)

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
• BEC Drug and Alcohol Education, Counseling, and Support Services; 24 P. S. § 15-1547
  Contact: Kim Swarner (717-783-6777)
• BEC Education for Homeless Youth; 42 U.S.C.§ 11431 et.seq.
  Contact: Sheldon Winnick (717-772-2066)
• BEC Pregnant & Parenting Teen; 24 P. S. § 13-1327
  Contact: Dorothy Hershey (717-783-7089)
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: Marjorie Blaze (717-783-9252)

- Certification and Staffing Policies and Guidelines Regarding Education Certification and Staffing Requirements for Public Schools
  
  Contact: Marjorie Blaze (717-783-9252)

- Policy on Evaluation Procedure for Certificate of Preliminary Education Evaluation of Credentials

- Commonly Asked Questions on Act 48

- Memorandum to inform school entities of Computer Education Guideline

- Memorandum to inform school entities of Emergency Permits

- Memorandum to inform school entities of Emergency Permit Updates and Revised 338E Form

- Memorandum to inform school entities of Emergency Permit Electronic Processing for Day-to-Day Substitute Teachers

- Memorandum to inform school entities of English as Second Language: General Policies and Competencies

- Memorandum to inform school entities of Education Resolutions for No Child Left Behind Legislation

- Memorandum to inform colleges/universities of Test Rules for 2002-2003

- Notice to inform Out-of-State Certificate Candidates of Chapter 354 Regulations Regarding GPA and Math/English Requirements

- Notice to inform State Board Resolutions for Interstate Agreement and Replacement of PLT
  
  Contact: Kevin Corcoran (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)

- 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


- Professional Educator Preparation Memorandum—01 (February 2001) Guide to Interpreting Chapter 354

- Professional Educator Preparation Memorandum—02 (July 27, 2001)

- Professional Educator Preparation Memorandum—03 (September 18, 2001)

- Professional Educator Preparation Memorandum—04 (December 7, 2001)

- Professional Educator Preparation Memorandum—05 (February 20, 2002)

- Professional Educator Preparation Memorandum—06 (November 12, 2002)

- Professional Educator Preparation Memorandum—07 (May 19, 2003)

- Professional Educator Preparation Testing Memorandum—01 (January 22, 2002)

- Professional Educator Preparation Testing Memorandum—02 (April 29, 2002)

- Professional Educator Preparation Testing Memorandum—03 (May 30, 2002)

- Professional Educator Preparation Testing Memorandum—04 (January 10, 2003)


- Professional Educator Preparation Testing Memorandum—06 (November 21, 2003)

- Professional Educator Preparation Testing Memorandum—07 (July 12, 2004)

- Professional Educator Preparation Testing Memorandum—08 (April 29, 2005)

Contact: Marjorie Blaze (717-783-9252)

- Specific Program Guidelines for State Approval of Professional Educators (January 2001)

Contact: Marjorie Blaze (717-783-9252)

Bureau of Adult Basic and Literacy Education


- Policy Guidance A.100, Definition of Bureau of ABLE Policy
Office of Postsecondary and Higher Education

- Policies, Regulations and Guidelines for Pennsylvania Community Colleges
- Tuition Compliance Calculation at Community Colleges

Contact: Sandra Edmunds (717-772-3623)

Education for Corporations Interested in Receiving Authority to Offer Academic Programs in Pennsylvania Leading to Collegiate Level Degrees

Contact: Donald Paquette (717-787-6344)

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 Rullemaking—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
- Private Licensed School Memoranda—Fees
- Private Licensed School Memoranda—Non-Resident Program Application
- Private Licensed School Memoranda—Program Applications
School License Application Guidelines
New Program Application Guidelines
Private Licensed School Memoranda—Leave of Absence
Private Licensed Schools Memoranda—Enrollment in Single Courses
Private Licensed Schools Memoranda—Non-Resident Program Application
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: William O'Neill (570-963-4420)

Bureau of Career and Technical Education
Contact: Robert G. Barlett (717-787-5530)

Bureau of Teaching and Learning Support Services
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)
Enhanced Driver Education Program Guide
Contact: Robert Roush (717-783-6595)
Procedures for Establishing a Private Driver Training School
Contact: Harry Sherman (717-783-4382)

Bureau of Special Education
State Plan under the Individuals with Disabilities Education Act—Part B
Contact: John Tommasini (717-783-6134)
Memorandum to Local Education Agencies (Penn*Link): New Special Education Forms for LEA Use (June 15, 2005)
Memorandum to Local Education Agencies (Penn*Link): Responsibility for Transporting Children in Early Intervention Programs (April 18, 2005)
Contact: Esther Beck (717-783-6889)
Memorandum to Local Education Agencies (Penn*Link): Least Restrictive Environment (March 16, 2005)
Memorandum to Local Education Agencies (Penn*Link): Revised Individualized Education Program (May 28, 2004)
Memorandum to Local Education Agencies (Penn*Link): Important Notice Regarding IEP Requirements (November 12, 2003)
Memorandum to Local Education Agencies (Penn*Link): Reporting Students Assigned to Instruction in the Home and Homebound Instruction (April 3, 2000)
Contact: Linda McNelis (717-772-0635)

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 (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
Special Education Mediation Services
Education of Students with Hearing Loss
Contact: John Tommasini (717-783-6134)
School District Special Education Plan Guidelines
Intermediate Unit Special Education Plan Guidelines
Contact: Patricia Hozella (724-836-2460 X244)
Education of Mentally Gifted Students
Contact: Barbara Thrush (717-783-6881)
Disabilities Education Act—Part B Program Guidelines for Local Education Agency Applications
Contact: John Tommasini (717-783-6134)

Office of Educational Technology
Secondary Career and Technical Education Information System Instruction Manual for Student Data Submission, 2004-2005
Contact: Steve Simchock (717-787-2644)
Adult Career and Technical Education Instruction Manual, 2004-2005
Contact: John S. Creason (717-787-2644)
Contact: Deborah Rodrigues (717-787-2644)
Contact: Ron Hoerner (717-787-2644)
Bureau of State Library
- Revised Classification Scheme for Pennsylvania State Publications—Provides Call Numbers to be Used in Classifying Pennsylvania State Publications
  Contact: Ann Kemper (717-783-3884)

Bureau of Library Development
- Guidelines for Negotiating Agreements, 2003—Guidance for District Library Centers in Negotiating Service Agreements With Local Libraries
- Measuring Up To Standards: The Impact of School Library Programs and Information Literacy in Pennsylvania Schools 2000—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 Supplement 2003—Defines information literacy standards integrated into curricular areas.
  Contact: Barbara W. Cole (717-783-5722)

Bureau of Community and Student Services
- Pregnant and Parenting Teen Evaluation Packet
- Education Leading to Employment and Career Training Monthly Attendance Instructions
- Education Leading to Employment and Career Training Operational Manual
  Contact: Dorothy Hershey (717-783-7089)
- Services for Nonpublic School Students Program Guidelines
  Contact: Betsy Becker (717-783-3755)
- Guidelines for Student Assistance Program Implementation (Guidelines for Secondary Student Assistance Program Teams), September 1991
  Contact: Kim Swarner (717-783-6777)
- State District and School Report Cards CD ROMs
  Contact: John Weiss (717-772-8020)

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 Avolesa (717-705-6908)

Bureau of Teacher Certification and Preparation
- Pennsylvania Teacher Intern Certification Handbook and Institutional Listing (Revised, 1998)
  Contact: Marjorie Blaze (717-783-9252)
- Programs Approved for Teacher Education in Pennsylvania Colleges and Universities
- Education Testing Service Praxis Series Registration Bulletin
  Contact: Marjorie Blaze (717-783-9252)
- Pennsylvania Department of Education Application and Instructions for Professional Educator (Includes background information, application forms, and directions.)
Teacher Certification Information Sheets (Various handout papers used to respond to queries on professional educator certification in Pennsylvania.)
Contact: Kevin Corcoran (717-787-3356)

Guidelines for the Preparation of Self-Study Materials for Certification in Pennsylvania
Contact: Marjorie Blaze (717-783-9252)

Certification for Charter School Professional Staff
Application Booklets (Revised May 2001)
- Applicant Prepared Outside of Pennsylvania
- Emergency Permits and Act 97 Waivers
- Letter of Equivalency for Master's Degree
- Applicant Prepared In Pennsylvania
- Professional Educator Certificate (Revised 6/01)
- 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
- Informational Handout: Important Information About Your Certificate (Revised 6/02)
Contact: Kevin Corcoran (717-787-3356)

Bureau of Postsecondary Services
- Pennsylvania Department of Education Guidelines for the Approval of Degree Programs
- 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)

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: Paula Fleck (717-772-3623)

Bureau of Career and Technical Education
- Community College Variable Stipend Program Approved for 04-05
Contact: John Bonchalk (717-772-4177)
- Cooperative Education Guidelines for Administration
Contact: Lee Burket (717-772-4968)
- Application for Approval of the Nurse Aide Training Program Submission Guidelines
Contact: Carlyn Forlizzi (717-783-6975)
- 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 Works
- Tech Prep Works for Schools
- Tech Prep Works for Students
Contact: Susan Will (717-787-8804)
- Managing Local Plans Part II Technical Assistance Manual for Perkins One-Stop Partners in Pennsylvania Career Link Centers
Contact: Jerilynn Millvan (717-783-6619)
- Secondary Vocational-Technical Education Program Approval Application Procedure
Contact: Forrest Keiser (717-772-4968)
- New Choices/New Options Career Development for Single Parents, Displaced Homemakers, Single Pregnant Women and Individuals Interested in Nontraditional Vocational Education
- New Choices/New Options
Contact: Marian Thomas (717-787-8022)
- Self-Study Guidelines—Accreditation System of Institutions for Adult Education
- Administration Guidelines for the Accreditation System of Institutions for Adult Education
Contact: Robert Kline (717-783-6867)
• The Occupational Competency Assessment Program Brochure
  Contact: Robert Kline (717-783-6867)
• American Careers Parent Edition
• American Careers Student Edition
• American Careers Teacher Edition
  Contact: Jay Cannon (717-787-8022)
• Consider a Career as a Business, Computer and Information Technology Teacher: Educating for Success in Business and Life Brochure
• Business, Computer and Information Technology: Education for Success in Business and Life Brochure
  Contact: James A. Dilorio (717-346-4792)
• Child Development Laboratory Procedures Guidelines
• Pennsylvania’s Career Clusters: Focusing Education on the Future (PDE and PA Dept of L&I)
  Contact: Lydia Hess (717-772-4870)
• Industry-Recognized Certifications for Career and Technical Education Programs: A Resource Guide for Pennsylvania’s Career and Technology Centers
  Contact: Mary Beth Hassan (717-787-8022)
• Pennsylvania Area Career and Technical Education Schools 2002 Report
  Contact: Ron Hoerner (717-783-6760)
• Career and Technical Student Organizations Brochure
• Career and Technical Student Organizations in Pennsylvania
• FCCLA: The Ultimate Leadership Experience
• FCCLA State Officer and Adviser Handbook
• FCCLA Membership Brochure
• FCCLA Chapter Directory
• American FFA Degree Applications
• Ag Proficiency Award Applications
• PA SkillsUSA Personal and Liability Release Form
• PA HOSA Regional Directory
  Contact: Katherine Simchock (717-787-8804)
• Concordance
  Contact: Esther Brown (717-772-4968)
• High Schools That Work
• Pennsylvania Career and Technical Facts
  Contact: Vincent Safran (717-772-4968)

Bureau of Teaching and Learning Support Services
• Chapter 4 Strategic Planning Guidelines, May 2002
  Contact: Parker Martin (717-783-4307)
• Act 48 Professional Education Plan Guidelines, April 2000, amended May 2002
  Contact: Charles Sabulski (717-783-9260)
• Act 48 Approved Provider Guidelines, April 2000, amended November 2002
  Contact: Dale Baker (717-783-6583)
• PDE Policy on Free Access to PDE Online Professional Development, April 2002, amended August 2004
  Contact: Marian Sutter (717-772-3817)
• PDE Strategic Planning Midpoint Review Instructions, April 2003
  Contact: Marian Sutter (717-772-3817)
• Guidebook for Planning Programs for English Language Learners
• Instructions for Completing PDE 3044-45, Programs and Services for Students of Limited English Proficiency
  Contact: Barbara Mowrey (717-787-3499)
• ESL Monitoring Program
  Contact: Barbara Mowrey (717-787-3499)
• Education of Mentally Gifted Students
• Project REAL (Rural Education for Accelerated Learners)
  Contact: Karen Cobb (717-787-8913)
  Marian Sutter (717-772-4944)
• Induction Plan Guidelines, May 2002
  Contact: Charles Sabulski (717-783-9260)
• No Child Left Behind Act—Supplemental Education Services—Instructions for Completing the Provider Application (on PDE Website)
  Contact: Norma Hull (717-787-8631)
• BEC 22 Pa. Code § 04.26* Educating Students With Limited English Proficiency (LEP) and English Language Learners (ELL)
  Contact: Barbara Mowery (717-787-5482)
  Tami Shaffer (717-705-3829)
• PENNLINKS:
• January 12, 2005, SUBJECT: Parental Consent for English Language Instruction Programs
• February 11, 2005 SUBJECT: Title III Updates, (non-public guidance/LEP SYSTEM reminder)
• December 14, 2004 SUBJECT: Title III Updates, (Consortium Update and AMAOs)
September 24, 2004  SUBJECT: LEP Assessment (entrance, ongoing and exit)

April 23, 2003  SUBJECT: English Language Proficiency Assessment (annual required assessment)

Contact: Barbara Mowery (717-787-5482)
Tami Shaffer (717-705-3829)

PA Environmental Education Act of 1993. This Act set responsibilities for the Department of Education as it relates to environmental education for the school districts of the Commonwealth. It also sets responsibilities for formal and non-formal educational entities. This Act is incorporated into the PA School Code of 1949.

Contact: Patti Vathis (717-783-6994)

Pennsylvania Reading First Implementation Checklist
Contact: Dr. Geraldine Miller (717-783-6746)

Bureau of Budget and Fiscal Management
- Planning and Construction Workbook (Forms Used to Apply for Commonwealth Reimbursement for a School Construction Project)
- Revised Self-Certification Application Forms for Non-Reimbursable Construction Projects (PDE-3074(a), PDE-3074(b) and PDE-3074(c)
- Charter School Lease Reimbursement Program
Contact: Carle Dixon (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)
- Instructions for Reporting Child Accounting Data
- Instructions for Reporting Pupil Transportation Data
- Instructions for Charter Schools to Request Subsidy Withholding from School Districts
Contact: Barbara Nelson (717-787-5423)
- Individuals with Disabilities Education Act Part B (IDEIA-B) 2005-2006 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 (IDEIA-B) 2005-2006 Administrative and Fiscal Guidelines for Approved Private Schools
- Individuals with Disabilities Education Act Part B (IDEIA-B) 2005-2006 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 Giroloamo (717-783-6535)

Scranton State School for the Deaf
- Student Handbook
Contact: William O'Neill (570-963-4420)

Bureau of Assessment and Accountability
- Educational Empowerment Act—Annual Report
Contact: Sally Chamberlain (717-705-0863)
- Applying for a Waiver ... (on PDE Website)
- Shortcuts (on PDE Website)
- Provisions not Subject To Waiver (on PDE Website)
- Instructions for Mandate Waiver Application (on PDE Website)
- PDE-417 Mandate Waiver Application (on PDE Website)
- Mandate Waiver Program Evaluation Guidelines & Form (on PDE Website)
- Mandate Waiver Program—Annual Reports
Contact: Sally Chamberlain (717-705-0863)
- State, District and School Report Cards CD ROMs
Contact: John Weiss (717-772-0020)
- Writing Assessment Handbook
Contact: Ray Young (717-783-6636)
- Reading Assessment Handbook
Contact: Ray Young (717-783-6636)
- Mathematics Assessment Handbook
- Released Mathematics Items from the 2000 and 2001 Assessments
Contact: Ray Young (717-783-6636)

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
NOTICES

- 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 Pittsbugh School Districts) CAB # 1999-13
- Creative Education Concepts Charter School (Chester Upland SD) CAB # 1999-15
- Souderton Charter School Collaborative (Souderton Area SD) CAB # 1999-2
- Bucks County Montessori Charter School (Pennsyvania 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
- Kemet 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
- Lehigh Valley Academy Charter School (Sayona Valley SD) CAB # 2000-13
- Vitalistic Therapeutic Center Charter School (Bethlehem Area SD) CAB # 2000-15
- Dr. Lorraine K. Moscove Academy Charter School (Millcreek Township SD) CAB # 2000-16
- Learning Connection Charter School (Chester Upland SD) CAB # 2001-1
- Renaissance Academy of Pittsburgh, Alternative of Hope Edison Charter School (SD of Pittsburgh) CAB #2001-2
- Elan Charter School (Pensyvania SD) CAB # 2001-3
- Ricci J. Hausley Charter School (Philadelphia SD) CAB # 2001-4
- Thurgood Marshall Charter School (Wilkinsburg SD) CAB # 2001-5
- Phoenix Charter School (Philadelphia SD) CAB # 2001-6
- Penn Hills Charter School (Penn Hills SD) CAB # 2001-7
- David P. Richardson Charter School (Philadelphia SD) CAB # 2001-8
- Fell Charter School (Carbondale Area SD) CAB # 2001-9
- Grayslone Academy Charter School (Coatesville Area School District) CAB #2002-1
- Infinity Charter School (Central Dauphin School District) CAB #2002-4
- Einstein Academy Charter School (Morrissville Borough School District) CAB #2002-6
- Wonderland Charter School (State College Area School District) CAB #2002-7
- Lincoln-Edison Charter School (School District of the City of York) CAB #2002-03
- Montessori Regional Charter School (Millcreek Township School District) CAB #2002-05
- Einstein Academy Charter School (Morrissville Borough School District) CAB #2002-06
- Wonderland Charter School (State College Area School District) CAB #2002-07
- Propel Charter School (Steel Valley School District) CAB #2003-01
- Bear Creek Community Charter School (Wilkes-Barre School District) CAB #2003-03
- Bucks County Montessori Charter School (Pensyvania School District) CAB #2003-04

Contact: Ernest 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
- 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
- William Sousa v. Palsades 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 Ballinger 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
- Patricia Peffer v. Lake-Lehman School District, Teacher Tenure Appeal No. 9-93
- Mary Ellen Mea v. Morrisville School District, Teacher Tenure Appeal No. 5-95
- Arilda Mar, Philadelphia City School District, Teacher Tenure Appeal No. 7-95
- Sharron-Kimberly Kline v. Saucon Valley 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
- Jay Mastro v. City of Pittsburgh School Board, Teacher Tenure Appeal No. 1-98
- Carol Ann Russo v. Eastern Area School District, Teacher Tenure Appeal No. 4-98
• Mary Anne Norris v. Penns Valley Area District, Teacher Tenure Appeal No. 2-98
• Alice Hirsch v. Montour School District, Teacher Tenure Appeal No. 2-97
• Karen Korman v. Penns Valley Area School District, Teacher Tenure Appeal No. 1-99
• Kevin Santry v. Philadelphia School District, Teacher Tenure Appeal No. 2-99
• Stephen Males v. Marple Newtown School District, Teacher Tenure Appeal No. 1-00
• Janet A. Gamboa 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. Zeño 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
• Margaret McMaclin v. Pittsburgh School District, Teacher Tenure Appeal No. 5-99
• Mary Claire Brown v. Parkland Area School District, Teacher Tenure Appeal No. 7-97
• Robert Adams v. Harrisburg School District, Teacher Tenure Appeal No. 5-00
• Dr. Henry Benz v. Board of Public Education of the School District of Pittsburgh, Teacher Tenure Appeal No. 3-01
• Glenn Gow v. Big Spring School District, Teacher Tenure Appeal No. 1-97
• Carol Ann Russo v. Easton Area School District, Teacher Tenure Appeal No. 4-98A
• Maureen Joyce v. Board of Directors of Spring-Ford School District, Teacher Tenure Appeal No. 2-01
• Kenn Thomas v. Clearfield County Vocational-Technical School, Teacher Tenure Appeal No. 4-99
• Barbara Palumbo v. Board of Directors of DuBois Area School District, Teacher Tenure Appeal No. 4-01
• Jacquesyn NJ'ai v. Pittsburgh School District, Teacher Tenure Appeal No. 5-01
• William Brunson v. Coatesville Area School District, Teacher Tenure Appeal No. 1-02
• Thomas Hajduz v. Peters Twp. School District, Teacher Tenure Appeal No. 1-03
• Dr. Linda Portlock v. Harrisburg Area School District, Teacher Tenure Appeal No. 2-02
• Edwin Hasson v. Glendale School District, Teacher Tenure Appeal No. 5-03
• Joan Henshaw v. Boyertown Area School District, Teacher Tenure Appeal No. 5-03
• Shirley Curr v. Solanco School District, Teacher Tenure Appeal No. 5-04
• Peter Igoe v. Dunmore School District, Teacher Tenure Appeal No. 5-05
• Cecil E. Clugston v. Franklin County Career and Technology Center, Teacher Tenure Appeal No. 5-06
• Eleanor Jones v. School District of Pittsburgh, Teacher Tenure Appeal No. 6-07
• Donald Becker v. York County School of Technology, Teacher Tenure Appeal No. 6-08
• Dr. Brenda G. Turner v. Wilkinsburg School District, Teacher Tenure Appeal No. 6-09

