



Volume 37 (2007)

Pennsylvania Bulletin
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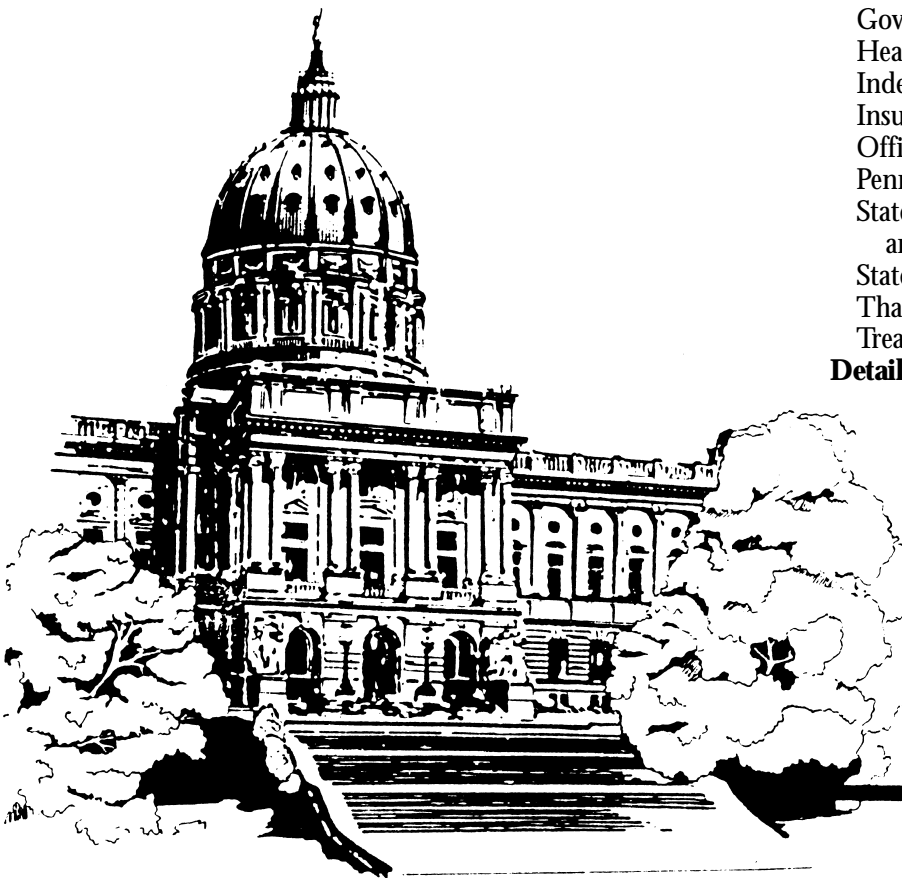
PENNSYLVANIA BULLETIN

Volume 37
Saturday, August 4, 2007 • Harrisburg, PA
Number 31
Pages 4161—4416

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Department of Environmental Protection
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Fish and Boat Commission
Governor's Office
Health Care Cost Containment Council
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and Salespersons
State Employee's Retirement Board
Thaddeus Stevens College of Technology
Treasury Department

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

No. 393, August 2007

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READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

Pennsylvania Bulletin

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

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

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

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

Adoption, Amendment or Repeal of Regulations

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

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

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

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

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

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

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

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2007.

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THE COURTS

Title 234—RULES OF CRIMINAL PROCEDURE

[234 PA. CODE CHS. 1, 3 AND 6]

Proposed Rescission of Current Pa.R.Crim.P. 600, New Pa.R.Crim.P. 600, Amendments to Pa.R.Crim.P. 106 and Revision of the Comment to Pa.R.Crim.P. 312

The Criminal Procedural Rules Committee, responding to the Supreme Court's direction to the Committee in *Commonwealth v. Solano*, 588 Pa. 716, 906 A.2d 1180 (2006), to further study the provisions of Rule 600 and make a recommendation, is planning to recommend that the Supreme Court of Pennsylvania (1) rescind current Pa.R.Crim.P. 600 (Prompt Trial) and adopt a new Pa.R.Crim.P. 600 (Prompt Trial) in which the substantive provisions of the current rule have been reorganized and the various issues that have been addressed in the numerous Rule 600 cases since Rule 600, previously Rule 1100, was amended in 1987 have been incorporated, and (2) make correlative changes to Pa.Rs.Crim.P. 106 and 312.

This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. Please note that the Committee's Report should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the explanatory Reports.

The text of the proposed rule changes precedes the Report.

We request that interested persons submit suggestions, comments, or objections concerning this proposal in writing to the Committee through counsel,

Anne T. Panfil, Chief Staff Counsel
Supreme Court of Pennsylvania
Criminal Procedural Rules Committee
5035 Ritter Road, Suite 100
Mechanicsburg, PA 17055
fax: (717) 795-2106
e-mail: criminalrules@pacourts.us

no later than Friday, August 31, 2007.

By the Criminal Procedural Rules Committee

NICHOLAS J. NASTASI,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

PART A. Business of the Courts

Rule 106. Continuances in Summary and Court Cases.

(A) The court or issuing authority may, in the interests of justice, grant a continuance, on its own motion, or on the motion of either party.

(B) When the matter is before an issuing authority, the issuing authority shall record on the transcript the identity of the moving party and the reasons for granting or denying the continuance. **The issuing authority also shall record on the transcript to which party the period of delay caused by the continuance shall be attributed and whether the time will be included in or excluded from the computation of the time within which trial must commence in accordance with Rule 600.**

(C) When the matter is in the court of common pleas, the judge shall on the record identify the moving party and state of record the reasons for granting or denying the continuance. **The judge also shall indicate on the record to which party the period of delay caused by the continuance shall be attributed and whether the time will be included in or excluded from the computation of the time within which trial must commence in accordance with Rule 600.**

[(C)] (D) A motion for continuance on behalf of the defendant shall be made not later than 48 hours before the time set for the trial. A later motion shall be entertained only when the opportunity [**therefor**] **therefore** did not previously exist, or the defendant was not aware of the grounds for the motion, or the interests of justice require it.

Official Note: Rule 301 adopted June 30, 1964, effective January 1, 1965; amended June 8, 1973, effective July 1, 1973; amended June 29, 1977 and November 22, 1977, effective as to cases in which the indictment or information is filed on or after January 1, 1978; renumbered Rule 106 and amended March 1, 2000, effective April 1, 2001; **amended** , **2007, effective** , **2007.**

Committee Explanatory Reports:

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. [**1477**] **1478** (March 18, 2000).

Report explaining the amendments to paragraphs (B) and (C) concerning Rule 600 published at 37 Pa.B. 4175 (August 4, 2007).

CHAPTER 3. ACCELERATED REHABILITATIVE DISPOSITION (ARD)

PART B. Court Cases

Rule 312. Hearing, Explanation of Program.

* * * * *

Comment

Although acceptance into an ARD program is not intended to constitute a conviction under these rules, it may be statutorily construed as a conviction for purposes of computing sentences on subsequent convictions. See, e.g., Vehicle Code § 3731(e)(2), added by 75 Pa.C.S. § 3731(e)(2).

In addition to requesting that the defendant waive Rule 600 for the period of enrollment in the ARD program, the attorney for the Commonwealth may request that the defendant waive Rule 600 for the period of time spent in processing and considering the defendant's inclusion into the ARD program. See Rule 311.

Official Note: Rule 178 approved May 24, 1972; effective immediately; amended February 15, 1974, effective immediately; amended April 10, 1989, effective July 1, 1989; renumbered Rule 312 and Comment revised March 1, 2000, effective April 1, 2001; **Comment revised** , 2007, effective , 2007.

Committee Explanatory Reports:

* * * * *

Report explaining the Comment revision concerning waiver of Rule 600 published at 37 Pa.B. 4175 (August 4, 2007).

CHAPTER 6. TRIAL PROCEDURES IN COURT CASES

PART A. General Provisions

Rule 600. Prompt Trial. (Rescinded).

[(A)(1) Trial in a court case in which a written complaint is filed against the defendant after June 30, 1973 but before July 1, 1974 shall commence no later than 270 days from the date on which the complaint is filed.

(2) Trial in a court case in which a written complaint is filed against the defendant, when the defendant is incarcerated on that case, shall commence no later than 180 days from the date on which the complaint is filed.

(3) Trial in a court case in which a written complaint is filed against the defendant, when the defendant is at liberty on bail, shall commence no later than 365 days from the date on which the complaint is filed.

(4) Trial in a court case that is transferred from the juvenile court to the trial or criminal division shall commence in accordance with the provision set out in paragraphs (A)(2) and (A)(3) except that the time is to run from the date of filing the transfer order.

(B) For the purpose of this rule, trial shall be deemed to commence on the date the trial judge calls the case to trial, or the defendant tenders a plea of guilty or nolo contendere.

(C) In determining the period for commencement of trial, there shall be excluded therefrom:

(1) the period of time between the filing of the written complaint and the defendant's arrest, provided that the defendant could not be apprehended because his or her whereabouts were unknown and could not be determined by due diligence;

(2) any period of time for which the defendant expressly waives Rule 600;

(3) such period of delay at any stage of the proceedings as results from:

(a) the unavailability of the defendant or the defendant's attorney;

(b) any continuance granted at the request of the defendant or the defendant's attorney.

(D)(1) When a trial court has granted a new trial and no appeal has been perfected, the new trial shall commence within 120 days after the date of the order granting a new trial, if the defendant is incarcerated on that case. If the defendant has been released on bail, trial shall commence within 365 days of the trial court's order.

(2) When an appellate court has remanded a case to the trial court, if the defendant is incarcerated on that case, trial shall commence within 120 days after the date of remand as it appears in the appellate court docket. If the defendant has been released on bail, trial shall commence within 365 days after the date of remand.

(3) When a trial court has ordered that a defendant's participation in the ARD program be terminated pursuant to Rule 184, trial shall commence within 120 days of the termination order if the defendant is incarcerated on that case. If the defendant has been released on bail, trial shall commence within 365 days of the termination order.

(E) No defendant shall be held in pre-trial incarceration on a given case for a period exceeding 180 days excluding time described in paragraph (C) above. Any defendant held in excess of 180 days is entitled upon petition to immediate release on nominal bail.

(F) Nothing in this rule shall be construed to modify any time limit contained in any statute of limitations.

(G) For defendants on bail after the expiration of 365 days, at any time before trial, the defendant or the defendant's attorney may apply to the court for an order dismissing the charges with prejudice on the ground that this rule has been violated. A copy of such motion shall be served upon the attorney for the Commonwealth, who shall also have the right to be heard thereon.

If the court, upon hearing, shall determine that the Commonwealth exercised due diligence and that the circumstances occasioning the postponement were beyond the control of the Commonwealth, the motion to dismiss shall be denied and the case shall be listed for trial on a date certain. If, on any successive listing of the case, the Commonwealth is not prepared to proceed to trial on the date fixed, the court shall determine whether the Commonwealth exercised due diligence in attempting to be prepared to proceed to trial. If, at any time, it is determined that the Commonwealth did not exercise due diligence, the court shall dismiss the charges and discharge the defendant.