Contact: Karen Feuchtenberger (717) 787-5500

Certification Appeal Committee Decisions
- John DiLeonard, Certification Appeal #01-01
- Mark Lysiak, Certification Appeal #01-02
- Donna Radice, Certification Appeal #01-03
- Edward Penn, Certification Appeal #01-04
- Brook Kabajian, Certification Appeal #01-05
- Mark Mannella, Certification Appeal #01-06
- Timothy Kalajainen, Certification Appeal #01-07
- Andrew Igbinekwe, Certification Appeal #01-08
- Frances Santiago, Certification Appeal #01-09
- Ronald Duska, Certification Appeal #01-10
- Kim Cuff, Certification Appeal #01-11
- John Hillard, Certification Appeal #01-12
- Gregory Williams, Certification Appeal #01-13
- Shirley Dickinson, Certification Appeal #01-14
- Mary Lamm, Certification Appeal #01-15
- Thomas Podpora, Certification Appeal #01-16
- Joseph Liberati, Certification Appeal #01-17
- M Miller, Certification Appeal #01-18
- Dianne Hammett, Certification Appeal #01-19
- Sandra Williams, Certification Appeal #01-20
- Paul Gomes, Certification Appeal #01-21
- John Lyman, Certification Appeal #01-22
- Robert Gockley, Certification Appeal #01-23
- Ronald Mihalko, Certification Appeal #01-24
- Patricia Hoffman-Miller, Certification Appeal #01-25
- Thomas Smith, Certification Appeal #01-26
- Susan Karnbauer, Certification Appeal #01-27
- Bryan McGraw, Certification Appeal #01-28
- Siresh Marlynn Chandaki, Certification Appeal #01-29
- John Ray, Certification Appeal #01-30
- Carol McKnight, Certification Appeal #01-31
- Teresa Dodds, Certification Appeal #01-32
- Donna Papocchia, Certification Appeal #01-33
- William Miller, Certification Appeal #01-34
- Karen Overfield, Certification Appeal #01-35
- Phillip Calderone, Certification Appeal #01-36
- Patty Todd, Certification Appeal #01-37
• Bruce Hess, Certification Appeal #02-03
• Michael Knobloch, Certification Appeal #02-04
• Vera White, Certification Appeal #02-05
• Patti MacPhee, Certification Appeal #02-06
• Marie-Pierre Murray, Certification Appeal #02-07
• Charles Whittier, Certification Appeal #02-08
• Kara Konrad, Certification Appeal #02-09
• David Danner, Certification Appeal #02-10
• Alice Goldberg, Certification Appeal #02-11
• Keith Laser, Certification Appeal #02-12
• Marian Smith, Certification Appeal #02-13
• Lata Anatheswaran, Certification Appeal #02-14
• Marilyn Klein, Certification Appeal #02-15
• Susan Cunnup, Certification Appeal #02-17
• Wallace Gary, Certification Appeal #02-19
• Curtis James, Certification Appeal #02-20
• Esther Beck, Certification Appeal #02-21
• Sheryl Johnson, Certification Appeal #02-22
• Robert Bryson, Certification Appeal #02-24
• Jennifer Boylan, Certification Appeal #02-25
• Andrew Bowalick, Certification Appeal #02-26
• Irene Conrad, Certification Appeal #02-27
• Richard Rhinesmith, Certification Appeal #02-28
• Nicodemo Lombardo, Certification Appeal #02-29
• Marian Menapace, Certification Appeal #02-30
• Dale Herman, Certification Appeal #02-31
• Eugene Williams, Certification Appeal #02-32
• Chris Shaefler, Certification Appeal #02-34
• Deborah Cox, Certification Appeal #02-35
• Eric Fraunfelter, Certification Appeal #02-36
• Thomas Hojnowski, Certification Appeal #02-37
• Robyn Fasolino, Certification Appeal #02-38
• Joan Nedwreski, Certification Appeal #02-39
• Greg Protzman, Certification Appeal #02-40
• Terrance Gumper, Certification Appeal #02-41
• James Burnworth, Certification Appeal #02-42
• Paul Kennedy, Certification Appeal #02-43
• Jason Geissler, Certification Appeal #02-44
• Richard Mooberry, Certification Appeal #02-45
• William Millar, Certification Appeal #02-46
• Jeannie French, Certification Appeal #02-47
• Kelly Harbaugh, Certification Appeal #02-48
• Ellen Braffman, Certification Appeal #03-01
• Oscar Torres, Certification Appeal #03-02
• Susan Dinnocenti, Certification Appeal #03-03
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Contact: Bette H. Williams (717-705-7787)

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Contact: Marjorie Blaze (717-783-9252)

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Contact: Amy Foerster (717-787-5500)
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Contact: John Tommasini (717-783-6134) * Recently filed appeals, cases not decided as yet.

Contact: John Tommasini (717-783-6134)

School Construction Decisions
• In the Matter of: Reimbursement for the Rose Tree Media School District

Contact: Ernest Helling (717-787-5500)

Miscellaneous Decisions
• Farrell Area School District v. Commonwealth of Pennsylvania, Department of Education, Office of School Services

Contact: Marion K. Echols-Clark (717-783-3618)
• Shane B. Peck v. Edward L. Rech, Office of Postsecondary/Higer Education, Division of Private Licensed Schools

Contact: Patricia Landis (717-783-8228)
• Greater Latrobe School District v. Bureau of Elementary and Secondary Education

• Pottsgrove Taxpayers Alliance v. Department of Education
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Contact: Ernest Helling (717-787-5500)
• Potomac College, Application for Certificate of Authority

Contact: Paula Fleck (717-772-3623)
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Contact: Karen Feuchtenberger (717-787-5500)
• Jeanette School District
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• Reading School District

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Bureau of Teaching and Learning Support Services
• No Child Left Behind Act—Supplemental Education Services—Approved Provider List (on PDE Website)

Contact: Norma Hull (717-705-8014)

Bureau of Performance Accountability and Reporting
• 2000 Mandate Waiver Applications Received and Action Taken (on PDE Website)

2001 Mandate Waiver Applications Received and Action Taken (on PDE Website)
2002 Mandate Waiver Applications Received and Action Taken (on PDE Website)
2003 Mandate Waiver Applications Received and Action Taken (on PDE Website)
Contact: Sally Chamberlain (717-705-0863)

State Charter School Appeal Board
- Propel Charter School (McKeesport Area School District) CAB #2004-01
- Bear Creek Community Charter School (Wilkes-Barre Area School District) CAB #2004-02
- Propel Montour Charter School (Montour School District) CAB #2004-3
- Sugar Valley Rural Charter School (Keystone Central SD) CAB #2004-4
Contact: Ernest Helling (717-787-5500)

Food and Nutrition Appeals
- Auntie Sherry's Christian Child Care
- Heaven's Angels Day Care
- Little Paradise Day Care Center
Contact: Karen Feuchtenberger (717-787-5500)

INTERNAL GUIDELINES:
Bureau of Special Education
- Compliance Monitoring System
  Contact: Patricia Hozella (724-836-2460 X244)
- Procedures for Complaint Management
  Contact: Michael Carricato (717-783-6137)

Office of Educational Technology
- Act 183 Grant Guidelines
  Contact: Kathy Brautigam (717-705-4486)

Bureau of Community and Student Services
- Learn and Serve America Request for Application Guidelines
- 21st Century Community Learning Centers Funding Application Guidelines
  Contact: Dorothy Hershey (717-783-7089)
- Education for Homeless Children and Youth Request for Application Guidelines
  Contact: Sheldon Winnick (717-772-2066)
- 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: Mary Ramirez (717-783-3755)
- Safe Schools Grant Application Guidelines
  Contact: Mary Ramirez (717-783-3755)
- Successful Students' Partnership Dropout Prevention Program Funding Application Guidelines
  Contact: Mary Ramirez (717-783-3755)
- Safe and Drug-Free Schools and Communities Act; 2003-04 eGrant Application Guidelines; May 2003
  Contact: Dan Iser (717-787-6406)

Bureau of Teacher Certification and Preparation
- Interstate Agreement on Qualification of Educational Personnel—Policy for Certification of Educational Professionals
  Across State Jurisdictions
  Contact: Kevin Corcoran (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: Marjorie Blaze (717-787-3470)

Bureau of Adult Basic and Literacy Education
- Program Monitoring Review Field Guide
  Contact: Donald F. Paquette (717-787-6344)

Bureau of Career and Technical Education
- Monitoring/Self-Study Booklet of the Nurse Aide Training and Competency Evaluation Program
- Teaching the Educator Workshop for Nurse Aide Training and Competency Evaluation Program
  Contact: Carlyn Forlizzi (717-783-6975)
- Federal Carl Perkins Vocational and Technical Education Local Performance Review/Report
  Contact: Jerilynn Millvan (717) 786-3319)
- Pennsylvania Department of Education Methods of Administration for Complying with Civil Rights Guidelines in
  Vocational Education
  Contact: Marian Thomas (717-772-4177)
- Federal and State Final Performance Reports
  Contact: John Bonchalk (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
• Establishing & Operating Effective Occupational Advisory Committees
  Contact: Lydia Hess (717-783-6956)

**Equal Educational Opportunity Office**
• Manual for Deriving Indicators of Equal Opportunity for Higher Education in The Commonwealth of Pennsylvania
• Act 101 Regulations and Guidelines
  Contact: Carrie M. Patterson (717-783-9531)

**Bureau of Assessment and Accountability**
• Education Empowerment Act—SEA Procedural Manual
  Contact: Sally Chamberlain (717-705-8014)
• Mandate Waiver Program Procedural Manual
  Contact: Sally Chamberlain (717-705-0863)

**OTHER:**

**Bureau of State Library**
• Disaster Response and Recovery Manual
• State Library of Pennsylvania Collection Development Policy
  Contact: Sharon Anderson (717-783-5983)
• State Library of Pennsylvania Information Services Guidelines
  Contact: Gene Smith (717-783-7014)

**Bureau of Community and Student Services**
• Cyber Charter School Application Decisions (On PDE Website)
  Contact: Sheri Rowe (717-705-8020) Karen Feuchtenberger (717-787-5500)

**Bureau of Teacher Certification and Preparation**
• Certification Testing Booklets
  Contact: Marjorie Blaze (717-787-3470)

**Office of Postsecondary and Higher Education**
  Contact: Carolyn Angelo (717-787-6576)
• Postsecondary and Higher Education Operating Institutions of Higher Education in Pennsylvania Legally Authorized to Grant Degrees
  Contact: Paula Fleck (717-772-3623)

**Bureau of Teacher and Learning Support Services**
• Pennsylvania Literacy Framework
  Contact: Joel Geary (717-772-1716)
• No Child Left Behind/Blue Ribbon Program—United States Department of Education Guidelines
  Contact: Dale Baker (717-772-4944)

**Bureau of Budget and Fiscal Management**
• Standard Contract for Food Service Management Services
  Contact: Sandy Souder (717-787-3186) or (800-331-0129)
• Basic Education Circular 24 P. S. Section 7-707, Sale or Lease of Unused and Unnecessary Lands and Buildings
• Basic Education Circular 24 P. S. Section 7-733, School Construction Reimbursement Criteria
• Basic Education Circular 24 P. S. Section 7-775, Department Approval of School Buildings, Equipment and Premises Leased for Educational Purposes by School Districts Except School Districts of the First Class
• Basic Education Circular 24 P. S. Section 25-2574, Reimbursement for School Construction Bond Issues
• Basic Education Circular 22 PA Code Section 349.28, Subsidy Payments on Closed School Buildings
  Contact: Carle Dixon (717-787-5480)

**Bureau of Community and Student Services**
• Western Michigan University Five-Year Charter School Evaluation (on PDE Website)
  Contact: Dr. Dan Felix (717-787-9819)

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**EMERGENCY MANAGEMENT AGENCY**

**Circulars:**
D2003—1 Training and Test Authorization Requests
D2003—2 Pennsylvania Emergency Incident Reporting System (PEIRS)
D2003—4 Comprehensive Exercise Program
D2003—5 Emergency Management Training and Education
D2002—3 Radiological Instructor Classification System and Code of Professionalism
D2002—4 Emergency Equipment Materials and Supplies

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**Pennsylvania Bulletin, Vol. 35, No. 32, August 6, 2005**
D2002—5 Requirements for the Preparation, Review and Update of Municipal Emergency Operation Plans (EOPs) and Accompanying Documents.

C2003—1 Weather Emergency Preparedness Exercise

C2003—2 Radiation Emergency Response Fund (RERF) Grant Guidance

C2003—3 Hazardous Material Emergency Response After-Action Reviews and Reports

C2003—4 Nuclear Power Plant Accident Emergency Worker Dosimetry and Potassium Iodide (KI)

C2003—5 Hazardous Material Response Fund Guidance and Grant Application

C2003—6 Emergency Management Performance Grant Annual Submission

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C2002—1 Weather Emergency Preparedness Exercise (BOOT)

C2002—2 Hazardous Material Response Fund Guidance and Grant Application (BOA)

C2002—3 Radiation Emergency Response Fund (RERF) Grant Guidance (BOA)

C2002—4 Emergency Management Performance Grant Annual Submission (BOA)


**2001**


C2001—7 Release of Sensitive Documents or Information to the General Public in Light of the Terrorist Threat (EO)

**2000**

C2000-1 Radiological Preparedness Program (BOOT)


C2000-6 Planning Guidance For Mass Fatalities Incidents (BOP)

C2000-8 Radiation Transportation Emergency Response Fund (RTERF) Grant Guidance (BOA)

C2000-10 Evacuation Authority (EO)

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)

C99-9 Hazardous Materials After-Action Reviews and Reports—(BOP)

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C93-1 Guidance for Appropriate Emergency Response to Spills or Leaks from Vehicle Fuel Tanks or Heating System Fuel Supply Tanks or Lines (SFCO)

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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)


D2000-5 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)
**GUIDANCE MATERIALS:**

Filing Instructions and appeal form that are provided to the public on request.


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.ehb.courtapps.com.

Contact: William T. Phillipy (717) 787-3483

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**Office of Information Technology** Contact: Gail Jackson 717-772-4786

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**Management and Technical Service** Contact: Lisa Miller 717-787-7193

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**Bureau of Land Recycling and Waste Management  Contact: Mike Texter 717-783-6006**

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Bureau of Air Quality Contact: Janette Van Skike 717-787-4325

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273-4000-007 Interim Compliance Strategy on RACT for NOx Sources with CEMS
273-4000-008 Policy for Sampling/Determination of Compliance with Low RVP Gasoline Requirements in the Pittsburgh
273-4100-005 Air Pollution Control Act/Compliance History Review/Civil Penalty Assessment Procedure
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275-2101-002 AQ Operating Permit—Permitting Procedures
275-2101-003 Air Quality Permit Exemptions

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**Bureau of Radiation Protection**  Ben Seiber 717-787-2489

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292-0400-002 Nuclear Power Generating Station Incident Manual
293-0400-001 Policy and Procedures, Nuclear Safety Division
293-0400-002 Low Level Radioactive Waste Section Policies and Procedures
293-2400-001 Conducting Radiological Performance Assessments For LLRW Disposal in PA
293-2400-003 Requirements for LLRW Minimization Plan
294-2309-001 Radon Certification Policy
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294-2309-005 Radon Reduction Techniques for Existing Detached Houses
294-2309-006 Application of Radon Reduction Techniques
294-2400-002 Enhanced Containment through Engineered Barriers Staff Technical Report

**Bureau of Waterways Engineering**  Dennis Dickey 717-772-5951

310-0600-002 Interagency Agreement with the Susquehanna River Basin
310-2139-002 Land Acquisition Policies
310-2140-001 Criteria and Fees for Dam Safety Limited Power Permits
310-3120-001 Annual Dam Inspection Report Policy
310-3140-002 Category 3 Dam Inspection Program
310-4000-001 Compliance Assistance and Enforcement Manual

**Bureau of Watershed Management/Bureau of Water Standards and Facility Regulation**  Cheri Sansoni 717-772-5258

361-0100-001 Conservation District Fund Allocation Program
361-0100-002 Chesapeake Bay Nonpoint Source Pollution Abatement Program
361-0300-001 Manure Management for Environmental Protection
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362-0300-004 A Guide To Requirements and Procedures For Obtaining Permits etc for Industrial Wastewater Mgt System
362-0300-008 Experimental Systems Guidance
362-0400-001 NPDES Program Implementation—MOU Concerning WQM, NPDES Program Implementation, and Related Matters
362-0600-001 National Pollutant Discharge Elimination System Program Implementation
362-0600-002 Agreement Between Oil/Gas Mgmt and Water Quality on Pollution Discharge
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PA's Continuous Planning Process (CPP) for Water Quality Management 1999 Update

Municipal Reference Document- Department Guidance for the Bluff Recession and Setback Act

PA's Nonpoint Source Mgt. Program

Office of Field Operations  
Kris Lutz 717-787-9240

Policy for PA Natural Diversity Inventory (PNDI) Coordination During Permit Review and Evaluation

Policy for Model Permit Application Process

Guidelines for the Development and Implementation of Environmental Emergency Response Plans

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**Bureau of Oil and Gas Management**  
Millie Raudabaugh 717-787-4817

- Oil and Gas Operators Manual
- PA's Plan for Addressing Problem Abandoned Wells and Orphaned Wells
- Administrative Policies and Procedures Manual
- Oil and Gas Wastewater Permitting Manual
- Oil and Gas Well Drilling Permit Applications and Related Approvals
- Interim Policy for NPDES Permits for Stormwater Discharges Assoc'd w/ Constr Activities O and G Wells
- Oil and Gas Locational Guidance
- Interim Technical Guidance For Attachments to Electronic Submissions—Oil and Gas Program
- Guidelines for Submitting Oil/Gas Bonds
- Compliance Monitoring of Oil and Gas Wells and Related Facilities and Activities
- Enforcement Actions by DEP's Oil and Gas Management Program
- Civil Penalty Assessments in the Oil and Gas Program

**Bureau of Mining and Reclamation**  
James Charowsky 717-787-7007

- Interagency Agreement with the Fish and Boat Commission
- MOU Between PA Game Commission and DEP
- Interagency Agreement, Historical Museum Commission
- Interagency Agreement, Waste Management
- Office of Surface Mining MOU
- Fish and Boat Commission Coordination
- Game Commission Coordination
- Review of Surface Mine Applications on High Quality Waters
- SOAP and ROAP Application Processing and Preassignment Field Conference
- Small Operator and Remining Operator Assistance Programs (SOAP and ROAP) Report Review
- SOAP and ROAP Applicant Liability and Reimbursement Procedure
- Mine Subsidence Insurance (MSI) Coverage Issuance Procedures
- Mine Subsidence Insurance (MSI) Damage Claim Processing Procedures
- Projects and Activities under the Environmental Good Samaritan Act
- Licensing, Name Changes
- Blasting Activity Permits and Permits by Rule
- Alternative Peak Particle Velocity or Airblast Level
- Municipal Mining Licenses, Permits and Bonds
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- Sealing Mine Openings, Bituminous
Sealing Anthracite Underground Mine Openings
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580-2200-003 Section 316(h): Use of Electronic Atmospheric Detectors in lieu of Approved Flame Safety Lamps
580-2200-004 Procedures for Processing Requests to Adopt New Items or Methods
580-2200-008 Guidelines for Use of Internal Combustion Motors in Underground Mines other than Coal
580-2200-009 Use of Electronic/Oxygen Detectors in Lieu of Approved Flame Safety Lamps
580-2200-010 Underground Storage of Explosives
580-2219-002 Section 247—Guidelines to Approve Ventilation Plans for Abandoned and Unused Mine Areas
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580-2219-008 Submission of Mine Maps when a Mine is Abandoned
580-3000-002 Bureau of Deep Mine Safety's Compliance and Enforcement Procedures
580-3000-005 Clarification of Pertinence of DEP Statutes re: Coal Processing Facilities
580-3300-001 Underground Mine Accident and Production/Manhour Reporting

Office of Energy and Technology Development Eric Thumma 717-783-0540
700-0200-001 Technology Management Process
700-5600-001 Guidance for Pollution Prevention and Energy Efficiency Site Visits

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Deputy Secretary for Property Management (Contact: Daniel Wheeler 783-5028)
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Bureau of Minority and Women Business Opportunities (Contact: Tyrone Powell 783-3119) www.dgs.state.pa.us, Keyword: BMWBO
—Internal Guidelines for MBE/WBE Certification, 4 Pa. Code § 68.201, et seq.

GUIDANCE MATERIALS:
Bureau of Construction (Contact: David McCarty 787-6330)
—Administrative Procedures (1999)

Bureau of Minority and Women Business Opportunities (Contact: Tyrone Powell 783-3119) www.dgs.state.pa.us, Keyword: BMWBO
—Contract Compliance Orientation and Training Manual

Bureau of Engineering and Architecture (Contact: Tom Rados 787-3709)
—Bureau of Engineering and Architecture Procedure Manual

Bureau of Police and Safety (Contact: Richard Shaffer 787-9013)
—Building Evacuation—Emergency Action Plan
—Capitol Police Duty Manual

Bureau of Publications and Paperwork Management (Contact: Audrey Marrocco 787-3707)
—M210.4 Forms Managements (8/16/83)—Rev. 1-2 (8/1/84 & 10/27/86)
—M210.5 Standard (STD) Forms Management (9/15/98)
—M210.6 Publications Management (8/1/84)—Rev. 1 (10/17/86)

Bureau of Procurement (Contact: John Troxel 787-4719)
—M215.3 Field Procurement Handbook (3/20/01)—Rev. 1-4 (6/21/01, 10/5/01, 3/25/02 & 4/17/03)

Bureau of Supplies and Surplus Operations (Contact: Kenneth J. Hess 787-5940)
—State Surplus Property Manual (2/3/98)
—Warehouse and Distribution Division Policies and Procedures Manual (6/2/05)

Bureau of Vehicle Management (Contact: Josie Sharp 787-3162)
—Automotive Services Facilities

Bureau of Professional Selections and Administrative Services (Contact: Gary Lee 787-4479)
—Instructions to Bidders

Bureau of Real Estate (Contact: James Hickey 787-0274)

Internal Guidelines
Management Directives and Administrative Circulars

Property Management (Contact: William Dempster 787-5240)

Bureau of Facilities Management (Contact: Todd Garrison 787-3893)
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—720.5 Personal Electrical Devices in Commonwealth-Owned or Leased Building (10/14/03) 720.3 Emergency Evacuation Plans at Commonwealth Facilities (12/3/04)

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—240.7 Submission of Changes to the Commonwealth Telephone Directory, Agency Organization and Functional Listings, and Employee Locator File (9/26/97)
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Bureau of Police and Safety (Contact: Richard Shaffer 787-9013)
—205.2 Powers and Duties of Policing Forces (2/9/77)
—625.4 Enforcement of Fire and Panic Regulations (3/27/91)
—720.7 Bomb Threats and Suspicious Packages (11/1/04)

Bureau of Publications and Paperwork Management (Contact: Audrey Marrocco 787-3707)

Bureau of Procurement (Contact: John Troxel 787-4719)
—220.10 Processing Automated Mail (2/21/91)
—215.9 Contractor Responsibility Program (4/16/99)
—620.1 Coal Sampling and Reporting (2/6/02)—Rev. 2 (5/28/02)

Commonwealth Agency Recycling Office (Contact: John Rarig 772-2300)

Commonwealth Media Services (Contact: Kristin Snow 787-9777)
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Bureau of Risk and Insurance Management (Contact: Kenneth Love 787-2492)
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   — 630.2 Reporting of Employee Liability Claims (4/28/98)
   — 720.4 Safety and Loss Prevention Program (10/2/87)

Bureau of Minority and Women Business Opportunities (Contact: Tyrone Powell 783-3119)
www.dgs.state.pa.us, Keyword: BMWBO
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Commonwealth Media Services (Contact: Kristin Snow 787-9777)
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Bureau of Real Estate (Contact: James Hickey 787-2834)
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   — 625.5 Reporting Surplus Real Property (5/6/96)
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   — 625.7 Use of STD-291, Request for Lease Action and Budget Approval (11/6/97)

Bureau of Supplies and Surplus Operations (Contact: Kenneth J. Hess 787-5940)
   — 04-20 Availability—Commonwealth Telephone Directory (9/02/04)

Bureau of Vehicle Management (Contact: Josie Sharp 787-3162)
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   — 04-23 Winterization of State Vehicles and Commonwealth Garage Parking and Hours of Operation (10/04/04)

External Guidelines
Bureau of Engineering and Architecture (Contact: Tom Rados 787-3709)
   — Professional Agreement and General Conditions to that Agreement

Bureau of Minority and Women Business Opportunities (Contact: Tyrone Powell 783-3119)
www.dgs.state.pa.us, Keyword: BMWBO
   — PA Bureau of Minority and Women Business Opportunities
   — Application and Instruction Guide for Certification as a Minority/Women Business Enterprise
   — Disadvantaged Business Program
   — Commonwealth Construction Contracts
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   — Ensuring Timely Payments
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   — State Government Resources for Small Businesses
   — Small Business Development Centers (SBDCs)
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   — Doing Business with the Commonwealth of PA

Bureau of Supplies and Surplus Operations (Contact: Kenneth J. Hess 787-5940)
   — Drug Reduction Property Program
   — State Surplus Property Program
   — Federal Surplus Property Program

Bureau of Procurement (Contact: John Troxel 787-4719)
   — Cooperative Purchasing Program
POLICY STATEMENTS

Department of Health
- Procedures Applicable to Right-to-Know Law Request (5/20/04). (This document is electronically available at www.health.state.pa.us)
  Contact: Troy Thompson (717) 787-1783

Bureau of Chronic Diseases and Injury Prevention
- Position Statement on Colorectal Cancer Screening (Revised 3/04)
- Position Statement on Prostate Cancer Screening (Revised 3/04)
- Position Statement on Cervical Cancer Screening (Revised 3/04)
- Policy Statement on Sun Safety (9/99) (Revised 5/03)
- Policy Statement on Clinical Trials (3/04)
- Policy Statement on Unsolicited Proposals Requesting Funding From the Cancer Control Program (10/03)
- Position Statement on Breast Cancer Screening (Revised 5/04)
  Contact: Leslie A. Best (717) 787-6214

Bureau of Drug and Alcohol Programs
- Confidentiality and Student Assistance Programs (1/92)
- Disclosure of Confidential Information to the Criminal Justice System (10/92)
- Oral Polio Vaccine (12/91)
- Provision of Outpatient Treatment Services Within the School Setting (11/94)
- Reporting of Communicable Diseases (12/92)
- Requests for Exceptions to Regulations and Requirements in State Plan
- Single County Authorities Subcontracts with Providers (1/97)
- Tuberculosis Testing (9/92)
  Contact: Hector Gonzales (717) 783-8200

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
- Local Health Officer Handbook (revised 04/2004)
  Contact: Dennis Wilson (717) 787-4366
- Guidelines for School Based Program for Control of Lice, Scabies and Ringworm (1986)
- Procedures for the Growth Screening Program for Pennsylvania's School-Age Population
- Procedures for the Scoliosis Screening Program for Pennsylvania's School-Age Population (2001)
- Procedures for the Hearing Screening Program for Pennsylvania's School-Age Population (2001)
- Guidelines for School Tuberculin Testing Program (1986)
- Procedures for the Vision Screening Program for Pennsylvania's School-Age Population (2002)
- Guidelines for School Dental Health Program (1986)
- Guidelines for Care: Children Assisted by Medical Technology in Education Settings (1989)
- Indoor Air Quality Guidelines for Pennsylvania Schools (1999)
  Contact: Richard Brown (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 Activity Guidelines
- Staffing Requirements for Drug and Alcohol Activities Guidelines
- Procedures for Sharing Drug and Alcohol Information
  Contact: Cheryl Williams (717) 783-8765

Drug and Alcohol Licensing Interpretive Guidelines
- Chapter 157. Inpatient Hospital Activities Detoxification and Treatment and Rehabilitation
- Chapter 704. Staffing Requirements for Drug and Alcohol Treatment Activities
- Chapter 705. Physical Plant Standards
- Chapter 709. Free-Standing treatment facilities
- Subchapter C. General Standards for Free-Standing Treatment Activities
- Subchapter D. Standards for Intake, Evaluation and Referral Activities
- Subchapter E. Standards for Inpatient Non-Hospital Activities—Residential Treatment and Rehabilitation
- Subchapter F. Standards for Inpatient Non-Hospital Activities—Short-Term Detoxification
- Subchapter G. Standards for Inpatient Non-Hospital Activities—Transitional Living Facilities (TLFs)
Division of Immunizations
- School Immunization Catch Up Booklet
- Adolescent and Adult High-Risk Immunization Program Manual
- Standards for Adult Immunization Practices
- Mass Immunization Liability Protection Guidelines
- Vaccine Preventable Disease Protocols
- Vaccines for Children Provider Handbook (for public providers)
- Vaccines for Children Provider Handbook (for private providers)
- 2005 List of Immunizing Agents and Average Wholesale Prices
- Vaccine Cold Chain Protocols for Public Provider Sites
- Quality Assurance Plan 2005
- Immigration Status and Data Entry into the Statewide Immunization/Information System

Contact: Alice Gray (717) 787-5681

STD Program
- Participating Provider Agreement (PPA) Providers Information Manual
- STD Annual Report, Pennsylvania 2004
- Region III Infertility Prevention Project Service Protocols
- Region III Infertility Prevention Project Data Manager's Manual

Contact: Steve Kowalewski (717) 787-3981

INTERNAL GUIDELINES

Bureau of Health Statistics and Research
- Policy and Procedures for Assisted Conception Birth Registrations (10/03)

Contact: Frank Yeropoli (724) 656-3113

Division of Immunizations
- Perinatal HB Protocols
- Biological Room Standard Operating Procedures

Contact: Alice Gray (717) 787-5681

STD Program
- Guidelines: Use of the Internet to Perform Partner Service and Health Education Activities

Contact: Steve Kowalewski (717) 787-3981

Institutional Review Board
- Institutional Review Board Policies and Procedures (03/04)

Contact: Deborah Blackburn (717) 705-6740

OTHER

Bureau of Community Program Licensure and Certification
- Abortion Control Act (footnoted)
- Ambulatory Gynecological Surgery in Hospitals and Clinics Regulations (footnoted)
- Abortion: Making a Decision
- A Guide to Services for Pregnant Women
- Application of Abortion Control Act to Abortions Induced by Drugs

Contact: Carol Williams (717) 783-8665

Licensing Alerts
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- Clinical Supervisor Requirements (Licensing Alert 2-05)
- Dating of Signatures (Licensing Alert 4-05)
- Distinction between Outpatient and Partial Hospitalization Services (Licensing Alert 3-97)
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- Facility Closures (Licensure Alert 5-98)
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• Staffing Regulations — Qualifications/Degree in a Related Field (Licensing Alert 2-02)
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• Verification of Training, Experience and Professional Licensure or Certification (Licensing Alert 2-99)

Contact: Cheryl Williams (717) 783-8765

Division of HIV/AIDS
• HIV Counseling and Testing Operations Manual
• Housing Opportunities For Persons With AIDS Operations Manual
• Procedures and Consent Forms for HIV Antibody testing, CD4 tests, Viral Load tests, Orasure tests and Rapid tests
• Statewide Coordinated Statement of Need

Contact: Joseph Pease (717) 783-0572

Bureau of Health Planning
• State Health Improvement Plan
• State Health Improvement Plan Special Report and Plan to Improve Rural Health Status
• State Health Improvement Plan Special Report on the Health Status of Minorities in Pennsylvania

Contact: Joseph B. May (717) 772-5298

Emergency Medical Services Office
• Prehospital Care Response Report
• State Emergency Medical Services System Development Plan

Information Bulletins
• EMS Information Bulletin #1 — Active Military Duty (8/5/03)
• EMS Information Bulletin #2 — Epinephrine Auto Injector Administration by EMTs (8/13/03)
• EMS Information Bulletin #4 — EMS Instructor Update Requirement (Revised 3/2/04)
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• EMS Information Bulletin #6 — Continuing Education Requirement — ALS Medical Command (11/5/03)
• EMS Information Bulletin #7 — On-Line Continuing Education (11/6/03)
• EMS Information Bulletin #8 — Distribution of Continuing Education Handbook (12/9/03)
• EMS Information Bulletin #9 — Statewide Trauma Patient Destination Air Ambulance Transport Protocol (Revised 3/10/04)
• EMS Information Bulletin #10 — EMS License Plates (2/11/04)
• EMS Information Bulletin #11 — Public Access AED (2/13/04)
• EMS Information Bulletin #12 — Suspension of Driver’s License and Operation of an Ambulance (3/24/04)
• EMS Information Bulletin #13 — EMS Vehicle Collision and Personal Injury Form (Revised 4/1/04)
• EMS Information Bulletin #14 — Epinephrine Auto-Injector Administration (Revised 3/10/04)
• EMS Information Bulletin #15 — Emergency Response Employees (ERES) (4/30/04)
• EMS Information Bulletin #16 — Electronic Ambulance Licensure Application Amendment Procedure (4/30/04)
• EMS Information Bulletin #17 — Statewide BLS Medical Treatment Protocols and Guidelines (5/6/04)
• EMS Information Bulletin #18 — Accelerated Rehabilitative Disposition (ARD) (6/7/04)
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• EMS Information Bulletin #25 — Surge Response Services Update (12/13/04)

Contact: Joseph W. Schmider (717) 787-8740

Bureau of Facility Licensure and Certification (Long Term Care Provider Bulletins)
• Influenza in Nursing Homes— LTC PB No. 4 (Revised 10/25/99)
• Physicians Participation in Resident Care Planning— LTC PB No. 12 (Revised 7/1/99)
• MRSA Guidelines— LTC PB No. 16 (Updated 7/1/99)
• Resident Assessment State Designated Instrument— LTC PB No. 19 (Effective 1/31/91) (Updated 9/17/97)
• Admission/Treatment of Persons with AIDS or AIDS Related Conditions— LTC PB No. 21 (Revised 7/99)
• Abuse, Neglect, Misappropriation of Property by Nurse Aides or Others— LTC PB No. 22 (Revised 2/2/01)
• Securing Copies of Nurse Aide-Enrollment Information— LTC PB No. 24 (Revised 7/1/99)
• Potential Hazards of Restraint Devices-FDA Alert— LTC PB No. 28 (Revised 7/1/99)
• Nurse Aide Registry Update— LTC PB No. 29 (Revised 7/1/99)
• Training of Companions/Sitters in T18 or 19 Facilities— LTC PB No. 31 (Revised 7/1/99)

PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
**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 Program Support and Coordination-Form #HD1072F)
- Universal Newborn Hearing Screening Program Guidelines for Infant Hearing Screening
  Contact: Melita Jordan (717) 787-7192
- WIC State Plan of Operations
  Contact: Frank Maisano (717) 783-1289
  Contact: Carolyn Cass (717) 783-5436

**TB Program**
- TB In the Commonwealth, 2004 (annual report)
- TB Control Manual
- TB Outbreak Response Plan
  Contact: Donna Murray (717) 787-6267

**STD Program**
- STD Outbreak Response Plan
- PA NEDSS STD Program Reference Guide
- PA’S Strategic Plan for STD’s, 2002-2006
- Program Operation Guidelines for STD Prevention (published by Centers for Disease Control and Prevention)
  Contact: Steve Kowalewski (717) 787-3981

**Bureau of Health Statistics and Research**
- Application for Certified Copy of Birth or Death Record, Form H105.102.
- Form Utilized for Birth Corrections, Form H105.133
- Death Correction Statement, Form H105.135
- Application for Multi-Year Search of Birth Record, Form HD1124F.
- Application for Multi-Year Search of Death Record, Form HD 1125F.
- Biological Parent Registration Identification Form, Form H105.700.
- Withdrawal of Biological Parent Consent Form, Form H105.702.

The following forms are electronically available at 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
- Form Utilized for Birth Corrections, Form HD1104F
- Death Correction Statement, Form HD1109F
- Application for Multi-Year Search of Birth Record, Form HD1131FW
- Application for Multi-Year Search of Death Record, Form HD1132FW
  Contact: Patty Mitcheltree (724) 656-3114

**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: Stanley Reynolds (610) 280-3464, Ext. 3283
- 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: Marianne Porter (610) 280-3464 Ext. 3224

PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
Bureau of Chronic Diseases and Injury Prevention
- Why We Recommend Community Water Fluoridation
- Policy for Determining Eligibility and Compliance of Service Providers Currently Receiving Funding From a Tobacco Company, a Tobacco Company Subsidiary, or Their Agent (6/04)
Contact: Leslie A. Best (717) 787-6214
Many of these documents are also available on the Department of Health's website, www.health.state.pa.us

INSURANCE

I. NOTICES:

Executive Office

Insurance Department Notices

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### Statements of Policy


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 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.


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: J. Fralick, Asst. Hearings Administrator, 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: Peter Dalina, Director, Bureau of Administration, 717-787-4298; fax 717-705-3873

POLICY STATEMENTS:

Secretary Stephen M. Schmerin
• Equal Opportunity Policy Statement
• Labor and Industry Contract Compliance Policy Statement
• Weapons Policy Statement
• Disability—Related Employment Policy Statement
• Commonwealth’s Policy of Sexual Harassment and Procedures for Distribution
• Health Policy Statement
• Security Policy Statement
• Workplace Violence Statement

Office of Equal Opportunity
• Equal Employment Opportunity Policy Statement
Contact: Autro Heath (717-787-1767)

Bureau of Occupational and Industrial Safety
• Universal Accessibility Interpretation
  1) November 8, 1999
  2) March 15, 2002
Contact: Jerry Seville (717-787-3329)

Bureau of Workers’ Compensation
• Guidelines for Employment Screening Programs under Act 115 of 2001
Contact: John T. Kupchinsky, Director, BWC (717-783-5421)
• Health Care under the Workers’ Compensation Act/Medical Fee Updates
Contact: Eileen K. Wunsch, Chief, Health Care Services Review Division, BWC (717-772-1912)
• Effect of Act 53 Regarding Qualifications of Vocational Experts
Contact: John T. Kupchinsky (717-783-5421)

GUIDANCE MANUALS:

Office of Vocational Rehabilitation
• OVR Counselor Policy Manual
Contact: Roger Barton (717-772-3511) Office of Vocational Rehabilitation

Bureau of Workers’ Compensation
• PA Workers’ Compensation Employer Information Pamphlet (Workers’ Compensation guidelines for employers.)
Contact: Employer Information Services (717-772-3702)
• Workers’ Compensation and the Injured Worker Pamphlet (Workers’ Compensation Guidelines for injured workers.)
Contact: Employer Information Services—long distance within PA: 1-800-482-2383, local or outside PA: 717-772-4447, TTY 1-800-362-4228
• Section 305 Prosecutions
Contact: John Strawser (717-787-3567)
• BWC Forms Tip Sheets
Contact: Claims Information Services—long distance within PA: 1-800-482-2383, local or outside PA: 717-772-4447, TTY
• Procedures for Completing an Application for Fee Review
  Contact: Eileen K. Wunsch, Chief, Health Care Services Review Division, BWC (717-772-1912)
• Employer’s Guide to Self-Insuring Workers’ Compensation
  Contact: George W. Knehr, Chief, Self-insurance Division, BWC (717-783-4476)

INTERNAL GUIDELINES:
NONE

OTHER:

Center for Workforce Information and Analysis
• New Hire Program booklet guidelines and form for businesses to use to report new hires—found at www.panewhires.com.

Bureau of Workforce Development Partnership
• Workforce Investment Information Notice 2-01 dated July 13, 2001—regarding Team PA CareerLink Employment Services Registration Policy—PA Workforce website at www.paworkforce.state.pa.us.
• Workforce Investment Information Notice 3-01 dated July 17, 2001—can be found on the PA Workforce website at www.paworkforce.state.pa.us.
• Workforce Investment Information Notice 1-00, change 2 dated April 2, 2002—regarding WIA Performance Requirements for the Subsequent Eligibility Certification Process of Eligible Training Programs/Providers—PA Workforce website at www.paworkforce.state.pa.us.
• Workforce Investment Information Notice 7-01 dated November 2, 2001 regarding Clarification of Federal Interpretation of Reasonable Cost of Training and Transportation Payments for the TAA/Nafta-TAA Programs—found on the PA Workforce website at www.paworkforce.state.pa.us.
• Workforce Investment Information Notice 5-01—dated September 14, 2001 regarding Governance Agreement Revision/Cost Allocation Agreement Plan and Resource Sharing Agreement—found on the PA Workforce website at www.paworkforce.state.pa.us.
• Workforce Investment Information Notice 5-01, change 1-February 8, 2002—regarding Governance Agreement Revision/Cost Allocation Agreement Plan and Resource Sharing Agreement found on the PA Workforce website at www.paworkforce.state.pa.us.
• Workforce Investment Information Notice 6-01—regarding Combined Business Plan/Agreement Process—found on the PA Workforce website: www.paworkforce.state.pa.us.