In the event the case is dismissed pursuant to this paragraph, the court shall promptly prepare a report of continuances by the Commonwealth, and the reasons therefor, which prevented the case from coming to trial as required by this rule. Such report shall be certified by the president judge or administrative judge, shall be made part of the public record of the case, and shall be sent to the Court Administrator of Pennsylvania within 20 days of the order of discharge.

Comment

Rule 600 was adopted in 1973 pursuant to *Commonwealth v. Hamilton*, 297 A.2d 127 (Pa. 1972).

The time limits of this rule were amended on December 31, 1987, effective immediately. See *Commonwealth v. Palmer*, 558 A.2d 882 (Pa. Super. 1989).

In addition to amending the time limits of the rule, the Court deleted the provisions concerning Commonwealth petitions to extend the time for commencement of trial. See Rule 600(E) and

Paragraph (A)(2) requires that the Commonwealth bring a defendant to trial within 180 days from the filing of the complaint if the defendant is incarcerated on the charges. Under paragraph (E), subject to the exclusions provided in paragraph (C), a defendant who has been incarcerated on the charges pretrial for more than 180 days is entitled, upon petition, to immediate release on nominal bail.

If a defendant is at liberty on bail on the charges, paragraph (A)(3) requires that the Commonwealth bring the defendant to trial within 365 days from the filing of a complaint. Under paragraph (G), after 365 days and at any time before trial, a defendant released on bail or the defendant's counsel may apply to the court for an order dismissing the charges with prejudice on the ground that this rule has been violated. A copy of the motion must be served on the attorney for the Commonwealth, who has a right under this rule to be heard on the motion. If the court, upon hearing, determines that the Commonwealth exercised due diligence and that the circumstances causing the delay in the commencement of trial were beyond the Commonwealth's control, the court must deny the motion and list the case for trial on a date certain. If the court determines that the Commonwealth did not exercise due diligence, the court must dismiss the charges with prejudice and discharge the defendant.

When calculating the number of days set forth herein, see the Statutory Construction Act, 1 Pa.C.S. § 1908.

Pursuant to this rule, it is intended that "complaint" also includes special documents used in lieu of a complaint to initiate criminal proceedings in extraordinary circumstances such as criminal proceedings instituted by a medical examiner or coroner. See *Commonwealth v. Lopinson*, 234 A.2d 552 (Pa. 1967); *Commonwealth v. Smouse*, 594 A.2d 666 (Pa. Super. 1991).

A trial commences when the trial judge determines that the parties are present and directs them to proceed to voir dire or to opening argument, or to the hearing of any motions which had been reserved for the time of trial, or to the taking of testimony, or to some other such first step in the trial. It is not intended that preliminary calendar calls should constitute commencement of a trial. Concerning the hearing of motions reserved for the time of trial, see *Jones v. Commonwealth*, 434 A.2d 1197 (Pa. 1981).

For purposes of determining the time for commencement of trial, paragraph (C) contains the periods which must be excluded from that calculation. For periods of delay that result from the filing and litigation of omnibus pretrial motions for relief or other motions, see *Commonwealth v. Hill* and *Commonwealth v. Cornell*, 736 A.2d 578 (Pa. 1999).

Under paragraph (C)(3)(a), in addition to any other circumstances precluding the availability of the defendant or the defendant's attorney, the defendant should be deemed unavailable for the period of time during which the defendant contested extradition, or a responding jurisdiction delayed or refused to grant extradition; or during which the defendant was physically incapacitated or mentally

incompetent to proceed; or during which the defendant was absent under compulsory process requiring his or her appearance elsewhere in connection with other judicial proceedings.

The provisions enumerating the excludable periods contained in paragraph (C) apply to the periods for commencing a trial under paragraph (D).

Paragraphs (D)(1) and (2) provide the time limits for commencement of trial when a trial court has granted a new trial and no appeal has been perfected, or when an appellate court has remanded a case to the trial court, for whatever reason. Under paragraph (D)(1), a trial must commence within 120 days of the trial court order granting a new trial, unless the defendant has been released on bail, in which event the trial must commence within 365 days.

The withdrawal of, rejection of, or successful challenge to a guilty plea should be considered the granting of a new trial for purposes of this rule. Paragraph (D)(1) also applies to the period for commencing a new trial following the declaration of a mistrial.

Under paragraph (D)(2), when an appellate court has remanded a case to the trial court, for whatever reason, trial must commence within 120 days after the remand, unless the defendant has been released on bail, in which event trial must commence within 365 days after the remand. The date of remand is the date as it appears in the appellate court docket. When remand of the record is stayed, the period for commencement of trial does not begin to run until the record is remanded as provided in this rule.

Although a defendant's removal from the ARD program does not result in a "new trial" under paragraph (D)(3), termination of the defendant's ARD program pursuant to Rule 318 commences a new trial period for the purpose of this rule.

When a judge grants a continuance requested by the defendant, trial should be rescheduled for a date certain consistent with the continuance request and the court's business, and the entire period of such continuance may be excluded under paragraph (C).

When admitted to nominal bail pursuant to this rule, the defendant must execute a bail bond. See Rules 525 and 526.

In addition to requesting that the defendant waive Rule 600 for the period of enrollment in the ARD program (see Rule 312, paragraph (3)), the attorney for the Commonwealth may request that the defendant waive Rule 600 for the period of time spent in processing and considering the defendant's inclusion into the ARD program.]

Official Note: Rule [600] 1100 adopted June 8, 1973, effective prospectively as set forth in paragraphs (A)(1) and (A)(2) of this rule; paragraph (E) amended December 9, 1974, effective immediately; paragraph (E) re-amended June 28, 1976, effective July 1, 1976; amended October 22, 1981, effective January 1, 1982. (The amendment to paragraph (C)(3)(b) excluding defense-requested continuances was specifically made effective as to continuances requested on or after January 1, 1982.) Amended December 31, 1987, effective immediately; amended September 30, 1988, effective immedi-

ately; amended September 3, 1993, effective January 1, 1994; Comment revised September 13, 1995, effective January 1, 1996. The January 1, 1996 effective date extended to April 1, 1996; the April 1, 1996 effective date extended to July 1, 1996; renumbered Rule 600 and amended March 1, 2000, effective April 1, 2001; Comment revised April 20, 2000, effective July 1, 2000; **rescinded , 2007, effective , 2007, and replaced by new Rule 600.**

Committee Explanatory Reports:

Report explaining the September 3, 1993 amendments published with the Court's Order at 23 Pa.B. 4492 (September 25, 1993).

Final Report explaining the September 13, 1995 Comment revision published with Court's Order at 25 Pa.B. 4116 (September 30, 1995).

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. [1477] 1478 (March 18, 2000).

Final Report explaining the April 20, 2000 Comment revision concerning *Commonwealth v. Hill* and *Commonwealth v. Cornell*, published with the Court's Order at 30 Pa.B. 2219 (May 6, 2000).

Report explaining the proposed rescission of current Rule 600 published at 37 Pa.B. 4175 (August 4, 2007).

(Editor's Note: The following rule is new. It has been printed in regular type to enhance readability.)

Rule 600. Prompt Trial.

(A) COMMENCEMENT OF TRIAL; TIME FOR TRIAL

(1) For the purpose of this rule, trial shall be deemed to commence on the date the trial judge calls the case to trial, or the defendant tenders a plea of guilty or nolo contendere.

(2) Trial shall commence within the following time periods.

(a) Trial in a court case in which a written complaint is filed against the defendant shall commence within 365 days from the date on which the complaint is filed.

(b) Trial in a court case that is transferred from the juvenile court to the trial or criminal division shall commence within 365 days from the date on which the transfer order is filed.

(c) When a trial court has ordered that a defendant's participation in the ARD program be terminated pursuant to Rule 184, trial shall commence within 365 days from the date on which the termination order is filed.

(d) When a trial court has granted a new trial and no appeal has been perfected, the new trial shall commence within 365 days from the date on which the trial court's order is filed.

(e) When an appellate court has remanded a case to the trial court, the new trial shall commence within 365 days from the date of the written notice from the appellate court to the parties that the record was remanded.

(B) PRETRIAL INCARCERATION

Except in cases in which the defendant is not entitled to release on bail as provided by law, no defendant shall be held in pretrial incarceration in excess of

(1) 180 days from the date on which the complaint is filed; or

(2) 180 days from the date on which the order is filed transferring a court case from the juvenile court to the trial or criminal division; or

(3) 180 days from the date on which the order is filed terminating a defendant's participation in the ARD program pursuant to Rule 184; or

(4) 120 days from the date on which the order of the trial court is filed granting a new trial when no appeal has been perfected; or

(5) 120 days from the date of the written notice from the appellate court to the parties that the record was remanded.

(C) COMPUTATION OF TIME

(1) For purposes of paragraph (A), periods of delay caused by the Commonwealth when the Commonwealth has failed to exercise due diligence shall be included in the computation of the time within which trial must commence. Any other periods of delay shall be excluded from the computation.

(2) For purposes of paragraph (B), only periods of delay caused by the defendant shall be excluded from the computation of the length of time of any pretrial incarceration. Any other periods of delay shall be included in the computation.

(3) When a judge grants a continuance, the judge shall indicate on the record

(a) to which party the period of delay caused by the continuance shall be attributed; and

(b) whether the time will be included in or excluded from the computation of the time within which trial must commence in accordance with this rule.

(D) REMEDIES

(1) Except in cases in which the defendant is not entitled to release on bail as provided by law, when a defendant is held in pretrial incarceration beyond the time set forth in paragraph (B), upon motion, the defendant is entitled to immediate release on nominal bail subject to any non-monetary conditions of bail imposed by the court as permitted by law.

(2) When a defendant has not been brought to trial within the time periods set forth in paragraph (A), at any time before trial, the defendant's attorney, or the defendant if unrepresented, may file a motion requesting that the charges be dismissed on the ground that this rule has been violated.

(a) When a case is dismissed pursuant to this paragraph, the judge promptly shall prepare a report of continuances and indicate to which party the period of delay caused by the continuance was attributed and whether the time was included in or excluded from the computation of the time within which trial commenced in accordance with this rule.

(b) The report shall be certified by the president judge or administrative judge, shall be made part of the public record of the case, and shall be sent to the Court Administrator of Pennsylvania within 20 days of the order of discharge.

(E) Nothing in this rule shall be construed to modify any time limit contained in any statute of limitations.

Comment

Rule 600 was adopted in 1973 as Rule 1100 pursuant to *Commonwealth v. Hamilton*, 449 Pa. 297, 297 A.2d 127 (1972), and provided, inter alia, that trials be held within

180 days of the filing of the complaint. The time limits of this rule were expanded on December 31, 1987, effective immediately, to provide that trials have to be held within 365 days. See *Commonwealth v. Palmer*, 384 Pa. Super. 379, 558 A.2d 882 (1989). The 1987 amendments also provided for a defendant who has been held in pretrial incarceration longer than 180 days to be released on nominal bail, and deleted the provisions concerning Commonwealth petitions to extend the time for commencement of trial.

In 2007, former Rule 600 was rescinded and new Rule 600 adopted to reorganize and clarify the provisions of the rule in view of the long line of cases construing the rule. Nothing in the new rule substantively changes the procedural requirements concerning prompt trial. The new rule retains the same provisions concerning (1) the requirement of bringing a defendant to trial within 365 days of specified events, new paragraph (A); (2) the 120- or 180-day time limits on pretrial incarceration, new paragraph (B); (3) the computation of time within which trial must commence, new paragraph (C); and (4) the dismissal and release provisions for violation of the rule, new paragraph (D).

When calculating the number of days set forth herein, see the Statutory Construction Act, 1 Pa.C.S. § 1908.

Commencement of Trial; Time for Trial

Paragraph (A) addresses both the commencement of trial and the 365-day time for trial. A trial commences when the trial judge determines that the parties are present and directs them to proceed to voir dire or to opening argument, or to the hearing of any motions that had been reserved for the time of trial, or to the taking of testimony, or to some other such first step in the trial. See, e.g., *Commonwealth v. Williams*, 250 Pa. Super. 221, 378 A.2d 906 (1977). It is not intended that preliminary calendar calls should constitute commencement of a trial. Concerning the hearing of motions reserved for the time of trial, see *Jones v. Commonwealth*, 495 Pa. 490, 434 A.2d 1197 (1981).

The general rule is that trial must commence within 365 days from the date on which the complaint is filed. Pursuant to this rule, it is intended that "complaint" also includes special documents used in lieu of a complaint to initiate criminal proceedings in extraordinary circumstances such as criminal proceedings instituted by a medical examiner or coroner. See *Commonwealth v. Lopinson*, 427 Pa. 284, 234 A.2d 552 (1967); *Commonwealth v. Smouse*, 406 Pa. Super. 369, 594 A.2d 666 (1991).

The withdrawal of, rejection of, or successful challenge to a guilty plea should be considered the granting of a new trial for purposes of paragraph (A)(2)(d) of this rule. Paragraph (A)(2)(d) also applies to the period for commencing a new trial following the declaration of a mistrial.

The date of filing court orders for purposes of paragraph (A)(2) is the date of receipt of the order in the clerk of court's office. See the third paragraph of the Comment to Rule 114 (Orders and Court Notices; Filing; Service; and Docket Entries).

When an appellate court has remanded a case to the trial court for a new trial, for purposes of computing the time for trial under paragraph (A)(2)(e) or the length of time of pretrial incarceration for purposes of paragraph (B)(5), the date of the remand is the date of the prothonotary's notice to the parties that the record was remanded. See Pa.R.A.P. 2572(e) concerning the requirement that

the prothonotary of the appellate court give the parties written notice of the date on which the record was remanded.

Computation of Time

Paragraph (A) sets forth the time within which a trial must be commenced. The courts have referred to the date on which trial would commence as the "mechanical run" date. When the trial commences beyond the "mechanical run" date, the judge must determine the basis for the delay and whether the delay is attributable to the Commonwealth, the defense, or the court, and whether the Commonwealth has exercised due diligence. See, e.g., *Commonwealth v. Cook*, 544 Pa. 361, 676 A.2d 639 (1996).

For purposes of determining the time within which trial must be commenced pursuant to paragraph (A), paragraph (C)(1) makes it clear that any delay in the commencement of trial that is not attributable to the Commonwealth when the Commonwealth has exercised due diligence must be excluded from the computation of time. It is intended that the time to be excluded includes the periods of time described in former versions of Rule 600 (former Rule 1100) and case law as "excludable time," "excusable time," and "extensions of time." Thus, the inquiry for a judge in determining whether there is a violation of the time periods in paragraph (A) is whether the delay is caused solely by the Commonwealth when the Commonwealth has failed to exercise due diligence. See, e.g., *Commonwealth v. Matis*, 551 Pa. 220, 710 A.2d 12 (1998); *Commonwealth v. Brown*, 875 A.2d 1128 (Pa. Super. 2005). If the delay is caused by the defendant or by the court, or occurred as a result of circumstances beyond the Commonwealth's control and despite its due diligence, the time is excluded. See, e.g., *Commonwealth v. Crowley*, 502 Pa. 393, 466 A.2d 1009 (1983) (judicial delay); *Commonwealth v. Frye*, 909 A.2d 853 (Pa. Super. 2006) (due diligence); *Commonwealth v. Malgieri*, 889 A.2d 604 (Pa. Super. 2005) (due diligence, judicial delay); and *Commonwealth v. Hunt*, 858 A. 2d 1234 (Pa. Super. 2004) (excludable time, judicial delay).

For purposes of determining the length of time a defendant has been held in pretrial incarceration pursuant to paragraph (B), only the periods of delay attributable to the defense are to be excluded from the computation. See *Commonwealth v. Dixon*, 589 Pa. 28, 907 A.2d 468 (2006).

The concept of "excludable" time in former versions of the rule is delay attributable to the defendant or defense. See, e.g., *Commonwealth v. Matis*, supra. For purposes of paragraph (C)(1) and paragraph (C)(2), the following periods of time, that were previously enumerated in the text of former Rule 600(C), are periods of time when the defendant is unavailable, that is, periods of delay caused by the defendant. This time must be excluded from the computations in paragraphs (C)(1) and (C)(2):

(1) the period of time between the filing of the written complaint and the defendant's arrest, provided that the defendant could not be apprehended because his or her whereabouts were unknown and could not be determined by due diligence;

(2) any period of time for which the defendant expressly waives Rule 600;

(3) such period of delay at any stage of the proceedings as results from either the unavailability of the defendant or the defendant's attorney or any continuance granted at the request of the defendant or the defendant's attorney.

In addition to any other circumstances precluding the availability of the defendant or the defendant's attorney,

the defendant should be deemed unavailable for the period of time during which the defendant contested extradition, or a responding jurisdiction delayed or refused to grant extradition; or during which the defendant was physically incapacitated or mentally incompetent to proceed; or during which the defendant was absent under compulsory process requiring his or her appearance elsewhere in connection with other judicial proceedings.

For periods of delay that result from the filing and litigation of omnibus pretrial motions for relief or other motions, see *Commonwealth v. Hill* and *Commonwealth v. Cornell*, 558 Pa. 238, 736 A.2d 578 (1999) (the mere filing of a pretrial motion does not automatically render defendant unavailable; only unavailable if delay in commencement of trial is caused by filing pretrial motion).

Paragraph (C)(3) requires the judge to indicate on the record whether the time is excludable whenever he or she grants a continuance. See also Rule 106 (Continuances in Summary and Court Cases). As used in paragraph (C)(3), "judge" includes "magisterial district judges."

When a judge grants a continuance, trial should be rescheduled for a date certain consistent with the continuance request and the court's business.

Remedies

Paragraph (D)(1) sets forth the remedy should a defendant be held in pretrial incarceration beyond the time periods in paragraph (B). Except in cases in which bail is not available pursuant to Article I, Section 14 of the Pennsylvania Constitution, the defendant must be released on nominal bail. Imposition of nominal bail includes in the appropriate case the imposition of non-monetary conditions of release. See *Commonwealth v. Sloan*, 589 Pa. 15, 907 A.2d 460 (2006). See also Rules 524, 526, and 527 concerning types and conditions of release on bail.

Article I, Section 14 of the Pennsylvania Constitution provides, *inter alia*, that "all prisoners shall be bailable by sufficient sureties, unless for capital offenses or for offenses for which the maximum sentence is life imprisonment or unless no condition or combination of conditions other than imprisonment will reasonably assure the safety of any person and the community when the proof is evident or presumption great." Defendants who are not granted release on bail pursuant to this section are not eligible for release under paragraph (D)(1) of this rule. See *Commonwealth v. Jones*, 899 A.2d 353 (Pa. Super. 2006), and *Commonwealth v. Oliver*, 229 Pa. Super. 456, 674 A.2d 287 (1996).

When admitted to nominal bail pursuant to this rule, the defendant must execute a bail bond. See Rules 525 and 526.

Paragraph (D)(2) requires that any defendant not brought to trial within the time periods in paragraph (A) at any time before trial may move to have the charges dismissed on the ground that this rule has been violated, making the rule clear that it applies to all defendants, not just defendants released on bail. See *Commonwealth v. Solano*, 588 Pa. 716, 906 A.2d 1180 (2006).

When a case is dismissed for violation of this rule, the dismissal is "with prejudice," and the Commonwealth's only recourse is to file either a motion for reconsideration or an appeal.

For the procedures concerning filing and service of motions, see Rule 576. For the procedures following the filing of a motion, see Rule 577.

Official Note: Rule 1100 adopted June 8, 1973, effective prospectively as set forth in paragraphs (A)(1) and (A)(2) of this rule; paragraph (E) amended December 9, 1974, effective immediately; paragraph (E) re-amended June 28, 1976, effective July 1, 1976; amended October 22, 1981, effective January 1, 1982. (The amendment to paragraph (C)(3)(b) excluding defense-requested continuances was specifically made effective as to continuances requested on or after January 1, 1982.) Amended December 31, 1987, effective immediately; amended September 30, 1988, effective immediately; amended September 3, 1993, effective January 1, 1994; Comment revised September 13, 1995, effective January 1, 1996. The January 1, 1996 effective date extended to April 1, 1996; the April 1, 1996 effective date extended to July 1, 1996; renumbered Rule 600 and amended March 1, 2000, effective April 1, 2001; Comment revised April 20, 2000, effective July 1, 2000; rescinded, 2007, effective, 2007. New Rule 600 adopted, 2007, effective, 2007.

Committee Explanatory Reports:

Report explaining the September 3, 1993 amendments published with the Court's Order at 23 Pa.B. 4492 (September 25, 1993).

Final Report explaining the September 13, 1995 Comment revision published with Court's Order at 25 Pa.B. 4116 (September 30, 1995).

Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at 30 Pa.B. 1478 (March 18, 2000).

Final Report explaining the April 20, 2000 Comment revision concerning *Commonwealth v. Hill* and *Commonwealth v. Cornell*, published with the Court's Order at 30 Pa.B. 2219 (May 6, 2000).

Report explaining the rescission of current Rule 600 and the provisions of new Rule 600 published at 37 Pa.B. 4175 (August 4, 2007).