Office of Vocational Rehabilitation
• OVERVIEW—The OVR Online Newsletter
  • The OVR Annual Report (717-787-5244)
  • OVR Combined Agency State Plan Update (717-787-5244)
  • OVR Program Brochure Carl Marshall (717-783-3129)
  • Employment Services for Persons with Disabilities—Carl Marshall (717-787-3940)
  • The OVR Rehabilitation Services Handbook—Carl Marshall (717-787-3940)
  • OVR Transition Pamphlet—Joan Kester
  • Disability Management (OVR Ability Management) Carl Marshall (717-787-3940)
  • Getting Your Business Ready for ADA—Carl Marshall (717-787-3940)
  • ICAN Program Guidelines—Raymond Walker (717-787-5735)
  • ICAN Application—Raymond Walker (717-787-5735)
  • ICAN Application Checklist Raymond Walker (717-787-5735)

State Workers’ Insurance Fund
• Injury Hotline Reporting Sticker
• Employee Information for Reporting of Work Related Injuries
• Workers’ Compensation Employee Notice
• SWIF District Office Map and Directory
• Notice of Employer WC coverage with SWIF (English & Spanish)
• SWIF Information Pamphlet
• “You as a Witness” in a Workers’ Comp. Proceeding
• Benefits of Early Reporting of Injuries
• State Workers’ Insurance Fund “Checklist”
• SWIF’s Early Return to Work Program
• Telephonic Reporting Questionnaire
• “21 day rule” Reporting guideline letter
• SWIF Safety Policy and Program Outline
• Certified Safety Committee Addendum
• Governor’s Initiative on Workplace Safety, Pennsafe
• Drug Free Pennsylvania Packet
• Claimant Authorization for Direct Deposit of SWIF Benefits Notice of subrogation lien against a third-party recovery under Section 319 of the Workers’ Compensation Act
Bureau of Workers’ Compensation
- Questions and Answers about Funded Employment
  Contact: Claims Information Services—(long distance within PA: 1-800-482-2383, local or outside PA: 717-772-4447, TTY 1-800-362-4228)
- Maximum Pennsylvania Workers’ Compensation Payable
  Contact: Nathaniel Holmes, Chief, Claims Management Division, BWC (717-772-0621)
- Range of Fees Charged by Utilization Review Organizations and Peer Review Organizations for Services Performed under the Workers’ Compensation Act
  Contact: Eileen K. Wunsch, Chief, Health Care Services Review Division, BWC (717-772-1912)
- Claim Petition for Additional Compensation from the Subsequent Injury Fund pursuant to section 306.1 of the Workers’ Compensation Act
  Contact: Claims Information Services—long distance within PA: 1-800-482-2383, local or outside PA: 717-772-4447, TTY 1-800-362-4228

Bureau of Unemployment Compensation Benefits and Allowances
- UCP-7 The Problem of “Localized” and “NonLocalized” Employment
- UCP-25 Employee Contributions
- UCP-33 UC Services, Unemployment Compensation Service Centers
- UCP-36 Employers’ Reference Guide to Unemployment Compensation
- UCP-37 A Guide for Setting Up a Claim By Telephone or Internet
- Form UCP-1(SC), Pennsylvania Unemployment Compensation Handbook
- UCP-28 Services Provided By Pennsylvania Teleclaims (PAT)
- “UC Issues Update” quarterly newsletter.

Bureau of Unemployment Compensation Benefits and Allowances—Discontinued Non-Regulatory Documents
- UCP-I (Insert) How to Figure Your Weekly Benefit Rate
- UCP-3 Unemployment Compensation Information for Contributing Employers
- UCP-6 Unemployment Compensation for Federal Civilian Employees
- UCP-10 Unemployment Compensation for Ex-Servicepersons
- UCP-19 Unemployment Compensation in Pennsylvania
- UCP-27 (Cert) Transitional Adjustment Assistance Benefits
- UCP-28Z Services Provided by Pennsylvania Teleclaims (PAT) For Interstate
- UC-87Z How to File Pennsylvania Interstate Claims on the Internet System

Bureau of Employer Tax Operations
- UCP-29 Pennsylvania Unemployment Compensation (UC) Tax Appeals
- UCP-32 Employee or Independent Contractor?
- PA-100 Pennsylvania Enterprise Registration Form and Instructions

Unemployment Compensation Board of Review
- UC-53 Notice of Hearing
- UC-53BR Notice of Board Hearing
- UC-53C Notice of Continuance of Hearing
- UC-59 Referee’s Decision/Order
- UC-59RFC Referee’s Decision/Order—Relief from Charges
- UC-46 Petition for Appeal
- UC-46A Petition for Appeal
- UC-46B Petition for Appeal
- BD-58 Board Decision/Order
- BD-242 Board Order
- BD-242A Board Order
- BD-251 Board Order

Bureau of Labor Law Compliance
Contact: Robert V. O’Brien, Director (717-787-3681)
- Updated procedures for workers’ protests of prevailing wage settlements.
- Apprenticeship and Training Act
- Apprenticeship and Training Program Overview
- Child Labor Law
  o Child Labor Complaint Form
  o Application for Permit for Employment of a Minor in Theatrical and Other Performances
  o Newspaper Carriers
- Equal Pay Law
- Industrial Homework Law
- Medical Fee Act
- Minimum Wage Act
  o Food Service Employee Incentive Program
  o Overtime Rules in Pennsylvania
- Wage Payment and Collection Law
- Personnel File Inspection Act
- Prevailing Wage Act
  o Wage Rate Submittal Form
- Seasonal Farm Labor Act
MILITARY AND VETERANS AFFAIRS

NON-REGULATORY PUBLIC DOCUMENTS

POLICY STATEMENTS:
- ADA Policy Statement
- HIV/AIDS Policy
- Sexual Harassment Policy
- Substance Abuse in the Workplace Policy
- Workplace Violence Policy

Contact: Jeff Thomas (717) 861-8849

Contact: Kristi Smith (717) 861-8796

PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
• Operation of Clubs within National Guard Facilities
• Privately Owned Weapons on National Guard Facilities
• Smoking Policy
  Contact: Jeff Thomas (717) 861-8849
• Public Affairs Airlift Policy
  Contact: Colonel Latchford (717) 861-8825 Army
  Joe Black (717) 861-8675 Air
  Lt Col Cleaver (717) 861-8468
• Military Aircraft Flyovers
  Contact: Colonel Latchford (717) 861-8825 Army
  Joe Black (717) 861-8675 Air
• Use of Military Equipment for Civilian Organizations
  John Maietta (717)-861-8648
• Recreational Access to Fort Indiantown Gap
  Joe Hovis (717)-861-2806
• Resident Abuse Policy and Procedures
• Staff/Resident Fraternization Policy, Veterans’ Homes
• Handbook of Accounting Manual for State Veterans’ Homes
• HIPAA Policies and Forms for State Veterans’ Homes
• Scotland School for Veterans’ Children Administrative Procedures and Policy Memoranda, including Student Disciplinary and Discharge Process
  Contact: Cecil Hengeveld (717) 861-8903
• Standard Operating Procedure for Armory Rentals
• Policy for State-Owned Family Housing and Conestoga Mobile Home Court
  Contact: Duke Munford (717) 861-8580

INTERNAL GUIDELINES:
• Adherence to Work Hours/Wear of Military Uniform
• Bomb Threat Plan—DMVA contains classified information
• Curtailment of Activities at FTIG Due to Inclement Weather
• 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 for FTIG and DMVA Organizations
• Overtime/Compensatory Leave Policy
• Work Schedule
• Pennsylvania National Guard Military Regulations and Directives (PMR/PaANGR)
  Contact: Jeff Thomas (717) 861-8849
• Discrimination Complaint Process
  Contact: Kristi Smith (717) 861-8796
• Employee Orientation Checklist
• Review of Procedures for Responding to PHRC/EEOC Complaints
• Sexual Harassment: Your rights and responsibilities
• DMVA Work Rules/Standards of Conduct
  Contact: Jeff Thomas (717) 861-8849
• IT Policies and Procedures
  Contact: James Nelson (717) 861-8639

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: Jeff Thomas (717) 861-8849
• Equal Opportunity Plan
• Contract Compliance Plan for DMVA
• DMVA Workforce Profile
• Training Plan and Report
  Contact: Kristi Smith (717) 861-8796
• Organizational and Functional Statement for the DMVA
• Index of Administrative Publications (contains classified information) Pamphlet 310
Military Publications Index of Blank Forms (contains classified information) Pamphlet 25-32
Contact: Jeff Thomas (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: Lt Col Cleaver (717) 861-8468

Directory of Agencies Providing Information to Veterans
PA Veterans’ Memorial

Telephone Directory for Veterans Organizations

Scotland School’s Admission Packet
Contact: Cecil Hengeveld (717) 861-8903

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PENNSYLVANIA BOARD OF PROBATION AND PAROLE

Publications available through the Pennsylvania Board of Probation and Parole
Parole in Pennsylvania
Parole Plan Investigations (info for potential home plan provider with district-by-district domestic violence resources)
Pre-Parole Information Bulletin (for parolees)
SAVE: Substance Abuse Violators Effort (general public)
SAVE: Substance Abuse Violators Effort (for parolees)

PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

Bureau of Training Services
- Constables' Training Bulletins, August 1994 to present.
- Deputy Sheriffs' Training Bulletins, April 1990 to present.
- 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 sheriffs training, distributed by training contractor to trainees in each basic training and waiver class.
- Deputy Sheriffs' Education and Training Board Policy, approved November 2004.

Office of Criminal Justice System Improvements
- 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.
- Drug Education and Law Enforcement Grant Program Guidelines and Application (Drug Abuse Resistance Education—D.A.R.E.—grants)

Office of Financial Management and Administration
- 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.
- External Quick Start Guides for Egrants.

Office of Juvenile Justice and Delinquency Prevention
Funding announcements that provide guidelines and requirements for applicants:
- Research-Based Delinquency and Violence Prevention Program Funding, March 31, 2005.
- State Partnership and federal Title V Funding, March 31, 2005.

Center for Research, Evaluation and Statistical Analysis
- Funding guidelines for research/evaluation projects, April 15, 2004.

Office of Victims' Services
Victims Compensation
- Victims Compensation Claim Form. (Standard)
- Victims Compensation Claim Form. (One Page)
- Spanish Signature Page
- Claim Form Instruction Booklet.
- Rights and Services Available to Victims of Crime in PA booklet.

PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
- Victims Compensation Assistance Program Procedure Manual.
- Victims Compensation Assistance Program Standard Operating Guidelines.
- Compensation Fact Sheet—Information for Law Enforcement.
- Compensation Instruction Sheets: Counseling Claims; Crime-Scene Cleanup Claims; Death Claims and Funeral Expenses; Loss of Earnings Claims; Loss of Support Claims; Motor Vehicle Related Claims; Personal Injury Claims; Relocation Expense Claims; and Stolen Benefit Cash Claims.

Victims Services
- STOP Funding Announcement, revised February 2005.
- Rights and Services Act (RASA) Funding Announcement, revised June 2005.
- VOJO Funding Announcement, revised June 2005.
- VOCA Funding Announcement, January 2005
- Project STRONG Announcement, May 2005
- DCSI/JAG Announcements, June 2004
- Monitoring tools for Drug Control and System Improvement (DCSI), Applications through Project STRONG, VOJO, revised June 2005; RASA, revised June 2005; Victims of Crime Act (VOCA), revised June 2005; STOP, revised 2005.

Pennsylvania Weed and Seed Program
Housing Services Department
Seniors Supportive Services Program Operating Manual
Family Supportive Services Program Manual
Contact: Sandy Klunk (717-780-3874)

Single Family Housing Division
PHFA Seller’s Guide
HOMESTEAD Program Guidelines
Contact: Kate Newton (717-780-3891)
Individual On-Lot Sewage Disposal System Loan Program Guidelines
Contact: Gary Zimmerman (717-780-1899)
PHFA Servicing Manual
Contact: Tony Julian (717-780-3824)

INTERNAL GUIDELINES
Homeowners’ Emergency Mortgage Assistance Program Policies and Procedures
Contact: Daryl Rotz (717-780-3940)
PHFA Board Minutes and Resolutions
PHFA Employee Manual
Bylaws of the Pennsylvania Housing Finance Agency
PHFA Right To Know Act Policy
Contact: Carrie Barnes (717-780-3911)

OTHER
PHFA Annual Report
Pennsylvania Housing Study (available only on website at www.phfa.org)
Inventory of Assisted Rental Housing
Funding Affordable Housing (resource guide)
PHFA Homebuyer Workbook
Doable Renewable Home (Accessibility Workbook)
Report on the Economic Benefits of Affordable Housing Development in Pennsylvania
Report on the Use of Act 137—Implementation of Pennsylvania’s County Housing Trust Fund Legislation
PHFA Developments (newsletter)
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)
List of Counseling Agencies for Mortgage Bankers and Brokers and Consumer Equity Protection Act (Act 55 of 2001)
Contact: Paula Brightbill (717-780-3915)

PHFA Brochures
Programs Information of the Pennsylvania Housing Finance Agency
Keystone Home Loan Program (English & Spanish)
Keystone Home Loan PLUS Program (English and Spanish)
Homeownership Opportunities for Persons with Disabilities
Important Information About the Federal Recapture Tax
Home Energy Efficiency and Home Buying
Homeowners’ Emergency Mortgage Assistance Program (English & Spanish)
Future Homebuyer Education
Homebuyer Tips (English and Spanish)
Housing Services
PennHOMES Multifamily Rental Development Funding Program
Business Opportunities with the Pennsylvania Housing Finance Agency
Tax Credit Program
Mortgage Programs Guide
Contact: Paula Brightbill (717-780-3915)

Additional information is available on PHFA’s website (www.phfa.org) from time to time (including funding notices, Requests for Proposals, and news and public notices)

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY—PEN妮VEST

Guidelines:
- Liquid Assets/ Newsletter
- PENNVEST—How to Apply
- Brownfield Redevelopment Guidelines and Forms
- PENNVEST ON-LINE—2005
  - Mission
  - PENNVEST Process
  - How to Apply

PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
PUBLIC SCHOOL EMPLOYEES' RETIREMENT SYSTEM

PENNSYLVANIA MUNICIPAL RETIREMENT SYSTEM

Public School Employees' Retirement System

POLICY STATEMENTS (BENEFITS):
• 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 Previous Non-Qualifying School Service
• Worker's Compensation Offset Under Act 57

Contact: Evelyn Tatkovski (717) 720-4734

GUIDANCE MANUALS:
• PSERS Active Member Handbook (Current Ed. 2002)
• PSERS Retired Member Handbook (Current Ed. 2000)
• PSERS Update
• PSERS Pamphlets:
  • Let's Talk About: Leaving Employment & Your PSERS Benefits
  • Let's Talk About: Taxes on Your Retirement Benefits
  • Let's Talk About: Disability Retirement Benefits
  • Let's Talk About: Being Retired

Contact: Lou Ann Buffington (717) 787-8138.
- Let's Talk About: Your Retirement Benefit 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
- Sample Domestic Relations Order and Instruction Memo
- PSERS Retirement Chalkboard (Active Members Newsletter)
- PSERS Benefits Hotline (Retired Members Newsletter)
- The Employer Bulletin
- PSERS Employer Reference Manual
Contact: Evelyn Tatkovski (717) 720-4734

DECISIONS:
- PSERS Board of Trustees Adjudications Topics:
  Accelerated Option
  Beneficiary Change
  Change Employment Status
  Change of Option
  Change Retirement Date
  Class T-D Election
  Cost of Living Increase
  Credited Years of Service
  Death Benefit
  Disability
  Divorce
  Effective Date of Retirement
  Final Average Salary
  Frozen Present Value
  Forced Maternity Leave
  Full-Year Service
  Health Care Premium Assistance
  Mandatory Membership
  Membership Eligibility
  Merchant Marine
  Military Service (purchase of)
  Multiple Service Credit
  Overpayment
  Payment of Interest
  Pension Forfeiture
  Purchase of Service
  Recalculation of Benefit
  Reinstatement
  Retirement-Covered Compensation
  Tax Collector
  Miscellaneous
Contact: Evelyn Tatkovski (717) 720-4734

INTERNAL POLICY STATEMENTS and GUIDELINES:
- PSERS Board Automation Policy
- PSERS Bylaws
- PSERS External Board Appointment and Attendance Policy
- PSERS Election Procedures and Guidelines
- PSERS Domestic Proxy Voting Guidelines
- PSERS ISS Domestic Proxy Voting Guidelines Summary
- PSERS International Proxy Voting Guidelines
- PSERS ISS International Proxy Voting Guidelines Summary
- PSERS Investment Policy Guidelines
- PSERS Public Information Policy
- PSERS Securities Litigation Policy
- PSERS Travel and Education Policy
Contact: Evelyn Tatkovski (717) 720-4734

OTHER:
- PSERS Website: www.psers.state.pa.us
- PSERS Comprehensive Annual Financial Report (Includes Mission Statement)
- PSERS Board Minutes and Resolutions
- PSERS Asset Allocation Plan
- Actuarial Report (annual and 5 year)
- Health Options Program Enrollment Package
Contact: Evelyn Tatkovski (717) 720-4734

PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
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
- PMRS Indemnification
- Permanent Employee

Contact: James B. Allen (717) 787-2065

GUIDANCE MANUALS:
- PMRS Notes and News
- PMRS Pamphlets:
  - Plan Benefit Summary (individualized for each municipality)
  - Evaluating Your Pension Plan
  - Pennsylvania Municipal Retirement System
- Individual Municipality Plan Benefit Agreements
- PMRS WebSite: www.pmrs.state.pa.us

Contact: James B. Allen (717) 787-2065

DECISIONS:
- PMRS Board of Trustees Adjudications Topics:
  - Death Benefit
  - Pension Forfeitures
  - Purchase of Service
  - Vesting
  - Disabilities
  - Miscellaneous

Contact: James B. Allen (717) 787-2065

INTERNAL GUIDELINES:
- PMRS Investment Guidelines and Proxy Voting
- Investment Consultant Quarterly Reports
- Comprehensive Annual Financial Report
- Annual Report Summary
- Actuarial Reports (Annual Evaluation and 5 year Experience Study Report)
- Actuarial Tables
- Sample Domestic Relations Order and Instruction Memo
- PMRS Board Minutes and Resolutions
- PMRS Policy on Public Information

Contact: James B. Allen (717) 787-2065

PUBLIC WELFARE

(Editor’s Note: Statements of Policy are in upper and lower case. Notices of Rule Change are in all capitals. Notices of Rule Change adopted more than 180 days before deposit are starred (*).

Office of Income Maintenance—Contact: Edward J. Zogby (717) 787-4081

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- 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
- TANF State Plan

**Office of Medical Assistance—Contact: Donald Yearsley (717) 772-6341**

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Office of Social Programs—Contact: David Kauffman (717) 705-7744

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Office of Children, Youth & Families—Contact: TaWonda Jones-Williams (717) 772-7712

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- Federal Regulations Affecting Children’s Eligibility for Supplemental Security Income (SSI) Benefits
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- “Dear Contractor Letters”—a series of letters providing contract clarifications for subsidized child day care

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- 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
- Child Residential and Day Treatment Facilities Licensing Measurement Instrument Revisions
- Model Petitions and Court Orders
- Report on Recommended Best Practices for IV-E and TANF Programs
- Foster Care Visitation Manual
- SWAN Adoption Network (SWAN) Adoption Manual
- SWAN Adoption Technical Guide

OFFICE OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES/MENTAL RETARDATION—CONTACT: NORALIZ CAMPANELLA (717) 772-7926

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10/04/00 OMHSAS-00-04  
Coordination of treatment and support for people with a diagnosis of serious mental illness who also have a diagnosis of mental retardation  
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### Office of Mental Health and Substance Abuse Services—Contact: Noraliz Campanella (717) 772-7926

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- Community Mental Health Services Block Grant

**Office of Mental Retardation—Contact: Mel Knowlton (717) 783-5764**

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• 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
• Medical Assistance for Children
• Providing Services to Persons with Autism/Pervasive Developmental Disorder
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Office of Administration—Contact: Charles Jones (717) 772-6247

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Office of Child Development—Contact: Robert Frein (717) 346-9323

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• Licensing Indicator System for Child Day Care Centers
• Licensing Indicator System for Group Day Care Homes

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• Procedures for the Regulation of Child Daycare Facilities
PLEASE ORDER FROM SPECIFIED BUREAU. THERE IS NO CHARGE UNLESS NOTED.