REPORT

Proposed Rescission of Current Pa.R.Crim.P. 600, New Pa.R.Crim.P. 600, Amendments to Pa.R.Crim.P. 106, and Revision of the Comment to Pa.R.Crim.P. 312

Prompt Trial

I. INTRODUCTION

The Criminal Procedural Rules Committee is proposing the rescission of current Rule 600 (Prompt Trial) and the adoption of a new Rule 600 (Prompt Trial) to conform the provisions of Rule 600 to the appellate courts' decisions interpreting and applying the rule. The Committee also is proposing amendments to Pa.R.Crim.P. 106 (Continuances in Summary and Court Cases) and a revision of the Comment to Pa.R.Crim.P. 312 (Hearing, Explanation of Program) that are correlative to the changes being proposed for Rule 600.¹

The Committee, acting on the Supreme Court's referral in footnote 7 in *Commonwealth v. Solano*, 588 Pa. 716, 906 A.2d 1180 (2006), that stated

Given the uncertainty that has arisen over the years since the drafting of the original speedy trial rule pursuant to our directive in *Hamilton*,² particularly with respect to our speedy trial rule's application to capital cases, we deem it proper to again refer the

¹This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

²*Commonwealth v. Hamilton*, 449 Pa. 297, 297 A.2d 127 (1972).

matter to our Criminal Procedural Rules Committee for further study and recommendation,

reviewed the case law that has been decided since the Court's 1987 amendment of then-Rule 1100 (now Rule 600) providing for the 365-day limit for the time for trial and the 180-day limit on pretrial incarceration without trial. The majority of the cases address three issues. As suggested by the Court in *Solano*, supra., one area that has generated a good deal of case law has to do with the application of the rule to capital cases. Another area concerns the calculation of the time for trial, in particular, what constitutes excludable time and excusable time. The last area concerns the time limitations on pretrial incarceration and the intent of the nominal bail provisions.

Following an extensive review of the case law and the current provisions of Rule 600, the Committee agreed that, for the most part, the current substantive provisions of the rule, particularly with respect to the 365-day time for trial, the 180-day limit on pretrial incarceration without trial, and the release and dismissal remedies, should be retained. The Committee is proposing some changes. First, we are proposing that the provisions of current Rule 600 should be reorganized so the rule flows in a more orderly manner. In addition, the proposed amendments incorporate the appellate courts' clarifications concerning the issues raised with regard to current Rule 600. Finally, the Committee is proposing that current Rule 600 be rescinded and a new Rule 600 be adopted. The rule is "new" only in the sense that it has been reorganized, with most of the substantive provisions of the current rule being retained.

II. DISCUSSION

Proposed new Rule 600 would be divided into sections identified with captions. The order these sections are set forth in new Rule 600 is as follows:

- (1) the provisions addressing the commencement of trial and the time for trial, new Rule 600(A);³
- (2) the provisions addressing the pretrial incarceration time limits, new Rule 600(B);⁴
- (3) the provisions addressing the computation of time excluded from the times for trial and the time limitations on pretrial incarceration, new Rule 600(C);⁵
- (4) the provisions providing the remedies, new Rule 600(D);⁶ and
- (5) the statute of limitations provision, new Rule 600(E).⁷

The Comment would be reorganized into comparable sections with the same captions.

A. Commencement of Trial; Time for Trial

As part of the reorganization of current Rule 600, paragraph (B), which provides that:

- (1) For the purpose of this rule, trial shall be deemed to commence on the date the trial judge calls the case to trial, or the defendant tenders a plea of guilty or nolo contendere,

has been moved without change to the first subparagraph in new paragraph (A).

The five paragraphs enumerating the 365-day time for trial found in current paragraphs (A)(3), (A)(4), (D)(1), (D)(2), and (D)(3) are set out as new paragraph (A)(2).⁸ The Committee reasoned that it makes more sense to combine the time for trial provisions in current paragraphs (A)(3) and (A)(4) with the time for a new trial provisions in current paragraphs (D)(1), (D)(2), and (D)(3) because the time for the trial in all five scenarios is 365 days from a triggering event.

Following the initiation of proceedings, the computation of time is the date on which the complaint is filed. In all other cases under the rule, the date that is used for the computation of the time for trial in the current rule is described as "the date of the order," "the date of filing of the order;" or "the date of service of the order." The Committee reviewed Rule 114 (Orders and Court Notices: Filing; Service; and Docket Entries) noting that the rule requires a docket entry of three dates: date on the order; date of receipt of the order in clerk's office, which is the date the order is filed; and date of service of the order. The Committee thinks Rule 600 would be clearer if the terminology conforms with the provisions of Rule 114. Except for remands from the appellate court, all references to the time that the calculation begins to run have been changed to be from the date the order is filed, with a cross-reference to Rule 114 included in the Comment.

For remands from an appellate court, new paragraph (A)(2)(e), the Committee is proposing that the language of Rule 600 conform with the language in Rule of Appellate Procedure 2572(e). The time would run from the date of the written notice to the parties of the remand of the record. A cross reference to Rule of Appellate Procedure 2572(e) has been added to the Comment. There are no other changes in these paragraphs.

B. Pretrial Incarceration

Current Rule 600(A)(2), (A)(4), and (D) establish time limits on a defendant's incarceration without a trial. As part of the reorganization of current Rule 600, the Committee agreed that the pretrial incarceration time limits in current paragraphs (A)(2), (A)(4), (D)(1), (D)(2), and (D)(3) should be set forth in one section. Accordingly, these paragraphs are set out as new paragraph (B).

The Committee discussed the pretrial incarceration time limits in the current rule. The members concluded that the time limits should be retained as to the 180-day time limits following the filing of a complaint and following the filing of a transfer order in a juvenile case and the 120-day time limits when a new trial is granted by a trial judge or an appellate court. However, the members concluded there is no reason the time limit on pretrial incarceration in ARD cases should be different from the 180-day time limit following the filing of the complaint. Accordingly, the current 120-day time limit in ARD cases when the defendant's participation in an ARD program has been terminated is changed to 180 days in new paragraph (B)(3).

The Committee also is proposing that new paragraph (B) include, as the introductory clause, a provision that recognizes the line of cases that have held the pretrial incarceration time limits do not apply when a defendant is not entitled to release on bail. See, e.g., *Commonwealth v. Jones*, 899 A.2d 353 (Pa. Super. 2006). The constitutional law and case law relative to this exception are explained in the Comment.

³The provisions of this section are derived from current Rule 600(A) and (D).

⁴The provisions of this section are derived from current Rule 600(A), (D) and (E).

⁵The provisions of this section are derived from current Rule 600(C) and (G).

⁶The provisions of this section are derived from current Rule 600(E) and (G).

⁷The provisions of this section are the same as current Rule 600(F).

⁸The Committee is recommending that current paragraph (A)(1) concerning the special time for trial for those cases tried between June 30, 1973 and July 1, 1974, the 270-day time for trial provision, be deleted as no longer necessary.

C. Computation of Time

The provisions of current Rule 600 that have generated the majority of the appellate cases construing Rule 600 are (1) paragraph (C), which addresses time that is to be excluded from the determination of the period for commencement of trial, and (2) paragraph (G), which addresses what the case law has called “excusable” time. How to clarify the method of calculation in a manner consistent with the case law that would aid the bench and bar was a challenge for the Committee. The Committee began its analysis of the process by conceptualizing the days that count when making the computations for the commencement of trial in terms of a calendar. When the time clock starts to run, as the case proceeds days on the calendar are removed. When there is a delay in the case, if the delay is caused by the Commonwealth and the Commonwealth has failed to exercise due diligence, then the pages continue to come off the calendar. See, e.g., *Commonwealth v. Matis*, 551 Pa. 220, 710 A.2d 12 (1998). The pages on the calendar are not taken off during the time for all other delays in the case. In other words, as set forth in new paragraph (C)(1):

- (1) For purposes of paragraph (A), periods of delay caused by the Commonwealth when the Commonwealth has failed to exercise due diligence shall be included in the computation of the time within which trial must commence. Any other periods of delay shall be excluded from the computation.

The Committee recognized there are many causes for delay that impact the computation of the time within which trial must commence, and classification of delay continues to be addressed in the case law. Based on this, the Committee reasoned that much of the confusion about the computation of time would be eliminated with a clear statement concerning how the time should be computed in the text of the rule and examples of causes for delay and how these are computed set forth in the Comment. Accordingly, the provisions concerning “excludable time” set forth in current Rule 600(C) have been moved into the Comment, along with an elaboration about the other types of delay that have been addressed in case law—“excusable time” and “extensions of time”—and citations to relevant case law.

The computation of time when calculating the time that a defendant has been incarcerated without a trial for Rule 600 purposes was recently addressed by the Supreme Court in *Commonwealth v. Dixon*, 589 Pa. 28, 907 A.2d 468 (2006). The Court held that, in computing the time of pretrial incarceration, only delay attributable to the defendant (“excludable” time) counts. The Committee incorporated this “rule” concerning the computation of the length of time of pretrial incarceration in new paragraph (C)(2) as follows:

- (2) For purposes of paragraph (B), only periods of delay caused by the defendant shall be excluded from the computation of the length of time of any pretrial incarceration. Any other periods of delay shall be included in the computation.

The process for determining how the computing is done and what to consider is elaborated in the computation of time section of the Comment, with citations to several of the relevant cases concerning computation of time. The Committee was selective in the cases included in the Comment because to try to mention every case would be a daunting task and make for an unwieldy Comment. In addition, the cases all say the computation of the time has to be determined on a case-by-case basis, and the list

of scenarios from the cases to date is extensive. Finally, by way of introduction to the computation of time section in the Comment, the Committee included a paragraph elaborating on the case law’s use of “run date” and “mechanical run date.” Citing *Commonwealth v. Cook*, 544 Pa. 361, 676 A.2d 639 (1996), by way of example, the Committee explains in the Comment that the courts refer to the date on which trial would commence as the “mechanical run” date.

One of the problems inherent in the current system the Committee thought needed to be addressed in the new rule concerns the difficulty the trial judge has reconstructing what took place during the life of the case when a Rule 600 violation has been alleged. The members reasoned if the judge is required at the time a continuance is granted to state on the record whether the time is includable or excludable under Rule 600, there will be fewer problems down the line with calculating the times and properly attributing any periods of delay. To accomplish this, the Committee is proposing that new paragraph (C)(3) require, at the time a continuance is granted, that the judge indicate on the record (1) to which party the period of delay caused by the continuance is attributed and (2) whether the time is included in or excluded from the computation of the time within which trial must commence.

In the computation of time section of the Comment, the Committee has provided a gloss on the requirement that the judge indicate whether the time for a continuance is excludable, with a cross-reference to Rule 106 that would be amended to conform with the new provisions of Rule 600. The Comment provision also clarifies that the requirement applies to both magisterial district judges and common pleas court judges.

D. Remedies

Current Rule 600(E) provides that “any defendant held in excess of 180 days is entitled upon petition to immediate release on nominal bail.” Current Rule 600(G) provides for the dismissal of the charges and discharge of the defendant after the expiration of 365 days if the court determines that the Commonwealth did not exercise due diligence. As part of the reorganization of Rule 600, the Committee is proposing that these two sections be moved into new paragraph (D) which is the remedies section.

The release provisions in current paragraph (E) also have generated a good deal of confusion and interpretive case law. Specific issues include (1) whether the nominal bail provision was intended to apply to cases in which the defendant is not entitled to release on bail and (2) whether the nominal bail provision was subject to nonmonetary conditions of release as provided in Rule 527 (Nonmonetary Conditions of Release on Bail).