BUREAU OF ADMINISTRATIVE SERVICES, TAX FORMS SERVICE UNIT, 711 GIBSON BLVD., HARRISBURG, PA 17104-3200 OR TELEPHONE: 1-800-362-2050 (Toll-free number), or FAX requests 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)
- PAFASTFILE—PIT Electronic Book for TeleFile/pa.direct.file.pa/irs e-file (2001 and later-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 and prior—order by year needed)
- 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 needed—after 1999)
- PAKOZ P-S Schedule for Partnerships/Shareholders (Keystone Opportunity Zone) (order by year needed—after 1999)
- PAKOZPSI—Information for Schedule P-S
- PA-205/P A-65 Partnership/PA S Corporation Information Return
- PA-65l Partnership/S Corp 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 (order by year needed)
- PA971 Innocent Spouse Relief
- PA8379 Injured Spouse Claim and Allocation
- PA8857 Request for Innocent Spouse Relief
- PA8453 Declaration of Electronic Filing/PIT
- PA12507 Innocent Spouse Statement
- PA12508 Non-requesting Spouse Information
- PA12510 Innocent Spouse Information Request
- PA205-I S Corporation Tax Instruction Book (order by year needed—prior to 1997—was part of REV1200 book—beginning year 2002 will be part of PA65l book)
- 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-101D—Declaration of de minimis PA Activity
- RCT-101KOZ—Keystone Opportunity Zone Instruction Book
- REV-23 Board of Appeals Practices and Procedures Brochure
- REV-181 Application for Tax Clearance
- REV-183 Affidavit of Value Realty Transfer Tax
- REV-221 Sales and Use Tax Rate Chart
- REV-227 Sales and 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-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-331A Authorization for Electronic Funds Transfer Agreement
• 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-459B Consent to Transfer PA Estimated Tax Account
• 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-502 FACT Line Brochure/ PATAxes
• REV-527 Taxpayer's Bill of Rights Brochure
• REV-552 TeleFile/E-File Information Insert
• REV-554 Disclosure Statement/Taxpayer Rights Advocate
• REV-555I Inheritance Tax General Information
• REV-556 Taxpayer Request for Assistance
• REV-573 CAQ-Property Tax/Rent Rebate Brochure
• REV-577 CAQ-Estimated Tax Payments Brochure
• REV-580 CAQ-Employer Withholding Brochure
• REV-581 CAQ-Personal Income Tax Brochure
• REV-582 CAQ-Corporation Taxes Brochure
• REV-584 CAQ-Inheritance Tax Brochure
• REV-585 CAQ-Sales and 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 Guidelines Brochure
• REV-611 CAQ-Determining Residency for PA PIT Purposes Brochure
• REV-612 CAQ-Military Pay for PA PIT Purposes Brochure
• REV-617 CAQ-Hiring Household Workers Brochure
• REV-618 CAQ-PA Realty Transfer Tax and New Home Construction Brochure
• REV-625 CAQ-Sale of Principal Residence for PA PIT Purposes Brochure
• REV-627 CAQ-Construction Contracts Brochure
• REV-631 CAQ-Tax Forgiveness for Personal Income 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-670 Instructions for Fuel Use Bond
• REV-671 KOZ Brochure-The Benefits of Living in a KOZ
• REV-672 KOZ Brochure-How They Effect Business Owners
• REV-695 KOZ Brochure-How Property Owners Benefit
• REV-696 CAQ-The Difference Between an Employee and an Independent Contractor Brochure
• REV-705 Strategic Planning Update 2000 Brochure
• REV-717 Retailer’s Information Booklet
• REV-721 Corp Tax Bulletin 121/Estimated Settlement
• REV-745 Electronic Tax Filing Brochure
• REV-748 Electronic Services for PA Businesses Brochure
• REV-750 Limited Liability Companies Brochure
• REV-758 PA PIT for College Students Brochure
• REV-775 Credit Card Payment Stuffer
• REV-778 PA Tax Obligations for Out-of-State Vendors Brochure
• REV-791 Consumer Cig. Excise Floor Tax Return
• REV-816G Corp Tax Bulletin #92, Act 90 of December 1983
• REV-816I Corp Tax Bulletin #94, Shares Tax-Banks and 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-851F PA Inheritance & Estate Tax Act
• REV-853R Corp Tax Annual Payment/Extension Replacement Coupon
• REV-854R Corp Tax Filing Period/EIN/Address Change Form Replacement Coupon
• REV-857R Corp Tax Estimated Payment Replacement Coupon
• REV-860 Schedule L, M, N, C-5 and OA
• REV-861 Schedule DA Disposition of Assets
• REV-883 Application for Film Production Tax Credit
• REV-915 PA Small Games of Chance/Game Approval Form
• REV-1026 Information on Motor Carriers Road Tax and IFTA
• REV-1026A Information on Motor Carriers Road Tax-PA Only
• 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 and 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-1633 PIT Pamphlet No. 2, Taxation of Shareholders
• REV-1640 Shareholders Consent Statement
• REV-1643 Listing of Tax Exempt PIT Obligations
• REV-1716 Employer Withholding Period Ending Due Dates
• REV-1729 Tax Information for Farmers 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/Sch. D-71
• REV-1748 Use Tax and 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.

• SEC05.1-05.7 Payments by Electronic Funds Transfer
• 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
• 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 and 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 and 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 Fund 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 and 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 and 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 and Exempt Personal Property
- SEC58.03 Timbering Operations
- SEC58.04 Commission Vendors
- SEC58.05 Decorated Cottage Cheese Containers
- SEC58.06 Barbers and 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 and 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 and 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

**BUREAU OF CORPORATION TAXES, PO BOX 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 and 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 and 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-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-2 Corp Tax Bulletin 99 1985 Economic Revitalization Tax Credit
- T-CT-3 Corp Tax Bulletin 100 1985 Estimated CNI System
- 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-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
- 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-173 Corp Tax Bulletin 112A Notice regarding Recomputation of Safe Harbor and Recovery Payments
- DCT27 Corp Tax Bulletin 113 1991 Utilities Gross Receipts/PURTA

**PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005**
NOTICES

- 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
- DCT52 PURTA Brochure
- DCT53 Corp Tax Bulletin 120/Purta Compensating Adjustment
- DCT54 Corp Tax Bulletin 122/Tax Transition Impact Limitations

OFFICE OF CRIMINAL TAX, 1854 BROOKWOOD ST., HARRISBURG, PA 17104, TELEPHONE 783-4649
- DCI02 Guide to Cigarette Law Enforcement

PRESS OFFICE, PO BOX 281100, HARRISBURG, PA 17128-1100, TELEPHONE (717) 787-6960
- DPO22 Brochure/Working Together

BUREAU OF RESEARCH, PO BOX 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

BUREAU OF INDIVIDUAL TAXES, PO BOX 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, PO BOX 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)
- *All-Game Guide Brochure
- *Winning Numbers Lists
- Retailer Connection—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-355 Beneficiary Statement
- *RSL-400 Lottery Fund Benefits Programs Brochure Comparative Statement of Income and Expenditures
- *RSL-438 Game Odds Card

PENNSYLVANIA SECURITIES COMMISSION

GUIDANCE MANUALS:
- Compendium of Commission and Staff Positions, Summary of Significant Commission Orders and Compilations of Staff No-Action Letters
- Small Company Offering Registration (SCOR) In Pennsylvania
- Coordinated Equity Review Notebook
- Publication: Raising Small Business Capital
SEXUAL OFFENDERS ASSESSMENT BOARD

Sexually Violent Predator—Treatment and Management Standards
Contact: Diane Dombach (717) 787-5430

STATE

POLICY STATEMENTS:
Secretary of the Commonwealth
• Use of Public Areas Outside the Capitol Complex, 49 Pa. Code, Chapter 61
• Returned Check Fee, 49 Pa. Code, Chapter 63
  Contact: Patricia Ventrone (717) 787-3945

State Athletic Commission
• Athletic Agents, 58 Pa. Code §§ 41.1—41.3
  Contact: Gregory Sirb (717) 787-5720

Bureau of Professional and Occupational Affairs
Commissioner of Professional and Occupational Affairs
• Schedule of Civil Penalties—Certified Real Estate Appraisers, 49 Pa. Code § 43b.15
• Schedule of Civil Penalties—Audiologists, Speech-Language Pathologists and Teachers of the Hearing Impaired, 49 Pa. Code § 43b.16
• Schedule of Civil Penalties—Nursing Home Administrators, 49 Pa. Code § 43b.17
• Schedule of Civil Penalties—Nurses, 49 Pa. Code § 43b.18
• Schedule of Civil Penalties—Occupational Therapists and Occupational Therapy Assistants, 49 Pa. Code § 43b.19
• Schedule of Civil Penalties—Physicians and Other Board Regulated Practitioners, 49 Pa. Code § 43b.20
  Contact: Cynthia Montgomery (717) 783-7200

State Board of Dentistry
• Replacement of Dental Amalgams, 49 Pa. Code § 33.213
• Disclosure of Financial or Ownership Interest, 49 Pa. Code § 33.214
• Use of Lasers in the Dental Office, 49 Pa. Code § 33.215
• Requirement of Anesthesia Permit for Nonparenteral Premedication of Dental Patients, 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: Cindy Warner (717) 783-1389

State Board of Medicine
• Disciplinary Guidelines for Use of Anabolic Steroids, 49 Pa. Code § 16.97
  Contact: Joanne Troutman (717) 783-1400

State Board of Nursing
• Scope of Practice Interpretations, 49 Pa. Code § 21.401
• General Functions of Registered Nurses, 49 Pa. Code § 21.411
• Venipuncture, Intravenous Fluids, Resuscitation and Respiration, 49 Pa. Code § 21.412
• Administration of Drugs, 49 Pa. Code § 21.413
• Functions of Licensed Practical Nurses, 49 Pa. Code § 21.414
  Contact: Ann Steffanic (717) 783-7142

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
  Contact: Gina Bittner (717) 783-4858

State Board of Pharmacy
• Radiopharmaceutical Prescriptions, 49 Pa. Code § 27.101
• Return to Stock of Undelivered Medication, 49 Pa. Code § 27.102
  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 Board of Social Workers, Marriage and Family Therapists and Professional Counselors
• Department of Health Licensing of Substance Abuse Services Provided by Professional Counseling Practices, 49 Pa. Code § 49.17
  Contact: Cindy Warner (717) 783-1389

GUIDANCE MANUALS:
Bureau of Professional and Occupational Affairs
• Case Management Guidelines Manual for Professional Health Monitoring Programs
  Contact: Kevin Knipe (717) 783-4857

State Board of Barber Examiners
• Policy Manual
  Contact: Hilarene Staller (717) 783-3402

State Board of Cosmetology
• Policy Manual
  Contact: Hilarene Staller (717) 783-7130

State Board of Medicine
• Policy Manual
  Contact: Joanne Troutman (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)
• Complying with Pennsylvania Continued Competency Regulations (2003)
• 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
• Guideline: Education Requirements
• Guideline: Persons Licensed in Other States
  Contact: Chris Stuckey (717) 783-7155

State Real Estate Commission
• Guideline: Real Estate Assistants
• Guideline: Home Offices
• Guideline: Team Advertising
• Guideline: Relationship Between Educational Providers and Real Estate Companies and Brokers
• Guideline: Continuing Education
• Guideline: Internet Advertising Policy
• Policy Manual
  Contact: Deborah Mischeck (717) 783-3658

**Bureau of Commissions, Elections and Legislation**

• The Pennsylvania Voter Registration Implementation Manual for County Election Officials
  Contact: Harry VanSickle (717) 783-2053
• A Guide to Agency-Based Voter Registration Programs
  Contact: Allison Deibert (717) 787-5280

**INTERNAL GUIDELINES:**

**Bureau of Professional and Occupational Affairs**

**State Architects Licensure Board**

• Architect/Engineer Joint Advisory Committee
  Contact: Linda Dinger (717) 783-3397

**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
  • Mcare Triage Guidelines
    Contact: Joanne Troutman (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
  • Probable Cause Screening Committee
    Contact: Deborah Mischeck (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
• Notice on What Constitutes a Vote
  Contact: Harry VanSickle (717) 783-2053
• Campaign Finance Reporting Law Pamphlet
  Contact: Mary Heinlen (717) 787-5280
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 non-regulatory public documents. For additional information on the listed items, contact the SERS Public Information Officer by calling (717) 787-9657.

Eric Henry
Executive Director

- SERS Board of Trustees Adjudications by Topic:
  - Cost of Living Increase
  - Change of Benefit Option
  - Transfer to Alternate Retirement Plan
  - 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 (2005 edition)
- SERS pamphlets
  - Information for Retirees (SERS-149)—11/30/04
  - Classes of Membership (SERS-150)—10/30/04
o Social Security Integration Coverage for SERS Members (SERS-151)—10/28/04
o How to Apply for a Disability Retirement (SERS-152)—11/04/04
o Retirement Benefits available to Pennsylvania State Police (SERS-153)—11/3/04
o Retirement Options for SERS Members (SERS-154)—10/28/04
o Provisions for the Purchase of Service (SERS-155)—3/8/05
o Domestic Relations and Support Orders (SERS-157)—11/3/04
o Frozen Present Value: Its Impact on State Pensions (SERS-158)—10/28/04
o Refund Procedures for those Leaving State Service (SERS-159)—10/28/04
o Information on Tax Form 1099-R for Tax Year 2004
o Vesting in the State Employees’ Retirement System (SERS 162)—11/30/04

• SERS Flyers:
  o SERS Monthly Annuity Payment Dates (2005)
  o Custom Retirement Calculator Special Notice (April 2003)

• Management Directives and Administrative Circulars issued by SERS

• SERS Mission Statement

• SERS Statement of Investment Policy
  o SERS Real Estate Statement of Investment Policy
  o SERS Alternative Investments Statement of Investment Policy

• SERS Public Markets Investment Advisor Retention Guidelines

• SERS current Five-Year Investment Plan (“2005 Annual Five-Year Investment Plan”)

• SERS Proxy Voting Policy

• SERS Right-to-Know-Law Policy dated November 3, 2004

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 “SERSNews” member newsletter

• SERS Information Bulletins

• SERS 2004 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

• SERS Appeals Committee Guidelines for Informal Appeals

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STATE POLICE

GUIDANCE MANUALS, BROCHURES, FORMS AND OTHER MATERIALS

Bureau of Criminal Investigation, Heritage Affairs Office
Cultural Awareness Brochure (SP5-344)

Bureau of Human Resources
Enlisted Employment Information
  Application for State Police Cadet
  General Cadet Information (SP5-349)
Pennsylvania State Police: A Challenging Career That Makes a Difference
  Pennsylvania State Police General Information SP3-313 (7-2001)

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 Liquor Control Enforcement
Bureau of Liquor Control Enforcement Brochure
  Choices Program Brochure
TRANSPORTATION

POLICY STATEMENTS:

Bureau of Equal Opportunity

- DBE Policy Statement, 5/21/2004
- Equal Opportunity Title VI Statement of Policy, 7/15/2002 (included in Title VI Compliance and Implementation Plan at pg. 9)
- External Contract Compliance Policy Statement, 2/2/2005
- MBE/WBE Policy 100% State Funded Construction Contracts, 9/21/1999 (This program and document is currently being reviewed by the Department)

PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
**Bureau of Design**
- Standards for Hardware Glulam Bridge Design (Pub. 6M)
- Design Manual Part 1A: Transportation Engineering Procedures (Pub. 10A)
- Pile Load Test Summaries (Pub. 15A)
- Design Manual Part 4: Structures, Dual Units (Pub. 15M)
- Design Manual Part 5: Metric (Pub. 16M)
- Guidelines for Design of Local Roads and Streets, Dual Units (Pub. 70M)
- Roadway Construction Standards, Dual Units (Pub. 72M)
- Standards for Bridge Design, Dual Units (Pub. 218M)
- Standards for Bridge Construction, Dual Units (Pub. 219M)
- Right-of-Way Encroachments and Outdoor Advertising Sign Control (Pub. 266)

**Bureau of Maintenance and Operations**
- Pavement Policy Manual (Pub 242)

**Bureau of Construction and Materials**
- Geo-technical Engineering Manual (Pub. 293, 1/97)

**Bureau of Highway Safety and Traffic Engineering**
- Traffic Signing Standards, TC-8700 Series (Pub. 111M)
- Traffic Signal Standards, TC-7800 Series (Pub. 148)
- Traffic Signal Design Handbook (Pub. 149)
- Engineering and Traffic Studies (metric) (Pub. 201M)
- Work Zone Traffic Control (dual units edition) (Pub. 203M)
- Flagging Handbook (Pub. 234)
- Handbook of Approved Signs (Pub. 236M)
- Sign Blank Specifications (Pub. 306M)
- Statewide Bicycle & Pedestrian Master Plan
- Pennsylvania Bicycle Driver’s Manual (Pub. 380)

**Center for Program Development and Management**
- PennPlan MOVES
- PennPlan MOVES—Report of Achievement 2000
- PennPlan MOVES—Report of Achievement 2001
- PennPlan MOVES—Report of Achievement 2002
- PennPlan MOVES—Report of Achievement 2003
- Action Plan Resulting from the 2003 Conference on Transportation and Land Use for Economic Development

**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.)
- Policies and Procedures for the Administration of Liquid Fuels Funds (Pub. 9)

**Strategic Environmental Management Program (SEMP) Office**

**GUIDANCE MANUALS:**

**Bureau of Driver Licensing**
- Pennsylvania Driver’s Manual (Pub 95) (Updated January 2004)
- Commercial Driver’s Manual (Pub 233) (Updated December 2003)
- Motorcycle Operator Manual (Pub 147) (Updated May 2004)
• New Driver’s License and Identification Cards
• A Guide to Obtaining a Pennsylvania Junior Learner’s Permit and Junior Driver’s License (Pub 178) (Updated October 2004)

Bureau of Motor Vehicles
• Apportioned Manual (Pub 181) (Updated April 2004)
• Dealer Manual (Pub 458) (Updated January 2005)
• Salvor Manual (Pub 460) (Updated August 2003)
• Messenger Manual (Updated 2000)

Bureau of Equal Opportunity
• Minority/Female Resource Guide, 5/2005
• OJT—Training Manual, 3/1995
• Highway and Bridge Subcontractor’s Manual (Pub. 412), 2/2001
• Equal Employment Opportunity Plan, Federal/State (This Program is currently under review)
• Title VI Compliance and Implementation Plan, 7/15/2002
• Contract Compliance Plan (This Program is currently under review)
• Pennsylvania Unified Certification Program 2004

Bureau of Municipal Services
• Liquid Fuels Annual Qualifying Package (Yearly forms a municipality must complete to receive their annual Liquid Fuels Allocation.)
• Transfer of State Highways Program (Pub. 310)
• Procedures for Administration of Municipal Projects (Pub. 39)
• Dirt & Gravel Roads Manual
• Quality Assurance and Inspection Manual for Timber Bridges
• Municipal Services Guide for Road Construction (Pub 372)
• Approved Products for Lower Volume Local Roads (Pub 447)

Bureau of Office Services
• Conducting Business with the PA Department of Transportation (Pub 4) (3/2003)

Bureau of Design
• 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 and 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 (Pub. 312)
• Oversize/Oversize Application for Special Hauling Permit M-936A
• How to Complete General Application Form M-936A Oversize/Oversize Application for Special Hauling Permit
• Supplemental Application for Overweight Special Hauling Permit (M-936AS)
• How to Complete Supplemental Application Form M-936A, Excessively Overweight Movement (Supplemental Application for Overweight Special Hauling Permit)
• How to Complete an Application for a PA Super Load Permit
• Pennsylvania STAA Truck Routes (Pub. 411)
• Trucker’s Guide to Pennsylvania

Bureau of Construction and Materials
• Procedures for Administration for Municipal Projects (Pub. 39)
Bureau of Highway Safety and Traffic Engineering
- Pennsylvania's Traffic Calming Handbook (Pub. 383)
- Guidelines to Implement Act 229 of 2002; Additional Traffic-Control Devices in Highway Work Zones; Statement of Policy
- Bicycling Directory of Pennsylvania (Pub 316)

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 and Programming
- Public Involvement Program for Transportation Planning and Programming
- Transportation Management Association Assistance Program Guidelines
- PA Infrastructure Bank Handbook
- Pennsylvania's Transportation Program—Executive Summary, September 2001
- Sound Land Use Planning for Your Community
- PennDOT's Sound Land Use Implementation Plan
- Home Town Street & Safe Routes To School General Information and Program Guidance
- Pennsylvania Infrastructure Bank Handbook
- Pennsylvania Byways . . . A Guide
- Pennsylvania Byways Program—Pamphlet
- State Transportation Commission Guidelines for Public Participation in the 2007 Transportation Program Development Process

Office of the Deputy Secretary for Planning
- Transportation Partnerships Guidelines Manual

Bureau of Aviation
- Aviation Development Airport Sponsor's Guide (Pub 405)
- Environmental Evaluation Forms A, B and C for Airport Development Projects

INTERNAL GUIDELINES:
Bureau of Driver Licensing
- Physician Reporting Fact Sheet (Pub 7212) (Updated March 2005)

Bureau of Equal Opportunity
- DBE Plan, 9/1999
- PENNDOT Title VI Assurances, 7/15/2002 (Included in Title VI Compliance and Implementation Plan at pg. 77)
- State Assurances with Regard to Equal Opportunity as required by the Federal-Aid Highway Act of 1968, 2/2/2005

Bureau of Design
- Administration of Consultant Agreements (Pub. 93)
- Project Level Highway Traffic Noise Handbook (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 Handbook (Pub. 324)
- Wetlands Resource Handbook (Pub. 325)
- Environmental Assessment Handbook (Pub. 362)

Bureau of Maintenance and Operations
- Engineering District and County Maintenance Offices Location Maps and Mailing Addresses (Pub. 22)
Bureau of Construction and Materials
• Finals Unit Manual (Pub. 11) (Guidance for Highway Construction Project Closeouts) (Pub. 11)
• Field Computation Guidebook (Guidance for Highway Construction Projects) (Pub. 21)
• Contract Documentation System Field Operations Manual (Pub. 320)
• Producers of Ready Mix Concrete (Pub 42)
• Producers of Bituminous Mixtures (Pub 41) Approved Aggregate Producers (Pub 34)

Bureau of Planning and Research
• Conduct of Research at PennDOT
• 2002 PA Traffic Data Book
• 2002 PA Highway Statistics 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.)
• Transfer of State Highways Program (Pub 310)
• Procedures for Administration of Municipal Projects (Pub 39)
• Dirt & Gravel Roads Manual
• Quality Assurance and Inspection Manual for Timber Bridges

OTHER:

Bureau of Office Services

Bureau of Design
• Construction Items Catalog (Pub. 7)
• Construction Items Catalog (metric edition) (Pub. 7M)
• Construction Cost Catalog of Standard Construction Items (Pub. 287)
• Getting Involved Brochure (Pub. 304)

Bureau of Construction and 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)
• Slope Stability Program, PASTABL (Metricated) (Pub. 318)

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.) (updated yearly)
• Treasurer’s Account Book (Accounting system for local governments.)
• PENNDOT Keeping you Connected—CD (a production that’s designed to educate the public about PENNDOT’s business.)
• Building Relationships for better Government (Pub 454)
• Bureau of Municipal Services Information and Forms CD (updated yearly)

Bureau of Public Transportation
• PA Urban Transit Statistical Report 2003/2004 (Statistics for urban public transportation providers.)
• Pennsylvannia Operating Assistance Programs Statistical Report (Rural Intercity Bus & Intercity Rail), Fiscal Years 2002-03 and 2003-04
• Shared-Ride Service Statistical Report 2002-03 and 2003-04, April 2005
**INDEPENDENT REGULATORY REVIEW COMMISSION**

**Notice of Comments Issued**

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Commission may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

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**Pennsylvania Public Utility Commission Regulation #57-237 (IRRC #2463)**

**Provisions of Default Service**

**July 27, 2005**

We submit for your consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. S. § 745.5b) which have not been met. The Pennsylvania Public Utility Commission (PUC) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on June 27, 2005. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

1. **General—Legislative intent of the Electricity Generation Customer Choice and Competition Act: Need.**

The purpose of this regulation is to implement § 2807(e) of the Electricity Generation Customer Choice and Competition Act (Act), as it pertains to an electric distribution company’s (EDC)’s obligation to serve retail customers. One of the key policy declarations of the Act is found in § 2802(5). It states: “Competitive market forces are more effective than economic regulation in controlling the cost of generating electricity.” The preamble states that this declaration of policy guided the PUC in drafting this rulemaking. We concur that this policy should be used as the basis for this rulemaking and note that the PUC has correctly considered other declarations of policy found in the Act. Those declarations relate to reliability, availability, customer service and protection afforded to low-income customers.

The PUC has crafted a regulation that considers competitive market forces to be more effective than economic regulation while, at the same time, ensuring a reliable and reasonably priced supply of electricity. We acknowledge that this is unprecedented territory for the PUC. When reviewing the comments, we encourage the PUC to continue to focus on the principle that competitive market forces are more effective than economic regulation, and further incorporate that principle into the final-form regulation.

In addition, we urge the PUC to consider another key concept of the Act found at § 2807(e)(3). This section states in part: “...the electric distribution company or commission-approved alternative supplier shall acquire electric energy at prevailing market prices to serve that customer and shall recover fully all reasonable costs” (Emphasis added). We believe that electric energy acquired at true prevailing market prices and sold to...
customers at rates that reflect those prices is the most appropriate way to bring true choice and competition to the citizens of Pennsylvania.

Having commended the PUC for undertaking this difficult task, we question the need for the rulemaking at this time. We base this question on the following. First, the PUC has noted that the retail and wholesale energy markets will continue to evolve between now and the expiration of the last EDC rate caps in 2010. Drafting regulations today that match tomorrow’s markets is an imprecise and difficult task. Second, the PUC has also stated that changes to Federal and State law could affect this rulemaking. To illustrate this point, the Alternative Energy Portfolio Standards Act (AEPS), which became law in 2004, and the implementing regulations to be developed by the PUC will have a dramatic effect on how energy companies acquire electricity. Third, knowledge could be gained from the experience of other states that are making the transition from a regulated to a competitive electric market. Fourth, the experiences gained by both the PUC and the EDCs, whose rate cap periods have ended and are operating under interim guidelines, could be useful when drafting regulations at a future date. Additionally, the continuing use of interim guidelines would provide the PUC an opportunity to consider various programs before it finalizes these regulations. For these reasons, we urge the PUC to carefully consider the value of delaying the promulgation of these regulations until a date closer to conclusion of the rate cap periods of the major EDCs.

2. Section 54.123. Transfer of customers to default service.—Adverse effects on prices, productivity or competition; Need; Implementation procedures.

This section establishes the standards that apply to the transfer of retail customers by an electric generation supplier (EGS) to a default service provider (DSP). Section 2807(e)(4) of the Act states: “If a customer that chooses an alternative supplier and subsequently desires to return to the local distribution company for generation service, the local distribution company shall treat that customer exactly as it would any new applicant for energy service.” We believe this language prohibits any restrictions on customers who want to obtain their energy service from the DSP. In addition, if rates are set at the prevailing market price by the DSP, there would be no need for limitations on the transfer of customers from an EGS to a DSP. Therefore, all of the language in Subsection (1)(iv) following “…expiration of contracts…” and all of Subsection (3) should be deleted because they could be interpreted as preventing customers from switching from one energy supplier to another.

3. Section 54.181. Purpose.—Adverse effects on price, productivity or competition.

Under this section, an EDC is allowed to fully recover all reasonable costs for acting as a DSP. However, this rulemaking also allows for the possibility that an EGS may serve as a DSP. If a DSP is not an EDC, that DSP should also be allowed to recover all reasonable costs associated with providing that service. This would conform to § 2807(e)(3) of the Act, which states, in part, that “…the electric distribution company or commission-approved alternative supplier shall … recover fully all reasonable costs.” The final-form regulation should be amended to provide for the recovery of costs by either an EDC or an EGS serving as a DSP.

4. Section 54.182. Definitions.—Clarity.

Competitive procurement process—This definition contains the phrase “through a bid solicitation process.” To give more flexibility to DSPs, as discussed in our comments on §§ 54.185(d) and 54.186(a), this phrase should be deleted.

Default service provider—This definition includes the phrase that is being defined. Section 1.7(e) of the Pennsylvania Code & Bulletin Style Manual states that the term being defined may not be included as part of the definition. Therefore, the phrase DSP should be deleted from this definition.

Fixed rate option—The phrase “seasonal differences” is included in this definition. It also appears throughout the regulation. For clarity, this term should be defined. Also, in order to better meet the “prevailing market price” standard, the phrase “may include” should be replaced with “includes.”

Hourly Priced Service—Based on this definition, the hourly default service price is based on either the “RTO or ISO’s LMP for energy, or other similar, mechanism.” The phrase “other similar mechanism” is vague. The final-form regulation should provide examples or more detail as to what other mechanisms would be acceptable. Because substantive provisions in the definitions section are not enforceable, any substantive provisions added to the final-form regulation should be placed in the appropriate section of the regulation.

5. Section 54.183. Default service provider.—Statutory authority; Legislative intent; Implementation procedures.

Subsection (a)

This subsection establishes the incumbent EDC in each certificated service territory as the DSP. The PUC believes that this decision is in the public interest because the competitive retail market is still in transition and it is consistent with § 2802(16) of the Act. This section of the Act states, in part: “Electric distribution companies should continue to be the provider of last resort in order to ensure the availability of universal electric service in this Commonwealth unless another provider of last resort is approved by the commission.”

Section 2807(e)(2) of the Act further explains the potential role of an EDC. It states:

At the end of the transition period, the commission shall promulgate regulations to define the electric distribution company’s obligation to connect and deliver and acquire electricity under paragraph (3) that will exist at the end of the phase-in period.

While it is clear that § 2802(16) of the Act requires EDCs to fill the role of provider of last resort during the transition period, § 2807(e)(2) leaves open what the EDCs’ role should be at the end of the transition period. Given the declaration of policy contained in § 2802(5) of the Act, that competitive market forces are more effective than economic regulation, we question whether this decision is consistent with the intent of the General Assembly.

Subsection (b)

Under this subsection, an EDC may petition the PUC to be relieved of its default service obligation or the PUC may relieve an EDC of its default service obligation if this action is in the public interest. The final-form regulation should include the criteria that the PUC will use to determine if the removal of an EDC as a DSP is in the public interest.
Subsection (c)

This subsection outlines the competitive process for the replacement of an EDC acting as the DSP. Under Subsection (c)(1), an EDC or EGS wanting to be an alternative DSP must apply for a certificate of public convenience. Subsection (c)(2) also requires the applicant to demonstrate its operational and financial fitness to serve and its ability to comply with certain laws, regulations and orders.

We have three concerns. First, what is the PUC's statutory authority to require that an EGS acquire a certificate of public convenience in order to provide default service? Second, an EDC already has a certificate of public convenience. Would a new certificate be required, or could the EDC amend its existing certificate? Third, Subsection (c)(4) states that if one or more applicants meet the standards to become the DSP, the PUC will grant a certificate of public convenience to act as DSP to the applicant best able to fulfill the obligation. The criteria the PUC will use to make this determination should be included in the final-form regulation.

6. Section 54.184. Default service provider obligations.—Clarity.

Subsection (b)

This subsection requires DSPs to comply with all applicable PUC regulations and orders. For clarity, a citation to the applicable regulations should be included in the final-form regulation.

Subsection (c)

Under this subsection, a DSP is required to continue the universal service program in effect in the EDC's certified service territory or implement a similar customer assistance program consistent with the Act. Subchapter C of 52 Pa. Code Chapter 54, relating to universal service and energy conservation reporting requirements, imposes certain duties on EDCs. Would the DSP have to comply with all the requirements contained in Subchapter C? If the DSP is not the EDC, how will these programs be funded?

7. Section 54.185. Default service implementation plans and terms of service.—Adverse effects on prices, productivity or competition; Implementation procedures; Clarity.

Subsection (a)

This subsection requires a DSP to file a default service implementation plan no later than 15 months prior to conclusion of the existing plan or the PUC approved generation rate cap. When would a DSP selected under the competitive process contained in § 54.183(b) and (c) be required to file an implementation plan?

Subsection (b)

This subsection requires compliance with all PUC regulations pertaining to documentary filings and requires service of the plans on certain parties. We have two recommendations. First, a citation to the applicable regulations should be included in the final-form regulations. Second, as suggested by a commenter, plans should also be served on all registered EGSs in the EDC's service territory and/or made available on the EDC's website.

Subsection (c)

This subsection states the following: "A default service implementation plan must propose a minimum term of service of at least twelve months, or multiple twelve month periods, or for a period necessary to comply with subsection (f)." Some commentators believe that allowing multiple 12-month periods is too long because it may distort market prices and thereby contradict the competition goal of the Act. Other commentators believe 12 months is too short and could lead to higher prices for consumers. We believe this provision is important because it will directly affect the procurement strategies of the DSPs and will influence how closely rates for default service will reflect prevailing market prices.

We believe it is appropriate for default service implementation plans to include details on a DSP's procurement strategy which may call for a portion of the energy to be provided under contracts with a duration of more than 12 months. However, the PUC should be cautious about approving plans that will remain in effect for multiple 12-month periods because they may not reflect the prevailing conditions in wholesale energy markets. Where DSPs want to enter long-term contracts with energy suppliers, we recommend that only a limited portion of the energy purchased be for a term of service of greater than 12 months and that the term of service be no longer than 36 months.

Subsection (d)

Under this subsection, electric generation supply must be acquired through a competitive procurement process, which requires bid solicitation. We note that the § 2807(e)(3) of the Act requires EDCs to acquire electric energy at "prevailing market prices." Several commentators believe that a "competitive" process is not needed to acquire energy at the "prevailing market price." Others believe that bid solicitation is not the only method that should be allowed. Flexibility should be provided by allowing an EDC or an alternate EDC to acquire energy using appropriate procurement processes with varying terms of service that reflect the prevailing market price.

Under this subsection, the implementation plan must include reasonable credit requirements or "other reasonable assurances of any supplier of electric generation services' ability to perform, as approved by the Commission." The phrase "other reasonable assurances" is unclear. The final-form regulation should explain what other assurances the PUC would approve. Similarly, how would these be "approved by the Commission? Would they be evaluated as part of the review of the plan or as a part of another process?

Subsection (i)

This subsection requires default service plans to identify all existing "long-term generation contracts" between EDCs and retail customers. The phrase "long-term" is vague and should be replaced with a specific time frame.

Subsection (k)

This subsection states that default service implementation plans "should include copies of any proposed confidentiality agreements." The term should be non-regulatory language which indicates that this provision is optional. The PUC should either replace the word "should" with "shall" or delete this provision from the final-form regulation.

Subsection (m)

This subsection allows the PUC to issue further orders which would specify the form and content of implementa-
tion plans. We agree that PUC orders are the best way to specify the form of default service implementation plans. However, the required “content” should be included in this section and, if changes are needed, be promulgated by amending this regulation through the rulemaking process.

8. Section 54.186. Default service supply procure-
ment.—Adverse effects on prices, productivity or
competition; Implementation procedures; Clarity.

Subsection (a)

This subsection requires a DSP to procure electricity through a competitive procurement process or a replacement procurement process approved by the PUC. We question the need to prescribe the manner in which electricity is procured by the DSP. As noted, the Act requires the procurement of electricity at the “prevailing market price.” The method of procurement should not matter if that condition is met. Therefore, the require-
ment that electricity be acquired only through the competitive procurement process should be modified.

Subsections (b) and (e)

The phrase “bid evaluation criteria” appears in Subsec-
tions (b)(2)(vi) and (e). What bid evaluation criteria, other
than price, will be acceptable to the PUC? If there are
any, they should be included in the regulation.

Subsection (d)

This subsection states that the competitive procure-
ment process may be subject to direct oversight by the
PUC or an independent third party. It is our understand-
ing that the competitive procurement process shall be
subject to oversight. Therefore, the optional term “may”
should be replaced with the mandatory term “shall.”

Subsection (f)

The PUC’s verification of compliance with a competitive procurement process is addressed under this subsection. The scope of the PUC’s review should be limited to the compliance with the approved default service implement-
ation plan.

Also, in Subsection (f)(2), the PUC should amend the
language to state that the review period will be no more
than three business days. This would allow all partici-
pants in the competitive procurement process to know the
results of the bid solicitation.

Subsection (g) and also § 54.187(i) and § 54.188(e)

These subsections provide instructions for procuring
energy when there is insufficient supply, an EGS fails to
deliver supply, or a competitive procurement process has
been rejected. All three subsections conclude with the
following sentence: “The default service provider shall
follow acquisition strategies that reflect the incidence of
reasonable costs, consistent with 66 Pa.C.S. § 2807(e)(3)
(relating to duties of electric distribution companies),
when selecting from the various options available in these
ergy markets.” We have two concerns. First, the phrase
“acquisition strategies” is vague and should be defined.
Second, will this process be subject to review and ap-
proval by the PUC?

9. Section 54.187. Default service rates and the
recovery of reasonable costs.—Reasonableness;
Clarity.

Subsection (a)

This subsection requires the use of three types of
charges for recovering costs associated with providing
default service. They include a generation supply charge, a customer charge and an automatic energy adjustment charge to recover costs incurred under the AEPS. The first two are nonreconcilable charges. The other charge
reflects the statutory recovery mechanism contained in
the AEPS.

Commentators have suggested a wide-range of options, from unbundling to reconciliation, on how these costs should be handled. To promote competition, the PUC is requiring unbundling of the charges. To further promote competition, the PUC should maintain the proposed
language that does not permit the reconciliation of the
generation supply and customer charges. This approach
would keep the EDCs on a more equal competitive footing
with EGSS.

Subsection (a)(1)

This subsection relates to the generation supply charge. Subsection (a)(1)(vi) references “other reasonable, identifi-
able generation supply acquisition costs.” These costs
should be specified in the final-form rulemaking.

Subsection (a)(2)

This subsection relates to the customer charge. We
have three concerns.

First, the PUC should ensure that no customer care
costs are recovered through generation, distribution or
transmission rates. Embedded customer care costs related to
generation service and to distribution and transmission
service should be separated.

Second, if small utilities have not performed the neces-
sary cost of service studies to determine an appropriate
“customer charge,” how is this cost determined?

Finally, as a commentator suggested, a “distribution
credit,” which would only include incremental costs re-
lated to customer care service, could replace this charge.
Has the PUC contemplated instituting a distribution
credit, as suggested by the commentator?

Subsection (a)(2)(iv)

In this subsection, what are “other reasonable and
identifiable administrative or regulatory expenses”?

Subsection (a)(3)

The automatic energy adjustment charge is addressed
in this subsection. It is not clear how this annually
reconciled mechanism will operate in conjunction with the
competitive procurement process. This should be clearly
explained in the final-form regulation.

Subsection (b)

This subsection requires that a “default service plan
must include a fixed rate option for all residential
customers” (Emphasis added). In order to promote compe-
tition, the PUC should require that fixed rate options
include a seasonal or monthly variation to reflect the
prevailing market price. Also, the final-form regulation
should include language to require the DSP to offer, as an
option, an hourly rate to residential customers.

Also, because this provision relates to what must be
included in an implementation plan, it should be deleted
from this section and placed in § 54.185, relating to
default service implementation plans and terms of ser-
vice. The same concern applies to Subsections (c), (f) and
(g).

Subsection (c)

This subsection provides that nonresidential customers
with a registered peak demand of 500 kilowatts or less
must be given a fixed rate option. Again, in order to
promote flexibility and a greater role for market pricing, the PUC should also require that the fixed rate option include seasonal or monthly variations. DSPs should also be required to offer the option for hourly pricing.

Several commentators have offered a wide range of peak demand levels that they feel would be more appropriate, ranging from 25 kilowatts to 1 megawatt. Another commentator requests flexibility in determining the threshold. In addition, the threshold has already been established at 300 kilowatts for Duquesne Light. The PUC should explain why it chose the 500 kilowatt peak demand threshold in this section as well as in Subsection (d).

Subsection (d)

This subsection establishes that DSPs “shall include an hourly rate in its implementation plan for all default service customers” with a peak demand level of greater than 500 kilowatts. Commentators claim that hourly pricing for these customers will limit the DSP’s flexibility in setting requirements of the AEPS because alternative energy credit acquisition “will be quite limited with prices higher relative to longer-term contracts.” The PUC should explain how this provision will affect DSPs in meeting the AEPS requirements.

Subsection (g)

This subsection provides that the PUC should explain how this provision will affect DSPs in meeting the AEPS requirements.

We have two comments on this subsection.

First, the terms “demand side response” and “demand side management programs” should be defined.