Article I, Section 14 of the Pennsylvania Constitution provides, inter alia, that “all prisoners shall be bailable by sufficient sureties, unless for capital offenses or for offenses for which the maximum sentence is life imprisonment or unless no condition or combination of conditions other than imprisonment will reasonably assure the safety of any person and the community when the proof is evident or presumption great.” The appellate courts, as exemplified by *Commonwealth v. Jones*, 899 A.2d 353 (Pa. Super. 2006), have made it clear that when a defendant is not granted release on bail under the provisions of Article I, Section 14, the defendant also is not eligible for release under Rule 600.

The Supreme Court recently held in *Commonwealth v. Sloan*, 589 Pa. 15, 907 A.2d 460 (2006), that a defendant's release on nominal bail pursuant to Rule 600 may be subject to nonmonetary conditions of release such as electronic monitoring or reporting requirements.

New paragraph (D)(1) incorporates these constructions of the current nominal bail provision by clarifying in the text of the new rule that the release provisions do not apply when a defendant is not entitled to release and that nominal bail is subject to non-monetary conditions of release on bail. Some of the relevant case law and the relevant bail rules are referenced in the remedy section of the Comment.

The other area of confusion in Rule 600 concerns the application of the dismissal provisions in current paragraph (G) to cases in which the defendant is not "on bail after the expiration of 365 days." The Supreme Court in *Commonwealth v. Solano*, 588 Pa. 716, 906 A.2d 1180 (2006), addressed this issue and has made it clear that the Rule 600 dismissal provisions apply to all cases, not just cases in which the defendant is released on bail. The provisions in new paragraph (D)(2), which for the most part incorporate the provisions in current paragraph (G), reflect this holding, and a cross-reference to *Solano* has been added to the Comment.

In addition to the clarifying provisions discussed above, the provisions concerning motions in current paragraph (G) have been modified in new paragraph (D)(2) to be consistent with other Criminal Rules concerning motions. The paragraph provides for a motion to be filed by the defendant's attorney, or the defendant if unrepresented. A cross-reference to the relevant motion rules, Rules 576 and 577, has been added to the Comment.

The first sentence of current paragraph (G) provides that the defendant "may apply to the court for an order dismissing the charges with prejudice." The Committee questioned what is meant by "with prejudice" and why the term is necessary in Rule 600. The Court in *Commonwealth v. Hamilton*, 449 Pa. 297, 297 A.2d 127 (1972), was clear that it thought the dismissal had to end the case, otherwise the purpose of the rule would be emasculated. Based on this decision, the Committee does not think it is necessary to retain "with prejudice" in the text of the rule. In the alternative, we are proposing a Comment provision that explains when a case is dismissed for violation of this rule, the dismissal is "with prejudice." The Comment also notes that the options available to the Commonwealth to challenge a dismissal are a motion for reconsideration to the trial court and an appeal to the Superior Court.

E. Statute of Limitations

The provision in current Rule 600(F) that "nothing in this rule shall be construed to modify any time limit contained in any statute of limitations" has been retained as is in the new rule as new paragraph (E).

F. New Rule 600 Comment

Committee has retained much of what is in the current Rule 600 Comment. However, we are proposing the reorganization of the current Comment to conform to the proposed changes to the text of the rule, and the addition of captions correlative to the captions in proposed new Rule 600.

The Committee also has moved into the first paragraph of the new Comment the historical provisions in the first three paragraphs of the current Rule 600 Comment, and has expanded the explanation to provide more clearly the

background of Rule 600. The second paragraph of the new Comment provides a brief summary of the changes being proposed for new Rule 600 and emphasizes that, for the most part, new Rule 600 is the same as current Rule 600.

In addition to the new provisions of the Comment discussed above, several other changes appear in the new Comment. First, the Committee has expanded the reference to *Commonwealth v. Hill* and *Commonwealth v. Cornell*, 558 Pa. 238, 736 A.2d 578 (1999), in current Rule 600 to explain that the mere filing of a pretrial motion does not automatically render a defendant unavailable, and that a defendant would be unavailable only if the delay in commencement of trial is caused by filing pretrial motion.

The current Rule 600 Comment includes the following two paragraphs concerning ARD:

Although a defendant's removal from the ARD program does not result in a "new trial" under paragraph (D)(3), termination of the defendant's ARD program pursuant to Rule 318 commences a new trial period for the purpose of this rule.

In addition to requesting that the defendant waive Rule 600 for the period of enrollment in the ARD program (see Rule 312, paragraph (3)), the attorney for the Commonwealth may request that the defendant waive Rule 600 for the period of time spent in processing and considering the defendant's inclusion into the ARD program

The Committee does not think the first paragraph is necessary given the specific ARD provisions in new paragraphs (A)(2)(c) and (B)(3) of new Rule 600. Accordingly, this paragraph has been deleted from the Comment.

The Committee believes the second paragraph more appropriately belongs in the ARD rules. Accordingly, the Committee is proposing the provision be moved to the Rule 312 Comment.

[Pa.B. Doc. No. 07-1389. Filed for public inspection August 3, 2007, 9:00 a.m.]

[234 PA. CODE CH. 5]

Proposed Amendments to Pa.R.Crim.P. 513

The Criminal Procedural Rules Committee is planning to recommend that the Supreme Court of Pennsylvania amend Rule 513 to provide for the temporary delay in the dissemination of arrest warrant information to the public prior to execution of the warrant. This proposal has not been submitted for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. Please note that the Committee's Report should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee's Comments or the contents of the explanatory Reports.

The text of the proposed amendments to Rule 513 precedes the Report. Additions are shown in bold; deletions are in bold and brackets.

We request that interested persons submit suggestions, comments, or objections concerning this proposal in writing to the Committee through counsel,

Anne T. Panfil, Chief Staff Counsel
 Supreme Court of Pennsylvania
 Criminal Procedural Rules Committee
 5035 Ritter Road, Suite 100
 Mechanicsburg, PA 17055
 fax: (717) 795-2106
 e-mail: criminal.rules@pacourts.us

no later than Monday, September 3, 2007.

By the Criminal Procedural Rules Committee

NICHOLAS J. NASTASI,
Chair

Annex A

TITLE 234. RULES OF CRIMINAL PROCEDURE

CHAPTER 5. PRETRIAL PROCEDURES IN COURT CASES

PART B(3). Arrest Procedures in Court Cases

(a) Arrest Warrants

Rule 513. Requirements for Issuance.

* * * * *

(E) Dissemination of Arrest Warrant Information.

(1) When an arrest warrant is issued following the filing of a complaint, at the request of the affiant or the attorney for the Commonwealth, the criminal complaint, the arrest warrant, and any affidavit(s) of probable cause shall not be made available by the issuing authority for public inspection or dissemination until the warrant has been executed.

(2) In those counties in which the attorney for the Commonwealth requires that complaints and arrest warrant affidavits be approved prior to filing as provided in Rule 507, only the attorney for the Commonwealth may request a delay in the public dissemination of the criminal complaint, the arrest warrant, and any affidavit(s) of probable cause.

Comment

* * * * *

Paragraph (E) was added in 2007 to address the potential dangers to law enforcement and the general public and the risk of flight when arrest warrant information is disseminated prematurely; that is prior to the execution of the arrest warrant. The paragraph provides that the affiant or the attorney for the Commonwealth may request the delay in dissemination of the criminal complaint, the arrest warrant, and any affidavit(s) of probable cause until execution and that, upon such request, the issuing authority must delay the dissemination. The provisions in the rule that any delay must be specifically requested by law enforcement and any delay is limited to pre-execution arrest warrants only reduce the impact of the delay in the disclosure of the arrest warrant information upon the right of public access to warrant information.

Official Note: Rule 119 adopted April 26, 1979, effective as to arrest warrants issued on or after July 1, 1979; Comment revised August 9, 1994, effective January 1, 1995; renumbered Rule 513 and amended March 1, 2000, effective April 1, 2001; amended May 10, 2002, effective September 1, 2002; **amended** , 2007, **effective** , 2007.

Committee Explanatory Reports:

* * * * *

Report explaining the proposed amendments concerning dissemination of arrest warrant information published at 37 Pa.B. 4179 (August 4, 2007).

REPORT

Proposed Amendments to Pa.R.Crim.P. 513

Dissemination of Arrest Warrant Information

Recently, the Committee has been presented with questions regarding the obligation of an issuing authority to disseminate arrest warrant information to the public prior to the execution of these warrants, a question, left unanswered in the case law, that has arisen a number of times over the years.

The primary concerns that have been raised with the Committee are that the premature disclosure of arrest warrant information has the potential for injury or loss of life to the executing officers in addition to the possibility of flight on the part of the defendant. These concerns have been heightened recently by the increased level of automation of court records that has resulted in the increased accessibility of this information at a much earlier stage in the criminal proceedings.

In *Commonwealth v. Fenstermacher*, 515 Pa. 501, 530 A.2d 414 (1987), in which a newspaper filed a motion for access to arrest warrant affidavits, the Supreme Court of Pennsylvania noted that there were important policy considerations which underlay a general right to public access to court records, such as discouraging perjury, enhancing police and prosecutorial performance, and promoting a public perception of fairness in the arrest warrant process. However, the Court found that the public's right to inspect judicial documents is not absolute and the decision regarding public access to arrest warrant affidavits is best left to the discretion of the court. Nonetheless, the remedy the Court supported was to require that affidavits be sealed under a court order, not simply upon the request of one of the parties. It is important to note that the Court in *Fenstermacher* specifically stated that they were not addressing the question of access to pre-executed warrant affidavits.

In view of the concerns raised with the Committee, the Committee concluded that unlimited disclosure of arrest warrant information prior to the execution of the warrant poses a serious threat to the safety and welfare of the public and law enforcement. Based on the Supreme Court's ruling in *Fenstermacher*, the Committee agreed that reasonable limitations on pre-execution disclosure with appropriate safeguards would protect the public and law enforcement without unnecessarily infringing of the right of the public to access the information. We further concluded that these limitations should apply to both information that is disseminated electronically and information that is physically available for inspection at the issuing authority's office.

The Committee therefore is proposing an amendment to Rule 513 that would provide that an affiant or attorney for the Commonwealth may request that the issuing authority delay dissemination of arrest warrant information, in any form, to the public until the warrant is executed. The criminal complaint, the arrest warrant itself, the affidavit of probable cause and the existence of the warrant are included in this limitation. The safeguards included in new paragraph (E) of Rule 513 are that the delay is of limited duration, ministerial in nature and limited to individual cases specified by the affiant or

attorney for the Commonwealth. In other words, whether to delay dissemination is determined on a case-by-case basis and must be specifically requested by the affiant or attorney for the Commonwealth. Furthermore, the delay may be requested only in those cases in which an arrest warrant is issued following the complaint; it may not be requested in cases in which a bench warrant has been issued or an arrest warrant has been issued subsequent to a summons. Additionally, the delay in dissemination will only last until the arrest warrant is executed. Finally, in those counties in which the attorney for the Commonwealth requires that complaints and arrest warrant affidavits be approved prior to filing as provided in Rule 507, only the attorney for the Commonwealth, and not the affiant, may request the delay.