Second, a commentator has asserted that offering demand side response and demand side management programs could impose a hardship on small EDCs. Does the PUC anticipate any negative effect on small EDCs?

Subsection (f)

This subsection states that a DSP’s projected and actual costs for providing service may not be subject to PUC review and reconciliation except in “extraordinary circumstances.” What are these “extraordinary circumstances”? These should be set forth in the final-form regulation.

Subsection (h)

This subsection states that a DSP’s projected and actual costs for providing service may not be subject to PUC review and reconciliation except in “extraordinary circumstances.” What are these “extraordinary circumstances”? These should be set forth in the final-form regulation.

10. Section 54.188. Commission review of default service implementation plans.—Reasonableness; Clarity.

Subsection (b)

Some commentators indicate that the six-month review period established by this subsection is not long enough. They note that rate cases usually take nine months. The PUC should consider extending the time period for review of a default service implementation plan to nine months.

Subsections (c) and (e)

In keeping with the theme of our initial general comment, the PUC should consider reviewing plans to ensure that they are properly designed to result in the lowest price, produce a reliable supply and include only reasonable cost recovery.

Subsection (g)

This subsection contains the phrase, “and other applicable laws.” If there are other “applicable laws” that must be followed, the PUC should provide a cross-reference to these laws.

11. Section 54.189. Default service customers.— Legislative intent; Clarity.

Some commentators believe switching rules are necessary to provide predictability as to the size of the DSPs’ potential customer bases. They contend that this would allow DSPs to more accurately predict their customers’ load and to procure energy at lower prices, resulting in more affordable energy for default customers. Others believe that the Act and the spirit of competition prohibit any rules that would hinder customers from changing their supplier of electric service.

Section 2807(e)(4) of the Act states the following: “If a customer that chooses an alternative supplier and subsequently desires to return to the local distribution company for generation service, the local distribution company shall treat that customer exactly as it would any new applicant for energy service.” The PUC should ensure that no limitations are placed on customers to prevent switching from one energy supplier to another.

Department of Transportation Regulation #18-402 (IRRC #2482)

School Bus Drivers

July 27, 2005

We submit for your consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P. § 745.5b) which have not been met. The Department of Transportation (Department) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on June 27, 2005. If the final-form regulation is not delivered within 2 years of the close of the public comment period, the regulation will be deemed withdrawn.

1. Section 71.2. Definitions.—Consistency with the statute; Need; Clarity.

Doctor of Chiropractic Medicine

The proposed regulation adds the new term “Doctor of Chiropractic Medicine” instead of using the statutory term “chiropractor” that was added to the Vehicle Code by Act 76 of 2004 (75 Pa.C.S.A. § 1508.1(b)). The proposed definition of this new term also differs substantially from the statutory definition of “chiropractor.” For consistency, the final-form regulation should use the statutory term “chiropractor” and replace the proposed definition with the statutory definition for “chiropractor” verbatim or with a reference to the statutory definition. In addition, the statutory term “chiropractor” should be used in place of the term “Doctor of Chiropractic Medicine” throughout the final-form regulation.

School transportation physician

The existing regulation defines this term as a physician appointed or approved by the school board or authorities for private schools. There are two concerns.

First, is this term necessary if the Department is not involved in the appointment or approval of physicians? It is our understanding that when school authorities appoint physicians, they pay for the physical examinations conducted by the appointee. If the applicant sees a different licensed health care provider, then the applicant
is responsible for payment. Hence, it is a financial incentive that attracts applicants to the appointed physician rather than a requirement imposed by the Department. Finally, Department staff indicate that very few school boards still appoint or approve physicians for these services.

If the term “school transportation physician” is not needed and is out-of-date, it should be replaced with the word “physician” in the final-form regulation. This would be helpful since the term “physician” is used repeatedly throughout Chapter 71 but it is not defined except within the definition for “school transportation physician.” The definition of “physician” should be a reference to the definition of “licensed physician” in existing regulations at 67 Pa. Code § 83.2 (relating to definitions), which includes both doctors of medicine and doctors of osteopathic medicine.

Second, if the concept of an appointment or approval of practitioners is included in the final-form regulation, the definition should include all practitioners allowed by the statute or the Department should explain why it is limited to physicians. The Vehicle Code now allows other health care practitioners, including certified registered nurse practitioners (CRNPs), chiropractors and physician assistants, to conduct physical examinations for school bus driver endorses.

2. Section 71.3. Physical examination.—Reasonableness; Clarity.

Subsection (a) contains a list of the practitioners who may give physical examinations to drivers or applicants for the school bus driver endorsement on their commercial driver’s licenses. This list in the proposed regulation includes “a school transportation physician, a Doctor of Chiropractic Medicine, a CRNP or a physician assistant.” There are two concerns.

First, the placement of the term “school transportation physician” in this list may create two erroneous impressions. One possible misreading is that applicants can only go to physicians appointed by school authorities. Another possible misinterpretation is that while their choice of physicians is limited to the “school transportation physician,” applicants may choose other practitioners, such as CRNPs, chiropractors or physician assistants, who are not appointed by a school authority. The Department has stated that this is not its intent. This concern may be resolved in large part by the response to comments on the definition of this term discussed above in Issue #1. However, if the concept of a school transportation practitioner is retained in the final-form regulation, the term “physician” should be added to Subsection (a).

Second, the term “chiropractor” should replace the term “Doctor of Chiropractic Medicine” in Subsection (a) as noted above in Issue #1 and the term “chiropractor” should be added to the list of practitioners in Subsection (c) (relating to physical examination certificate).

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation on the date indicated. To obtain the date and time of the meeting at which the Commission will consider this regulation, contact the Commission at (717) 783-5417 or visit its website at www.irrc.state.pa.us. To obtain a copy of the regulation, contact the promulgating agency.

Final Form
Reg. No. Agency/Title Received
7-391 Environmental Quality Board 7/26/05
Concentrated Animal Feeding Operations and Other Agricultural Operations

JOHN R. MCGINLEY, Jr., Chairperson

[Pa.B. Doc. No. 05-1494. Filed for public inspection August 5, 2005, 9:00 a.m.]

INSURANCE DEPARTMENT

D & E Properties; Prehearing

Appeal of D & E Properties under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 04-0111(F); Doc. No. UT05-07-018

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and any other relevant procedure provisions of law.

A prehearing telephone conference shall be held on August 18, 2005. Motions preliminary to those at the hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed on or before August 4, 2005, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before August 11, 2005.

A date for a hearing will be determined, if necessary, at the prehearing telephone conference.

M. DIANE KOKEN, Insurance Commissioner

[Pa.B. Doc. No. 05-1496. Filed for public inspection August 5, 2005, 9:00 a.m.]

Pennsylvania 2004 Private Passenger Automobile Data Call; Rate Filing

Each year the Insurance Department (Department) conducts routine “Data Calls” to companies licensed to write motor vehicle insurance in this Commonwealth. Data Calls are used to monitor the auto insurance marketplace and to collect data for statutory reports. On August 1, 2005, the Department forwarded Data Calls to be completed by companies who are licensed to write private passenger automobile insurance in this Commonwealth. Companies will receive only a cover letter through the United States Postal Service. The 2004 Data Call letter, instructions and data formats are available on the Department’s website at www.insurance.state.pa.us.

Companies with Pennsylvania private passenger automobile direct written premium in 2004 are required to
complete Parts 1 and 2. Data for more than one insurance company may not be combined into a single submission. This information is to be submitted to the Department by December 15, 2005.

Companies with no Pennsylvania private passenger automobile direct written premium in 2004 are required to submit only Part 2. This is to be submitted to the Department by December 15, 2005.

Consistent with previous Data Calls, the Department will consider the data submitted as proprietary and handle the data accordingly. See the instructions for additional information regarding the completion of the individual parts.

Submissions and inquiries should be directed to Clinton Wright, Insurance Department, Office of Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, (717) 783-0651, dwright@state.pa.us.

M. DIANE KOKEN, Insurance Commissioner

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insured’s automobile policy. The hearing will be held in accordance with the requirements of Act 68, 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department’s regional office in Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Pittsburgh Regional Office, Room 304 State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Mohammed Lachhab; file no. 05-308-70934; Progressive Insurance Company; doc. no. P105-07-010; September 21, 2005, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party’s case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner’s Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Kathryn Culbertson, Agency Coordinator, (717) 705-4194.

M. DIANE KOKEN, Insurance Commissioner

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with the company’s termination of the insured’s policy. The administrative hearing will be held in the Insurance Department’s regional office in Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Philadelphia Regional Office, Room 1701 State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Jeffrey White; file no. 05-265-01847; Neighborhood Spirit Property & Casualty; doc. no. PH05-07-011; September 29, 2005, 1 p.m.

Each party may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party’s case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Commissioner may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Insurance Commissioner (Commissioner) will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner’s Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.
Persons with a disability who wish to attend an administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Kathryn Culbertson, Agency Coordinator, (717) 705-4194.

M. DIANE KOKEN, Insurance Commissioner

[Pa.B. Doc. No. 05-1499. Filed for public inspection August 5, 2005, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The following Liquor Control Board leases will expire:

Allegheny County, Wine & Spirits Shoppe #0271, 3408 Main Street, Munhall, PA 15120.
Lease Expiration Date: July 31, 2006
Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,000 to 2,500 net useable square feet of new or existing retail commercial space along Main Street in the Central Business District of Munhall Borough. The site must have rear access for tractor-trailer deliveries.
Proposals due: August 26, 2005, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Craig Johnson, (412) 565-5130

Cambria County, Wine & Spirits Shoppe #1115, 20th Ward Shopping Center, 358 N. Sheridan Street, Johnstown, PA 15906.
Lease Expiration Date: July 31, 2006
Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,500 to 3,000 net useable square feet of new or existing retail commercial space in a shopping center environment serving the Town of Johnstown.
Proposals due: August 26, 2005, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Bruce VanDyke, (412) 565-5130

Mercer County, Wine & Spirits Shoppe #4304, Route 58 North, Mercer, PA 16137.
Lease Expiration Date: July 31, 2006
Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 2,500 to 3,000 net useable square feet of new or existing retail commercial space in a shopping center environment serving the Town of Mercer.
Proposals due: August 26, 2005, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: George Danis, (412) 565-5130

Erie County, Wine & Spirits Shoppe #2501, Summit Towne Centre, 7200 Peach Street, Erie, PA 16509.
Lease Expiration Date: July 31, 2006
Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 5,000 to 6,000 net useable square feet of new or existing retail commercial space in a shopping center environment along Peach Street between Interstate 90 and the intersection with Interstate 90.
Proposals due: August 26, 2005, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: Craig Johnson, (412) 565-5130

Westmoreland County, Wine & Spirits Shoppe #6507, 613 W. Main Street, Ligonier, PA 15658.
Lease Expiration Date: July 31, 2006
Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,500 to 5,000 net useable square feet of new or existing retail commercial space serving the Town of Ligonier.
Proposals due: August 26, 2005, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, State Office Building, Room 408, 300 Liberty Avenue, Pittsburgh, PA 15222
Contact: George Danis, (412) 565-5130

JONATHAN H. NEWMAN, Chairperson

[Pa.B. Doc. No. 05-1500. Filed for public inspection August 5, 2005, 9:00 a.m.]

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION

Clean Water State Revolving Fund; Federal FY 2004 and 2005 Project Priority List

The Pennsylvania Infrastructure Investment Authority (PENNVEST) and the Department of Environmental Protection (Department) have amended the combined Federal Fiscal Year (FY) 2004/2005 Clean Water State Revolving Fund (CWSRF) Project Priority List (List) of municipal sewage construction projects.

PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
The FY 2004/2005 List was prepared in conformance with the requirements of Title II and Title VI of the Clean Water Act and Federal guidance and was previously approved by the Environmental Protection Agency (EPA). The projects included on the List have a project priority rating established under the Department's EPA approved Chapter 103 project priority rating system. The Clean Water Act stipulates that States must maintain a Project Priority List of municipal sewage projects from which to develop the annual CWSRF Intended Use Plan (IUP) list of projects to be funded.

The projects added to the List will not replace any project currently on the approved FY 2004/2005 List. Projects were placed in the appropriate ranking slot in relation to other rated and ranked projects on the List. The rank order standing of projects on the List does not dictate the order in which projects are chosen for funding in the CWSRF program. A project may be selected from any numerical rank position on the List for funding. A project's readiness to proceed and the reasonable availability of alternative sources of funds have a bearing on project selection for funding in the program.

Some projects added to the FY 2004/2005 List are expected to proceed to construction in the near future, and others are being added as potential projects for future construction loan consideration. The projects expected to be ready for loan funding in the near future have submitted applications for funding and may be placed on an IUP to: (1) replace projects that have not proceeded timely toward initiation of project construction; and/or (2) to fill funding gaps that have developed as a result of cost savings. Projects removed from an IUP will remain on the List and be considered for CWSRF loan funds in the future.

Interested persons are invited to express their views on the priority rating or ranking of projects on the amended FY 2004/2005 List. Persons wishing to offer comments should submit them in writing to the Infrastructure Grant Administration Section, Division of Technical and Financial Assistance, Bureau of Water Standards and Grant Administration Section, Division of Technical and Financial Assistance, Bureau of Water Standards and Facility Regulation, 10th Floor, Rachel Carson State Office Building, P. O. Box 8466, Harrisburg, PA 17105-8466, (717) 787-6744, amaisano@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tony Maisano as noted previously or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

A copy of the amended FY 2004/2005 List that shows all municipal sewage projects in priority and ranked order is available for public review at the Bureau's office or in the offices listed as follows or on the Department's website: www.dep.state.pa.us/dep/deputate/watermgt/WSM/WSM_TAO/Finan_Tech_Asst.htm.

DEP—Southeast Region:
Water Quality Program Manager
Lee Park, Suite 6010
555 North Lane
Conshohocken, PA 19428
(610) 832-6131

DEP—Northeast Region:
Water Quality Program Manager
2 Public Square
Wilkes-Barre, PA 18711-0790
(570) 826-2553

DEP—Southcentral Region:
Water Quality Program Manager
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707

DEP—Northcentral Region:
Water Quality Program Manager
208 West 3rd Street
Williamsport, PA 17701
(570) 327-3669

DEP—Southwest Region:
Water Quality Program Manager
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-4000

DEP—Northwest Region:
Water Quality Program Manager
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942

PENNVEST
22 S. Third Street
4th Floor, Keystone Building
Harrisburg, PA 17101
(717) 787-8137

KATHLEEN A. MCGINTY,
Secretary
Department of Environmental Protection
Vice Chairperson
Pennsylvania Infrastructure Investment Authority

PAUL K. MARCHETTI,
Executive Director
Pennsylvania Infrastructure Investment Authority

[Pa.B. Doc. No. 05-1501. Filed for public inspection August 5, 2005, 9:00 a.m.]
and others are being added as potential projects for future construction loan consideration. The projects expected to be ready for loan funding in the near future have submitted applications for funding and may be placed on an IUP to: (1) replace projects that have not proceeded timely toward initiation of project construction; and/or (2) to fill funding gaps that have developed as a result of cost savings. Projects removed from an IUP will remain on the List and be considered for DWSRF loan funds in the future.

Interested persons are invited to express their views on the priority rating or ranking of projects on the amended FY 2004/2005 List. Persons wishing to offer comments should submit them in writing to the Infrastructure Grant Administration Section, Division of Technical and Financial Assistance, Bureau of Water Standards and Facility Regulation, 10th Floor, Rachel Carson State Office Building, P. O. Box 8466, Harrisburg, PA 17105-8466, (717) 787-6744, amaisano@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tony Maisano as noted previously or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

A copy of the amended FY 2004/2005 List that shows all drinking water projects in priority and ranked order is available for public review in the Bureau's office and in the offices listed at the end of this notice and is accessible through the Department's website at: www.dep.state.pa.us/dep/deputate/watermgt/WSM/WSM_TAO/Finan_Tech_Asst.htm.

DEP—Southeast Region:
Water Supply Program Manager
Lee Park, Suite 6010
555 North Lane
Conshohocken, PA 19428
(610) 832-6131

DEP—Northeast Region:
Water Supply Program Manager
2 Public Square
Wilkes-Barre, PA 18711-0790
(570) 826-2553

DEP—Southcentral Region:
Water Supply Program Manager
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707

DEP—Northcentral Region:
Water Supply Program Manager
208 West 3rd Street
Williamsport, PA 17701
(570) 327-3669

DEP—Southwest Region:
Water Supply Program Manager
400 Waterfront Drive
Pittsburgh, PA 15222-4745
(412) 442-4000

DEP—Northwest Region:
Water Supply Program Manager
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942

PENNVEST
22 S. Third Street
4th Floor, Keystone Building
Harrisburg, PA 17101
(717) 787-8137

KATHLEEN A. MCGINTY,
Secretary
Department of Environmental Protection
Vice Chairperson
Pennsylvania Infrastructure Investment Authority
PAUL K. MARCHETTI,
Executive Director
Pennsylvania Infrastructure Investment Authority
[Pa.B. Doc. No. 05-1502. Filed for public inspection August 5, 2005, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Default Orders

Public Meeting held
July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson;
James H. Cawley, Vice Chairperson; Bill Shane; Kim
Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau
Prosecutory Staff v. All-Star Acquisition Corp.
(2004.0267.00); C-20044072: A-311212

Default Order

By the Commission:

On December 22, 2004, the Law Bureau Prosecutory Staff filed a Formal Complaint against All-Star Acquisition Corp. (the Respondent), a non-facilities based reseller of toll service carrier certified at A-311212. In the Complaint, Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 27, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of All-Star Acquisition Corp.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the
imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. All-Star Acquisition Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by All-Star Acquisition Corp. at A-311212 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 Administrative Services.

JAMES J. MCNULTY, Secretary

Default Order

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutorial Staff v. Better World Telecom, Inc. (2004.0267.00); C-20004069; A-311241

Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Better World Telecom, Inc. (the Respondent), a non-facilities based reseller of toll service carrier certified at A-311241. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on December 16, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Better World Telecom, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Better World Telecom, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Better World Telecom, Inc. at A-311241 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 Administrative Services.

JAMES J. MCNULTY, Secretary
service and non-facilities based competitive local exchange carrier certificated at A-311159. In the Complaint, Prosecutary Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report. According to the U.S. Postal Service return receipt, the Complaint was served on December 17, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Budget Phone, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutary Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Budget Phone, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Budget Phone, Inc. at A-311159 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 Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Pennsylvania Public Utility Commission Law Bureau
Prosecutary Staff v. Capsule Communications, Inc. (2004.0267.00); C-20044055; A-310915

Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutary Staff filed a Formal Complaint against Capsule Communications, Inc. (the Respondent), a facilities based competitive local exchange carrier and facilities based toll carrier certificated at A-310915. In the Complaint, Prosecutary Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on December 16, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Capsule Communications, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutary Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Capsule Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.
4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Capsule Communications, Inc. at A-310915 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 Administrative Services.

JAMES J. MCNULTY, Secretary

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**Default Order**

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutorial Staff v. Communicate Technological Systems (2004.0267.00); C-20044065; A-311116

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Communicate Technological Systems (the Respondent), a non-facilities based reseller of toll service carrier certificated at A-311116. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on May 18, 2005. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Communicate Technological Systems's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; therefore,

It is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Communicate Technological Systems immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Communicate Technological Systems at A-311116 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 Administrative Services.

JAMES J. MCNULTY, Secretary

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**Default Order**

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutorial Staff v. Communications Billings, Inc. (2004.0267.00); C-20044063; A-310668

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Communications Billings, Inc. (the Respondent), a non-facilities based reseller of toll service carrier certificated at A-310668. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 16, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Communicate Technological Systems's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; therefore,

It is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff's Complaint are deemed admitted and the Complaint is thereby sustained.
Prosecutory Staff alleged that the Commission sent by service carrier certificated at A-310782. In the Complaint, Staff filed a Formal Complaint against IDT America Corp by the Commission: Communications Billings, Inc.

2003 Annual Report, we conclude that revocation of Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Communications Billings, Inc.’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore, It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Communications Billings, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Communications Billings, Inc. at A-310668 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 Administrative Services.

JAMES J. MCNULTY, Secretary

Default Order

Public Meeting held
July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzigrielli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutary Staff v. IDT America Corp (2004.0267.00); C-20044051; A-310782

Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutary Staff filed a Formal Complaint against IDT America Corp (the Respondent), a non-facilities based reseller of toll service carrier certificated at A-310782. In the Complaint, Prosecutary Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. §§ 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. §§ 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent’s certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on May 25, 2005. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of IDT America Corp’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutary Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. IDT America Corp immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by IDT America Corp at A-310782 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 Administrative Services.

JAMES J. MCNULTY, Secretary
Default Order

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau
Prosecutorial Staff v. Kiger Telephone & Telephone
(2004.0267.00); C-20044046; A-311175

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Kiger Telephone & Telephone (the Respondent), a non-facilities based reseller of toll service carrier certificated at A-311175. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent failed to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent’s certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 23, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Kiger Telephone & Telephone’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecution Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Kiger Telephone & Telephone immediately cease providing service to any new customers and, within 30 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20-day time period established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Kiger Telephone & Telephone at A-311175 shall be canceled, 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 Administrative Services.

JAMES J. MCNULTY, Secretary

Default Order

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau
Prosecutorial Staff v. Necc Telecom, Inc. (2004.0267.00); C-20044040; A-311209

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Necc Telecom, Inc. (the Respondent), a non-facilities based reseller of toll service carrier certificated at A-311209. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent failed to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent’s certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 20, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Necc Telecom, Inc.’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecution Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.
The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of One Voice Communications, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore, It Is Ordered That:

1. The allegations in the Law Bureau Prosecution Staff's Complaint are deemed admitted and the Complaint is hereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. One Voice Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Necc Telecom, Inc. at A-311209 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 Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order
Public Meeting held
July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecution Staff v. One Voice Communications, Inc. (2004.0267.00); C-20044038; A-311051

Default Order
By the Commission:

On December 14, 2004, the Law Bureau Prosecution Staff filed a Formal Complaint against One Voice Communications, Inc. (the Respondent), a facilities based competitive local exchange carrier, non-facilities based reseller of toll service and switched access carrier certificated at A-311051. In the Complaint, Prosecution Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 16, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of One Voice Communications, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore, It Is Ordered That:

1. The allegations in the Law Bureau Prosecution Staff's Complaint are deemed admitted and the Complaint is hereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. One Voice Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Necc Telecom, Inc. at A-311209 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 Administrative Services.

JAMES J. MCNULTY, Secretary
Default Order

It is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Onestar Communications LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Onestar Communications LLC at A-311135 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 Administrative Services.

JAMES J. McNULTY, Secretary

Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Onestar Long Distance, Inc. (the Respondent), a facilities based competitive local exchange carrier and facilities based toll carrier certified at A-310569. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 16, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Onestar Communications LLC's certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Onestar Communications LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Onestar Communications LLC at A-311135 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 Administrative Services.

JAMES J. McNULTY, Secretary

Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Onestar Long Distance, Inc. (the Respondent), a facilities based competitive local exchange carrier and facilities based toll carrier certified at A-310569. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 16, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Onestar Long Distance, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Onestar Communications LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

JAMES J. McNULTY, Secretary

Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Onestar Long Distance, Inc. (the Respondent), a facilities based competitive local exchange carrier and facilities based toll carrier certified at A-310569. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 16, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Onestar Long Distance, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Onestar Communications LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

JAMES J. McNULTY, Secretary
It Is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Onestar Long Distance, Inc. at A-310569 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 Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held
July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau
Prosecutorial Staff v. Optimum Global Comm., Inc. (2004.0267.00); C-20044030; A-311060

Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Optimum Global Comm., Inc. (the Respondent), a non-facilities based competitive local exchange carrier certificated at A-311060. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 15, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Optimum Global Comm., Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Optimum Global Comm., Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Optimum Global Comm., Inc. at A-311060 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 Administrative Services.

JAMES J. MCNULTY, Secretary

Default Order

Public Meeting held
July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau
Prosecutorial Staff v. Orion Telecommunications Corp. (2004.0267.00); C-20044030; A-311004

Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Orion Telecommunications Corp. (the Respondent), a non-facilities based reseller of toll service carrier certificated at A-311004. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 15, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.
The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Orion Telecommunications Corp.’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Orion Telecommunications Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Orion Telecommunications Corp. at A-311004 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 Administrative Services.

JAMES J. MCNULTY, Secretary

Default Order
Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzigrelli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau
Prosecutorial Staff v. Premier Network Services, Inc. (2004.0267.00); C-20044026; A-310987

Default Order
By the Commission:

On December 13, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Premier Network Services, Inc. (the Respondent), a facilities based competitive local exchange carrier, non-facilities based reseller of toll service and switched access carrier certified at A-310987. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent’s certificate of public convenience for failure to file its 2003 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on December 20, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Premier Network Services, Inc.’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Premier Network Services, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Premier Network Services, Inc. at A-310987 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 Administrative Services.

JAMES J. MCNULTY, Secretary

Pennsylvania Bulletin, Vol. 35, No. 32, August 6, 2005
Default Order

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau
Prosecutorial Staff v. Primo Communications, Inc. (2004.0267.00); C-20044022; A-311219

By the Commission:

On December 13, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Primo Communications, Inc. (the Respondent), a non-facilities based reseller of toll service carrier certificated at A-311219. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent’s certificate of public convenience for failure to file its 2003 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on December 21, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Primo Communications, Inc.’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; therefore, It Is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Primo Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Primo Communications, Inc. at A-311219 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 Administrative Services.

JAMES J. MCNULTY, Secretary

Default Order

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau
Prosecutorial Staff v. Servisense.Com (2004.0267.00); C-20044018; A-310908

By the Commission:

On December 13, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Servisense.Com (the Respondent), a facilities based competitive local exchange carrier and facilities based toll carrier certificated at A-310908. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent’s certificate of public convenience for failure to file its 2003 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was served on December 15, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Servisense.Com’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; therefore, It Is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the
Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Servisense.Com immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Servisense.Com at A-310908 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 Administrative Services.
According to the U. S. Postal Service return receipt, the Complaint was served on December 20, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, the NXX codes that were assigned to Respondent must be returned to the North American Numbering Plan.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Core Communications, Inc.’s certificate of public convenience is in the public interest. Furthermore, the Commission may cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

It Is Ordered That:

1. The allegations in the Law Bureau Prosecution Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Core Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20­day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Core Communications, Inc. at A-310922 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 Administrative Services.

5. The North American Numbering Plan (NANPA) is directed to reclaim Core Communications, Inc.’s NXX Codes since this carrier no longer has authority to operate in the Commonwealth of Pennsylvania.

JAMES J. MCNULTY, Secretary

Default Order

Public Meeting held
July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; J. H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzigrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau
Prosecution Staff v. Telecomm Cooperative Network
(2004.0267.00); C-20044015; A-310780

Default Order

By the Commission:

On December 13, 2004, the Law Bureau Prosecution Staff filed a Formal Complaint against Telecomm Cooperative Network (the Respondent), a non-facilities based reseller of toll service carrier certificated at A-310780. In the Complaint, Prosecution Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent’s certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 13, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Telecomm Cooperative Network’s certificate of public convenience is in the public interest. Furthermore, the Commission may cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

It Is Ordered That:

1. The allegations in the Law Bureau Prosecution Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Telecomm Cooperative Network immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.
4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Telecomm Cooperative Network at A-310780 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 Administrative Services.

JAMES J. MCNULTY, Secretary

Default Order

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutorial Staff v. Telegenius, Inc. (2004.0267.00); C-20044014; A-311128

Default Order

By the Commission:

On December 13, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Telegenius, Inc. (the Respondent), a non-facilities based reseller of toll service carrier certificated at A-311128. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 13, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file an answer to the Complaint or file its 2003 Annual Report, we conclude that revocation of Telegenius, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff's Complaint are deemed admitted and the Complaint is hereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Telegenius, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Telegenius, Inc. at A-311128 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 Administrative Services.

JAMES J. MCNULTY, Secretary

[Pa.B. Doc. No. 05-1503. Filed for public inspection August 5, 2005, 9:00 a.m.]

Default Orders

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutorial Staff v. Choice Telco, LLC (2004.0267.00); C-20044067; A-311186

Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Choice Telco, LLC (the Respondent), a non-facilities based reseller of toll service carrier certificated at A-311186. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was served on December 13, 2004. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respon-
Prosecutory Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was not served because the address was unknown. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2003 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Citynet Telecom, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Citynet Telecom, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Citynet Telecom, Inc. at A-310985 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 Administrative Services.

JAMES J. MCNULTY,
Secretary

Default Order

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzigrelli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutory Staff v. Citynet Telecom, Inc. (2004.0267.00); C-20044066; A-310985

Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutary Staff filed a Formal Complaint against Citynet Telecom, Inc. (the Respondent), a facilities based competitive local exchange carrier, competitive access provider or other carrier certified at A-310985. In the Complaint, Prosecutary Staff alleged that the Commission sent by
By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against I-Link Communications (the Respondent), a non-facilities based reseller of toll service carrier certificated at A-310454. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Commission requested that the Commission issue an order canceling the Respondent’s certificate of public convenience for failure to file its 2003 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was not served because the address was wrong. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file its 2003 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of I-Link Communications’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; therefore, It is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. I-Link Communications immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by I-Link Communications at A-310454 shall be cancelled, and the company’s name stricken from all active-utilty 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 Administrative Services.

JAMES J. MCNULTY, Secretary
Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. I-Link Communications immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by I-Link Communications at A-310499 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 Administrative Services.

JAMES J. MCNULTY, Secretary

Default Order

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutorial Staff v. Intelem Communications Corp. (2004.0267.00); C-20044049; A-310499

Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutional Staff filed a Formal Complaint against Intelem Communications Corp. (the Respondent), a non-facilities based reseller of toll service carrier certified at A-310499. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. §§ 504 and 505, the certificate of public convenience was deemed admitted and the Complaint is thereby sustained.

It is Ordered That:

1. The allegations in the Law Bureau Prosecutional Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Intelem Communications Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Intelem Communications Corp. at A-310499 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 Administrative Services.

JAMES J. MCNULTY, Secretary

Default Order

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutional Staff v. Intelem Communications, Inc. (2004.0267.00); C-20044049; A-311210

Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutional Staff filed a Formal Complaint against Intelem Communications, Inc. (the Respondent), a non-facilities based reseller of toll service carrier certified at A-311210. In the Complaint, Prosecutional Staff alleged that the Commission sent by certified mail prior written notices to the

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According to the U. S. Postal Service return receipt, the Complaint was not served because the company moved. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file its 2003 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Intelecall Communications, Inc.’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff’s Complaint are deemed admitted and the Complaint is hereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Intelecall Communications, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Intelecall Communications, Inc. at A-312120 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 Administrative Services.

JAMES J. MCNULTY, Secretary

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff’s Complaint are deemed admitted and the Complaint is hereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Jenkintown, Ltd. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.
4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Jenkintown, Ltd. at A-310346 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 Administrative Services.

JAMES J. MCNULTY, Secretary

Default Order

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

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4529

By the Commission:


According to the U. S. Postal Service return receipt, the Complaint was not served because the number was wrong. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2003 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Miko Comm.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore, It Is Ordered That:

1. The allegations in the Law Bureau Prosecutory Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Mcgraw Comm. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Mcgraw Comm. at A-311160 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 Administrative Services.

JAMES J. MCNULTY, Secretary
It Is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin within 20 days of the notice.

3. Miko Telephone Comm., Inc., immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Miko Telephone Comm., Inc., at A-311268 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 Administrative Services.

JAMES J. McNULTY, Secretary

Default Order

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizziggrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecutorial Staff v. Moving Bytes, Inc. (2004.0267.00); C-20044401; A-311168

Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Moving Bytes, Inc. (the Respondent), a non-facilities based reseller of toll service carrier certified at A-311168. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was unclaimed. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2003 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Moving Bytes, Inc.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of revocation.

Therefore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of revocation of Moving Bytes, Inc.'s certificate of public convenience for failure to file its 2003 Annual Report.

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Moving Bytes, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Moving Bytes, Inc., at A-311168 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 Administrative Services.

JAMES J. McNULTY, Secretary

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Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Nutel Phone Service, Inc. (the Respondent), a non-facilities based competitive local exchange carrier certificated at A-310813. In the Complaint, Prosecution Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent’s certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was unclaimed. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file its 2003 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Nutel Phone Service, Inc.’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Nutel Phone Service, Inc. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Nutel Phone Service, Inc. at A-310813 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 Administrative Services.

JAMES J. MCNULTY,
Secretary

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Default Order

By the Commission:

On December 14, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Operator Communications, Inc. (the Respondent), a non-facilities based reseller of toll service carrier certificated at A-310078. In the Complaint, Prosecution Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent’s certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was not served because the forwarding order expired. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file its 2003 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Operator Communications, Inc.’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the

PENNSYLVANIA BULLETIN, VOL. 35, NO. 32, AUGUST 6, 2005
Default Order

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecution Staff v. Optical Telephone Corp. (2004.0267.00); C-20044032; A-311117

By the Commission:

On December 14, 2004, the Law Bureau Prosecution Staff filed a Formal Complaint against Optical Telephone Corp. (the Respondent), a non-facilities based reseller of toll service carrier certified at A-311117. In the Complaint, Prosecution Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent’s certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was not served because the company moved. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file its 2003 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Optical Telephone Corp.’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It Is Ordered That:

1. The allegations in the Law Bureau Prosecution Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Optical Telephone Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Optical Telephone Corp. at A-311117 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 Administrative Services.

JAMES J. MCNULTY
Secretary

Default Order

Public Meeting held July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau Prosecution Staff v. Special Accounts Billing Group, Inc. (2004.0267.00); C-20044017; A-310709

By the Commission:

On December 13, 2004, the Law Bureau Prosecution Staff filed a Formal Complaint against Special Accounts Billing Group, Inc (the Respondent), a non-facilities based reseller of toll service carrier certified at A-310709. In the Complaint, Prosecution Staff alleged that the Commission sent by certified mail prior written notices to the
Default Order

Public Meeting held
July 14, 2005

Commissioners Present: Wendell F. Holland, Chairperson; James H. Cawley, Vice Chairperson; Bill Shane; Kim Pizzingrilli; Terrance J. Fitzpatrick

Pennsylvania Public Utility Commission Law Bureau
Prosecutorial Staff v. Telstar International, Inc.
(2004.0267.00); C-20044013; A-311059

Default Order

By the Commission:

On December 13, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Telstar International, Inc. (the Respondent), a non-facilities based reseller of toll service carrier certificated at A-311059. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent’s certificate of public convenience for failure to file its 2003 Annual Report.

According to the U.S. Postal Service return receipt, the Complaint was presumable not served but the post office did not return a green card. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent’s failure to file its 2003 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Special Accounts Billing Group, Inc’s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore,

It is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff’s Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General’s Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Special Accounts Billing Group, Inc immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission’s intent to cancel the company’s certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Special Accounts Billing Group, Inc at A-310709 shall be canceled, 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 Administrative Services.

JAMES J. MCNULTY, Secretary
4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Telesat International, Inc. at A-311059 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 Administrative Services.

JAMES J. MCNULTY, Secretary

Default Order

By the Commission:

On December 13, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Worldxchange Corp. (the Respondent), a facilities based toll carrier certificated at A-310972. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was presumably not served but the post office did not return a green card. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, we are not aware that Respondent has any current customers in Pennsylvania, and Respondent was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respondent's failure to file its 2003 Annual Report and upon our inability to serve the Complaint, we conclude that revocation of Worldxchange Corp.'s certificate of public convenience is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under Section 3301, in lieu of cancellation, if Respondent seeks relief from this Default Order; Therefore

It is Ordered That:

1. The allegations in the Law Bureau Prosecutorial Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Worldxchange Corp. immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Worldxchange Corp. at A-310972 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 Administrative Services.

JAMES J. MCNULTY, Secretary

Default Order

By the Commission:

On December 13, 2004, the Law Bureau Prosecutorial Staff filed a Formal Complaint against Winstar of Penna., LLC (the Respondent), a non-facilities based reseller of toll service, facilities based competitive local exchange carrier, switched access carrier and competitive access provider or other carrier certificated at A-311171. In the Complaint, Prosecutorial Staff alleged that the Commission sent by certified mail prior written notices to the Respondent that pursuant to 66 Pa.C.S. § 504 its 2003 Annual Report was due. The Complaint charged that the Respondent violated 66 Pa.C.S. § 504 by failing to file its 2003 Annual Report. The Complaint requested that the Commission issue an order canceling the Respondent's certificate of public convenience for failure to file its 2003 Annual Report.

According to the U. S. Postal Service return receipt, the Complaint was presumably not served but the post office did not return a green card. To date, more than 20 days later, no answer has been filed to the Complaint and the 2003 Annual Report has not been filed. In addition, the NXX codes that were assigned to Respondent must be returned to the North American Numbering Plan.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on Respon-
It is Ordered That:

1. The allegations in the Law Bureau Prosecution Staff's Complaint are deemed admitted and the Complaint is thereby sustained.

2. The Secretary serve a copy of this Default Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Attorney General's Bureau of Consumer Protection, and also cause a copy of this Default Order to be published in the Pennsylvania Bulletin with a 20-day comment period.

3. Winstar of Penna., LLC immediately cease providing service to any new customers and, within 10 days of the entry date of this order, provide written notice to any existing customers directing each to select an alternative service provider within 30 days of the date of the notice. Such notice must include a statement of the Commission's intent to cancel the company's certificate of public convenience absent adverse public comment within the 20-day time constraint established pursuant to Ordering Paragraph No. 2, above.

4. Absent the filing of adverse public comment, 30 days after publication in the Pennsylvania Bulletin and without further action by the Commission, the certificate of public convenience held by Winstar of Penna., LLC at A-311171 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 Administrative Services.

5. That the North American Numbering Plan (NANPA) is directed to reclaim Winstar of Penna., LLC's NXX Codes since this carrier no longer has authority to operate in the Commonwealth of Pennsylvania.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 05-1505. Filed for public inspection August 5, 2005, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept bids for Project #05-044.P, Purchase of Convertible Minitowers and Flat Panel LCD Monitors until 2 p.m. on Thursday, August 18, 2005. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 N. Delaware Ave., 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available August 9, 2005. The cost of the bid document is $25 (includes 7% Pennsylvania Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. The contractor must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 05-1506. Filed for public inspection August 5, 2005, 9:00 a.m.]
STATE CONSERVATION COMMISSION

Dirt and Gravel Roads Pollution Prevention Maintenance Program Notice of Appointment

As required by 25 Pa.Code § 83.604(f) (relating to appointment criteria), the State Conservation Commission (Commission) is providing public notice of the apportionment of Fiscal Year (FY) 2005 Dirt and Gravel Road Pollution Prevention Maintenance Program (program) funds to participating county conservation districts. This apportionment is authorized under 75 Pa.C.S. § 9106 (relating to dirt and gravel road maintenance).

A. Effective Date

This apportionment is effective upon publication in the Pennsylvania Bulletin. Allocations will be disbursed when funds are released from the Treasury after July 1, 2005.

B. Background

The Commission approved the following allocations at their public meeting on March 2, 2005: $3.528 million of FY 05-06 funds are apportioned according to stipulations in 75 Pa.C.S. § 9106(c). Copies of 25 Pa. Code § 83.604 and 75 Pa.C.S. § 9106 are available from Michael Klimkos, State Conservation Commission Office, Room 407, Agriculture Building, 2301 N. Cameron Street, Harrisburg, PA 17110-9408, (717) 787-8821.

The following allocations are being made to the county conservation districts participating in the program. Not all counties receive an allocation as provided for at Pa. Code § 83.613(a) (relating to performance standards). Listed alphabetically, the allocations are:

- Adams $15,000
- Armstrong $129,192
- Beaver $15,000
- Bedford $41,391
- Berks $15,000
- Blair $20,914
- Bradford $318,377
- Bucks $16,758
- Cambria $15,291
- Cameron $32,529
- Carbon $26,166
- Centre $33,866
- Chester $17,321
- Clarion $61,561
- Clearfield $67,703
- Clinton $23,132
- Columbia $80,222
- Crawford $149,008
- Cumberland $15,000
- Dauphin $23,773
- Elk $24,449
- Erie $53,830
- Fayette $32,750
- Forest $21,571
- Franklin $15,423
- Fulton $30,635
- Greene $38,425
- Huntingdon $72,694
- Indiana $94,371
- Jefferson $45,829
- Juniata $36,440
- Lackawanna $28,835
- Lancaster $16,900
- Lawrence $15,000
- Lebanon $15,000
- Lehigh $26,534
- Luzerne $25,274
- Lycoming $83,789
- McKean $21,509
- Mercer $48,053
- Mifflin $21,023
- Montgomery $15,000
- Montour $18,056
- Northumberland $48,569
- Perry $42,365
- Pike $57,290
- Potter $134,534
- Schuylkill $54,495
- Snyder $28,496
- Somerset $34,129
- Sullivan $68,921
- Susquehanna $137,244
- Tioga $318,555
- Union $25,633
- Venango $75,388
- Warren $194,899
- Washington $77,584
- Wayne $116,126
- Westmoreland $27,653
- Wyoming $58,619
- York $108,007

DENNIS C WOLFF, Chairperson