[Pa.B. Doc. No. 07-1390. Filed for public inspection August 3, 2007, 9:00 a.m.]

DISCIPLINARY BOARD OF THE SUPREME COURT

Notice of Suspension

Notice is hereby given that Harry Elwood Franks, Jr., having been suspended from the practice of law in the State of New Jersey by Order of the Supreme Court of New Jersey dated January 23, 2007; the Supreme Court of Pennsylvania issued an Order dated July 18, 2007, suspending Harry Elwood Franks, Jr. from the practice of law in this Commonwealth for a period of 3 months. In

accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 07-1391. Filed for public inspection August 3, 2007, 9:00 a.m.]

Notice of Suspension

Notice is hereby given that on July 18, 2007, under Rule 214(d)(2), Pa.R.D.E., the Supreme Court of Pennsylvania ordered that S. C. Bluespruce-Refert be placed on temporary suspension from the practice of law, effective August 17, 2007. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

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

[Pa.B. Doc. No. 07-1392. Filed for public inspection August 3, 2007, 9:00 a.m.]

RULES AND REGULATIONS

Title 34—LABOR AND INDUSTRY

DEPARTMENT OF LABOR AND INDUSTRY

[34 PA. CODE CH. 121]

General Provisions

The Department of Labor and Industry (Department), Bureau of Workers' Compensation (Bureau), amends Chapter 121 (relating to general provisions) to read as set forth in Annex A. The final-form rulemaking updates and clarifies the existing regulations that govern the Bureau's administration of the Workers' Compensation Act (act) (77 P.S. §§ 1—1041.4 and 2501—2506) and the procedures utilized by employees, employers and insurers.

Statutory Authority

This final-form rulemaking is published under the authority in sections 401.1 and 435(a) of the act (77 P.S. §§ 710 and 991(a)) and section 2205 of The Administrative Code of 1929 (71 P.S. § 565).

Background

Chapter 121 was adopted on March 15, 1974, and has not been amended recently, with a few exceptions. The most recent amendments followed the act of November 26, 1997 (P.L. 530, No. 57), which amended sections 306.2, 443 and 446 of the act (77 P.S. §§ 517, 999 and 1000.2). The Department then amended §§ 121.1, 121.22 and 121.23 (relating to definitions; subsequent injury fund; and supersedeas fund). Further, the Department added §§ 121.31—121.35.

On June 11, 2004, a stakeholder meeting was held. The comments and suggestions received as a result of this meeting were reviewed and considered. Notice of proposed rulemaking was published at 35 Pa.B. 3807 (July 9, 2005). As a result, the Department received written comments from the following: Lawrence R. Chaban, Esquire, on behalf of the Pennsylvania Trial Lawyers Association; Workers' Compensation Judge Todd B. Seelig, on behalf of the Pennsylvania Workers' Compensation Judges' Professional Association (PWCJPA); Director of Adjudication David A. Cicola, on behalf of the Workers' Compensation Office of Adjudication (Office of Adjudication); Samuel R. Marshall, Esquire, on behalf of The Insurance Federation of Pennsylvania, Inc.; Thomas C. Lowry, Esquire; Matthew Welch, Claims Specialist; Art Mann; and Marc S. Jacobs, Esquire. The Department also received written comments from the Independent Regulatory Review Commission (IRRC) dated September 7, 2005. In response to comments received, changes were made to the final-form rulemaking.

Purpose

The final-form rulemaking updates and clarifies the practices of the Bureau in the administration of the act and of employees, employers, workers' compensation insurers and other interested parties in transactions with the Bureau.

Summary of Final-Form Rulemaking and Responses to Comments

The Department amended § 121.1 to include definitions of "agreement," "Board," "claimant," "Disease Law," "employer" and "first report of injury." IRRC commented

that two statutory definitions of "employer" should not be combined in one regulatory definition. Accordingly, the reference to section 103 of the act (77 P.S. § 21) has been deleted in the definition of "employer." IRRC also questioned whether the State Workers' Insurance Fund (SWIF) is included in the definition of "insured employer." Although SWIF meets the definition of an "insured employer," it has been added specifically to the definition of "insured employer."

Mr. Jacobs commented that the definition of "employer" conflicts with the Commonwealth Court's decision in *Kramer v. WCAB (Rite Aid Corp.)*, 794 A.2d 953 (Pa. Cmwlth. 2002). However, the statutory definition has been adopted here, which continues to be a viable definition of "employer." Additionally, the Supreme Court overturned this Commonwealth Court decision. *Kramer v. WCAB (Rite Aid Corp.)*, 883 A.2d 518 (Pa. 2005). To clarify the references to the employer's first report of injury, which was formerly known as the Employer's Report of Occupational Injury or Disease, Form LIBC-344, the Department added a general definition for "first report of injury" in the final-form rulemaking.

The Department rescinded § 121.2 because it is unnecessary.

The Department amended § 121.3 (relating to filing of forms) to better reflect the requirements for filing forms. Also, the Department added subsection (c) to clarify the Department's ability to require electronic filing and subsection (d) to clarify how to determine a filing date. IRRC commented that "electronic format" in subsection (a) and "electronic means" in subsection (c) be defined by specific methods. However, the Department believes that not specifically defining these terms enables filing with the Department to evolve as technology evolves. Additionally, since the language in subsection (a) clearly states that forms must be in the format prescribed by the Bureau, this subsection does notify filers of the means by which different forms are to be filed.

IRRC also commented that the Bureau should inform a filer why a form is returned. Accordingly, language has been added in subsection (b) that requires the Bureau to give a reason for the return of a form. Finally, IRRC commented that subsection (d) should explain the filing date if mail is not used for filing. Language has been added to subsection (d) clarifying that the Bureau receipt date is the filing date for all filings that do not fall under the first two sentences of subsection (d). This comports with current practice and a Supreme Court case. *Sellers v. WCAB (HMT Construction Svcs., Inc.)*, 713 A.2d 87 (Pa. 1998).

Mr. Marshall commented that the 10-day time period in subsection (b) for the preservation of a filing date is insufficient. Mr. Marshall also commented that the period should be specified to run from the postmark date of the Department's return. The Department agreed with Mr. Marshall's suggestion regarding extending the 10-day period and increased that time period to 14 days. However, the Department will continue to use the Department's correspondence date, rather than the postmark date, for determining the timing of returns because this method is consistent with all other Department mailings.

Mr. Marshall also commented that the Department should not have the ability to limit filing through electronic means and should be required to accept any electronic filings. The Department does not agree with

this approach because the Department first must have the capability in place to receive and accept an electronic filing. It does not have the capability to accept certain types of electronic filings at this time. The Department will continue to proceed cautiously, as it has in the past, when implementing new forms for electronic filing, by soliciting industry comments beforehand. Mr. Marshall further suggested that subsection (c) be revised to require that future electronic filing requirements introduced by the Department must be done by subsequent rulemaking to insure the practicality of future electronic submissions for all parties. The Department does not believe that a regulation requiring a regulation would be practical. However, insofar as subsection (c) appears to be superfluous in light of subsection (a), the Department removed the proposed language from subsection (c).

The Department added § 121.3a (relating to computation of time) to explain how a period of time will be computed under Chapter 121.

The Department added § 121.3b (relating to providing workers' compensation information) to require an employer to provide general workers' compensation information to every employee at the time of hire and at the time of injury. This new mandatory provision provides employees with the opportunity to learn basic workers' compensation information that otherwise may be difficult to obtain.

The PWCJPA commented that the section should include when the information shall be provided to the employee. The Department agreed and included the requirement that this workers' compensation information be provided at the time of hire and time of injury. This allows all employees access to the information when needed.

IRRC commented that "by your employer" should be added in subsection (b) for clarity. The Department made that change. Mr. Marshall commented that the initial, proposed requirement that this information be posted at an employer's primary places of business would make it difficult for insurers to monitor employer compliance. The Department agreed and removed the general requirement to post this information. The Department will require only that employers provide this information to employees at the time of hire and injury. IRRC and Mr. Marshall also commented that "sites of employment" with regard to the initial posting requirement lacked clarity. Since the information no longer needs to be posted, the phrase has been removed.

Mr. Marshall also suggested that the requirement of referencing the physician panel notice in subsection (b)(3) be removed. To avoid potential confusion with the existing requirements in the medical cost containment regulations, the Department removed this reference.

Mr. Lowry suggested that the last sentence in subsection (b)(3) be revised to inform the employee that he will be asked to sign a written acknowledgement form regarding the employer's list of providers. However, since the reference to that list is being removed from this subsection, and because this information also is separately addressed in the medical cost containment regulations, the reference has not been added.

The Department rescinded § 121.4 because it contained information that is also in § 121.3(a).

The Department amended § 121.5 (relating to reporting injuries to the Bureau) to revise the requirements regarding filing a first report of injury. The amendment eliminates language in subsections (b) and (e) regarding

disability continuing more than or beyond the entire day, shift or turn. The language in subsection (c) conforms to section 438 of the act (77 P. S. § 994). Also, the Department deleted unnecessary language discussing variances and to clarify existing language.

Mr. Lowry commented on the amendment to subsection (a)(2) requiring an employer to file a first report of injury within 7 days. However, this amendment directly parallels the mandate in section 438 of the act that the report be filed within 7 days. Additionally, the amendment does not affect the requirement that an employer respond within 21 days, as set forth in section 406.1 of the act (77 P. S. § 717.1).

Mr. Marshall commented that the definition of "disability" in subsection (c) should be clarified so that it is only linked to the filing of the first report of injury. The Department made this clarification.

The Department rescinded § 121.6 because the process in this section is obsolete.

The Department amended § 121.7 (relating to notice of compensation payable) by splitting proposed § 121.7 into two parts: § 121.7, which focuses solely on the Notice of Compensation Payable; and § 121.7a (relating to notice of temporary compensation payable), which sets out requirements for filing a Notice of Temporary Compensation Payable. The Department believes that this separation improves the clarity of the two provisions. The applicable provisions of proposed § 121.7 that referenced Notices of Temporary Compensation Payable were moved into § 121.7a. Accordingly, changes explained as follows in § 121.7 also are reflected in § 121.7a, when applicable.

The Department amended § 121.7(b) to require the filing of a Statement of Wages, Form LIBC-494A or LIBC-494C, with every Notice of Compensation Payable, Form LIBC-495, except in the case of an estimated notice or a notice filed in a medical only case. The Department deleted language in § 121.7(b) regarding injuries and references the term "disability" in § 121.7(a) to conform to section 406.1 of the act. The Department also allows an employer to file an estimated or amended Notice of Compensation Payable, Form LIBC-495. Finally, the Department added § 121.7(e) to allow an employer to file a Notice of Compensation Payable, Form LIBC-495, in medical-only cases.

The Department added § 121.7a(b) to require the filing of a Statement of Wages, Form LIBC-494A or LIBC-494C, with every Notice of Temporary Compensation Payable, Form LIBC-501. The Department also allows an employer to file an amended Notice of Temporary Compensation Payable, Form LIBC-501.

IRRC commented that amended or estimated notices should be modified to have checkboxes. However, the Department believes there is sufficient room at the top of the form for an insurer to indicate that the form is "amended" or "estimated." When an electronic version of a Notice of Compensation Payable, Form LIBC-495, or Notice of Temporary Compensation Payable, Form LIBC-501, becomes available, checkboxes will be included for an insurer to indicate whether a form is "amended" or "estimated."

IRRC also commented that § 121.7(e) should be split into two subsections because subsection (e) contains the subjects of Notices of Compensation Payable, Notices of Temporary Compensation Payable and Supplemental Agreements. The Department addressed this issue by splitting proposed § 121.7 into two parts: § 121.7 and § 121.7a.

IRRC stated that § 121.7(f) (now § 121.7(e)) should state which forms are to be filed in medical-only cases. The Department does not believe this is necessary because current case law addresses this issue and is subject to change.

Mr. Chaban commented that an employer should have no greater right to amend a Notice of Temporary Compensation Payable than it does to amend a Notice of Compensation Payable. However, these documents are different under the act. Specifically, the Notice of Temporary Compensation Payable is not an admission of liability on a claim, but rather may be issued by an employer without prejudice during its investigation where there is uncertainty regarding compensability or extent of liability.

Mr. Chaban also commented that the filing of a Notice of Compensation Payable should be mandatory, not permissive, under § 121.7(f) (now § 121.7(e)). However, case law shows that this is not the only form that may be filed to avoid penalties.

Mr. Lowry commented that the language in § 121.7(f) (now § 121.7(e)) improperly limits its use to injuries that have not resulted in "lost time from work," in part by its failure to explain the impact of the 7-day waiting period. Since the regulation is meant simply to recognize the use of a Notice of Compensation Payable in a medical-only matter, the Department does not believe additional explanation is necessary.

Mr. Marshall commented that § 121.7(a) (now §§ 121.7 and 121.7a) should include a change to reflect that a filing is triggered when the insurer knows of the injury by modifying the filing requirement to "no later than 21 days from the date 'that' employer had notice or knowledge." However, since neither the act nor case law clearly distinguishes between the employer and insurer in this regard, the Department does not believe a distinction is warranted.

Mr. Marshall also stated that § 121.7 (now §§ 121.7 and 121.7a) is confusing as to whether an insurer can issue a document and payment to an employee within 21 days if the employer has not notified its insurer. However, section 406.1 of the act requires joint investigation and payment by the employer and insurer.

Mr. Marshall also commented that there is confusion regarding possible conflict with the reporting requirements in the various subsections of § 121.7. The Department agreed and revised this section to indicate that the filing of a Statement of Wages is not required when the Notice of Compensation Payable is estimated under § 121.7(b), or when a medical-only Notice of Compensation Payable is filed under § 121.7(e).

The Department amended § 121.8 (relating to agreements for compensation for disability or permanent injury) to require the filing of a Statement of Wages, Form LIBC-494A or LIBC-494C, with every Agreement for Compensation for Disability or Permanent Injury, Form LIBC-336. The Department also allows an employer to file an estimated or amended Agreement for Compensation for Disability or Permanent Injury, Form LIBC-336.

The Department amended § 121.9 (relating to agreements for compensation for death) to clarify that death must occur from the injury, not within 7 days of the injury, to be compensable. Also, the Department amended § 121.9 to require the filing of a Statement of Wages, Form LIBC-494A or LIBC-494C, with every Agreement for Compensation for Death, Form LIBC-338. The Department also allows an employer to file an estimated or amended Agreement for Compensation for Death, Form

LIBC-338. For consistency within these regulations, the Department added language requiring that this form be completed before being signed in subsection (a).

The Department rescinded § 121.10 because supplemental agreements are discussed in § 121.17(b) (relating to change in compensation).

The Department amended § 121.11 (relating to supplemental agreements for compensation for death) to clarify the circumstances on which a change of compensation may be based. IRRC commented that in subsection (b), the "may" should be changed to "shall." The Department agreed and that change was made.

The Department amended § 121.12 (relating to Bureau review of agreements and notices of compensation payable) to require an amended version of an agreement or Notice of Compensation Payable, Form LIBC-495, when a correction of errors results in an increase of an employee's wage or compensation. Additionally, the Department amended § 121.12 to require the filing of a Statement of Wages, Form LIBC-494A or LIBC-494C, with every amended form under this section. IRRC commented that the "may" in subsection (a) should be changed to "shall." The Department agreed and that change was made.

The Department amended §§ 121.13 and 121.14 (relating to denial of compensation; and weekly wage for occupational disease cases) to clarify existing language.

The Department amended § 121.15 (relating to compensation payable) to clarify that death must occur from the injury, not within 7 days of the injury, to be compensable.

The Department amended § 121.16 (relating to updating claims status) to delete the filing of an annual Statement of Account of Compensation Paid, Form LIBC-392. The Department instead requires the filing of an Annual Claims Status Report, Form LIBC-774, on which an insurer verifies information on its claims. The Department also amends § 121.16 to require the filing of a Final Statement of Account of Compensation Paid, Form LIBC-392A, immediately after the final payment of compensation. IRRC suggested that the Annual Claims Status Report form be shared with the regulated community prior to submission of the final-form rulemaking. The Department shared this information and also engaged in a helpful dialogue to create an agreeable final version of this report.

Mr. Marshall questioned the Department's authority for requiring this filing and commented that the enforcement provisions in § 121.16(a)(3) and (4) need to be reconciled with those in § 121.27 (relating to orders to show cause). The Department believes that the amendment to this section falls within the rulemaking authority in section 435(a) of the act insofar as it is reasonably calculated to expedite the reporting and processing of cases and to insure full and proper payment of all compensation due. The Department does not believe that the specific enforcement provision regarding the failure to file this new form is inconsistent with the availability of the order to show cause provisions in § 121.27.

IRRC, Mr. Marshall and Mr. Lowry further questioned the purpose and need for the new Annual Claims Status Report, Form LIBC-774, as well as the cost and additional paperwork which would be required for its completion. The new report seeks to provide a method of annually updating and verifying the accuracy of Bureau and insurer files regarding the status of certain open workers' compensation cases and to ensure proper closure of them when applicable. This annual report is intended

to increase compliance with the act by verifying information concerning certain ongoing claims on which no activity has occurred. Insofar as an annual "accounting" was previously required on a claim-by-claim basis for all open claims through the filing of the Statement of Account of Compensation Paid, Form LIBC-392, the Department believes that this new format requiring a one-time annual filing will be less cumbersome and costly for insurers. The Department believes that this form will allow more accurate accounting and better reporting and maintenance of data regarding claims, which in turn will allow insurers to avoid unnecessary exposure to liability, prevent delays in the Bureau's processing of future filings and expedite claimants' proper and timely receipt of benefits. The form will also help to ensure the accuracy of data and statistics provided at the request of the Workers' Compensation Advisory Council in performing its duties under the act.

Mr. Marshall commented that the report should apply to claims opened between 3 and 4 years before the calendar report year. The Department agreed and revised this section to state that the report shall include a list of all open claims which were initiated by the filing of a Bureau document other than a first report of injury, more than 3 calendar years before the calendar year in which the report is filed and on which no activity was reported to the Bureau during the calendar year immediately before the report year. In addition, the Department clarified that only open claims which were initiated during calendar year 2004 and thereafter may be listed in the Annual Claims Status Report. Additionally, the date when the Bureau will print and provide the form to insurers (subsection (a)(1)), as well as the date insurers are to complete and return the report to the Bureau (subsection (a)(2)), have been modified to March 1 and June 1, respectively, to allow all parties sufficient time for completion of this report. Mr. Marshall also suggested that the instructions for the form be written into the regulation, perhaps by incorporating the form itself into this section. While the inclusion of LIBC form instructions in a regulation is not practical, the Department added more details to clarify the information that will be captured in the report.

The Department amended § 121.17 to explain the procedures for obtaining changes in compensation, including termination, suspension, modification and other changes. IRRC commented that the filing of the forms referenced in § 121.17 should be required. However, employers and insurers are not required to pursue the options in § 121.17, and therefore the filing of those forms should not be required. IRRC also commented that a *Purdon's* citation should be included for the act sections in subsection (c). However, the sections are part of a form name. Therefore, no citation is needed. The Department added reference to the Agreement for Compensation for Death, Form LIBC-338, in subsection (b) for consistency within the regulations.

Mr. Chaban commented that a Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, should not be utilized for termination of compensation without sufficient warnings being placed on the form. He stated that most of the warnings on the Agreement to Stop Weekly Workers' Compensation Payments (Final Receipt), Form LIBC-340, should be reproduced on the Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337. However, section 408 of the act (77 P.S. § 732) specifically allows compensation to be terminated at any time by an agreement or supplemental agreement. Case

law also currently supports the use of a Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, to terminate a claimant's benefits. Further, unlike the Agreement to Stop Weekly Workers' Compensation Payments (Final Receipt), Form LIBC-340, which may be used only to stop the payment of indemnity payments, the Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, may be used for a variety of other purposes such as a reinstatement, modification or suspension of benefits, and the termination of both indemnity and medical benefits in certain circumstances. Therefore, placing warnings on the Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, to address specific circumstances would not be practical or appropriate.

Mr. Jacobs commented that subsection (d) should be revised to reflect the 90-day period that is the maximum time allowed for temporary compensation. The Department agreed and that change was made.

The Department amended § 121.18 (relating to subrogation) to clarify existing language. IRRC commented that "third party" should be changed to "employee" in subsection (a). Additionally, Mr. Marshall commented that "third party" should be changed to "employer" in subsection (a). The Department agreed with IRRC and that change was made.

Mr. Lowry commented that he believed the Third Party Settlement Agreement, Form LIBC-380, is contradictory to controlling case law. However, the Department disagrees that the form and case law are contradictory. Nonetheless, Form LIBC-380 has since been revised with input from the legal community to clarify the form and simplify its completion. Mr. Marshall suggested that, to avoid the need to file repetitious paperwork, the Department should eliminate the requirement in § 121.18(b) that a Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, "shall" be filed where a credit was requested against future compensation payable. The Department agreed that filing this form no longer should be required. However, the Department believes that the parties may still wish to do so. Therefore, subsection (b) has been amended to no longer require the filing of the document and to state that it "may" be filed in that instance.

The Department amended § 121.20 (relating to commutation of compensation under section 412 of the act (77 P.S. § 791)) to clarify existing language and to change the reference from a "25-week period" to a "52-week period."

The Department amended § 121.21 (relating to reimbursement for silicosis, anthraco-silicosis or coal workers' pneumoconiosis) to require record retention for 3 years instead of indefinitely. The Department also amended § 121.21 to clarify existing language. IRRC commented that the "required format" referenced in subsection (b)(1) should be explained in more detail or deleted. The Department deleted this phrase and now only requires that the information in subsection (b)(1) be reported to the Department. IRRC commented that the regulation should state when the 3-year retention period begins. The Department agreed and made it clear that records should be kept for 3 years from the date of each payment. IRRC also commented that the phrase "reasonable times" is vague and should be changed to "normal business hours." The Department agreed and made this change.

The Department amended §§ 121.22 and 121.23 to clarify existing language.

The Department rescinded § 121.24. The previous requirements concerning attorney fees are more appropriately addressed in Chapter 131 (relating to special rules of administrative practice and procedure before workers' compensation judges).

The Department amended § 121.25 (relating to issuance of compensation payments) to allow delivery of a claimant's compensation check to the claimant's attorney if the claimant and employer have executed an Authorization for Alternative Delivery of Compensation Payments, Form LIBC-10, or if a court otherwise orders delivery.

IRRC commented that the regulation should specify who is responsible for notifying counsel and the manner in which counsel of record will be notified. Mr. Marshall commented that the manner of the notice should be a copy of the Notice of Compensation Payable or Notice of Temporary Compensation Payable. The Department agreed that the responsible party for notification should be included and specified that the insurer or self-insured employer is responsible for sending notice to counsel of record. However, the Department did not specify the manner of notification because it believes that it is more appropriate to allow the insurer or self-insured employer to send the notice in the manner it chooses.

The Office of Adjudication commented that the regulation should specify that alternative delivery may be ordered by workers' compensation authorities. The Department agreed and included specific reference to both the workers' compensation judges and the Workers' Compensation Appeal Board (Board) in this regard. The Office of Adjudication further commented that the regulation should retain the previously deleted reference in subsection (b) to the "default" method of payment by "first-class mail to the claimant's last known address." The Department agreed and made that change.

The Department rescinded § 121.26 because it contained language that was duplicative of other language in the regulations.

The Department amended § 121.27 to clarify the process involved with an order to show cause. Additionally, the Department amended § 121.27 to eliminate language regarding penalty petitions, which was placed in § 121.27a (relating to Bureau intervention and penalties).

IRRC and Mr. Marshall commented that references to the "Department" in this section should be replaced with a reference to the "Bureau" for consistency. However, the Department believes that reference to the agency itself is necessary here given the nature of the order to show cause proceedings. IRRC also commented that specific reference be made to identify the "regulations" contemplated in this section. The Department made this change.

Mr. Marshall suggested that § 121.27 should incorporate 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure) (GRAPP) for order to show cause proceedings. Mr. Marshall questioned the need for the exceptions to the GRAPP in proposed § 121.27(b) and (c). IRRC and Mr. Marshall also commented that subsection (d) did not clearly indicate when the GRAPP were applicable. The Department clarified this section to indicate that the GRAPP are applicable to the extent not specifically superseded in § 121.27(h). The Department has replaced references to "hearing officer" with "presiding officer" for consistency with the GRAPP. The Department believes that departures from these rules to establish a specific time period for answers and to allow appointment of the presiding officer by the Director of Adjudication, who is more familiar with the

handling and litigation of workers' compensation matters, are needed to improve the certainty and efficiency of these proceedings.

The Department added § 121.27a to address its involvement in penalty petitions. IRRC commented that the second "may" in subsection (a) should be "shall." However, notice of penalties to the Bureau is currently mandatory and this process has made it infeasible for the Bureau to adequately review penalty cases. IRRC also commented that the Department should clarify in subsection (b) that the Bureau and other parties will be notified at the same time by the worker's compensation judge. The Department agreed and made that change.

Mr. Marshall commented that references to the "Bureau" in this section create confusion in light of the references to the "Department" in § 121.27. Mr. Marshall also commented on the differences between this section and the intervention provisions in the GRAPP. As previously noted, the Department believes that reference to the agency itself is necessary in § 121.27 given the nature of the agency-initiated order to show cause proceedings. However, reference to the Bureau is more appropriate in § 121.27a in connection with possible intervention in the administrative proceedings involving claimant-initiated penalty petitions before workers' compensation judges or the Board. Further, the Department believes that application of the GRAPP would not be appropriate in penalty proceedings conducted under this act.

The Department rescinded § 121.28 because superseas requests have been more appropriately addressed in Chapter 131.

The Department amended § 121.30 (relating to section 306(h) payments (77 P. S. § 583)) to require record retention for 3 years, instead of indefinitely. The Department further amended § 121.30 to add language regarding the Bureau's ability to make payments within its discretion to a claimant when the employer fails to make payments. The Department also amended § 121.30 to clarify existing language.

The Office of Adjudication commented that the Department should review § 121.30(a) in light of the amendments to section 306(h) of the act (77 P. S. § 583) in the act of November 9, 2006 (P. L. 1362, No. 147) (Act 147). The Department agreed and amended subsection (a) to require an updated listing from insurers, with information similar to that previously required under the prior subsection (a), regarding pre-August 31, 1993, claims that may be eligible for section 306(h) payments under Act 147. Specifically, insurers shall provide the Department with a list of information for claimants who are receiving less than \$100 per week under sections 306(a), 306(c)(23) or 307 of the act (77 P. S. §§ 511, 513(c)(23), 561, 562 and 542) as of January 1, 2007. This list must contain the following particulars: (1) Bureau code; (2) name of the claimant; (3) Social Security number; (4) claimant's date of birth; (5) date of injury; (6) name of employer; (7) insurer claim number; and (8) current weekly compensation rate. Insurers were notified of this revised list previously by mail and by a notice published at 36 Pa.B. 7927 (December 23, 2006).

IRRC commented that the regulation should state when the 3-year retention period begins. The Department agreed and made it clear that records should be kept 3 years from the date of each payment. Also, IRRC commented that "reasonable times" is vague and should be changed to "normal business hours." The Department agreed and that change was made.

The Department amended §§ 121.31—121.35 to clarify existing language.

Mr. Mann generally commented that he was curious about the problems the new regulations are designed to solve. Mr. Mann also questioned whether these amendments will help manufacturers become more competitive in a global marketplace. The existing regulations have not been amended in many years, with a few exceptions. The final-form rulemaking provides updated guidance to employees, employers and workers' compensation insurers in their transactions with the Bureau. Updating the regulations is imperative to accurately reflect the Bureau's administration of the act and to reflect technological enhancements common in the workers' compensation community. Additionally, the Bureau believes that these regulations will assist employees, employers, insurers and the Bureau in more efficiently meeting their obligations under the act.

Mr. Welch commented that certain forms should be required to be signed and returned by employees. However, Mr. Welch's comment pertained to regulations in Chapter 123 (relating to general provisions—Part II).

Affected Persons

The persons affected by this final-form rulemaking are employees, employers and workers' compensation insurers.

Fiscal Impact

There is no significant fiscal impact associated with this final-form rulemaking.

Reporting, Recordkeeping and Paperwork Requirements

The final-form rulemaking does not impose significant additional reporting, recordkeeping or paperwork requirements on either the Commonwealth or the regulated community, but will result in increased convenience and time savings for insurers. The final-form rulemaking requires the creation of one new form, the Annual Claims Status Report, Form LIBC-774, as well as the modification of another form, the Final Statement of Account of Compensation Paid, Form LIBC-392A. However, the annual filing of a Statement of Account of Compensation Paid, Form LIBC-392, has been eliminated. These amendments will reduce the number and frequency of forms required for filing by insurers, since the new Annual Claims Status Report, Form LIBC-774, is a more convenient, one-time annual form to address the status of all of the insurer's applicable claims, while the former Statement of Account of Compensation Paid, Form LIBC-392, was required on piece-meal basis throughout the year for each individual claim.

Effective Date

This final-form rulemaking is immediately effective upon its publication in the *Pennsylvania Bulletin*.

Sunset Date

A sunset date is not appropriate for these regulations. However, the Department will continue to monitor the impact and effectiveness of the regulations.

Contact Person

Persons who require additional information about this final-form rulemaking may submit inquiries to John T. Kupchinsky, Director, Bureau of Workers' Compensation, Department of Labor and Industry, 1171 South Cameron Street, Room 103, Harrisburg, PA 17104, (717) 783-5421, jkupchinsk@state.pa.us.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on June 27, 2005, the Department submitted a copy of the notice of proposed rulemaking, published at 35 Pa.B. 3807, to IRRC and the Chairpersons of the Senate Committee on Labor and Industry and the House Labor Relations Committee for review and comment.

Under section 5(c) of the Regulatory Review Act, IRRC and the Committees were provided with copies of the comments received during the public comment period, as well as other documents when requested. In preparing the final-form rulemaking, the Department has considered all comments from IRRC, the House and Senate Committees and the public.

Under section 5.1(j.1)—(j.3) of the Regulatory Review Act (71 P.S. § 745.5a(j.1)—(j.3)), on June 20, 2007, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on June 21, 2007, and approved the final-form rulemaking.

Findings

The Department finds that:

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

(2) A public comment period was provided as required by law and all comments were considered.

(3) The final-form rulemaking is necessary and appropriate for the administration and enforcement of the act.

Order

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

(a) The regulations of the Department, 34 Pa. Code Chapter 121, are amended by adding §§ 121.3a, 121.3b, 121.7a and 121.27a; by amending §§ 121.1, 121.3, 121.5, 121.7, 121.8, 121.9, 121.11—121.18, 121.20—121.23, 121.25, 121.27 and 121.30—121.35; and by deleting §§ 121.2, 121.4, 121.6, 121.10, 121.24, 121.26 and 121.28 to read as set forth in Annex A.

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

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

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

STEPHEN M. SCHMERIN,
Secretary

(Editor's Note: For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 37 Pa.B. 3138 (July 7, 2007).)

Fiscal Note: Fiscal Note 12-67 remains valid for the final adoption of the subject regulations.

Annex A

**TITLE 34. LABOR AND INDUSTRY
PART VIII. BUREAU OF WORKERS'
COMPENSATION**

CHAPTER 121. GENERAL PROVISIONS

§ 121.1. Definitions.

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

Act—The Workers' Compensation Act (77 P. S. §§ 1—1041.4 and 2501—2506).

Agreement—For purposes of this chapter, an agreement is limited to any of the following:

(i) Agreement for Compensation for Disability or Permanent Injury, Form LIBC-336.

(ii) Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337.

(iii) Agreement for Compensation for Death, Form LIBC-338.

(iv) Supplemental Agreement for Compensation for Death, Form LIBC-339.

Approved rating organization—One or more organizations situated within this Commonwealth, subject to supervision and to examination by the Insurance Commissioner and approved by the Insurance Commissioner as adequately equipped to perform the functions specified in Article VII of the act (77 P. S. §§ 1035.1—1035.22) on an equitable and impartial basis.

Board—The Workers' Compensation Appeal Board.

Bureau—The Bureau of Workers' Compensation of the Department.

Claimant—An individual who files a petition for, or otherwise receives, benefits under the act or the Disease Law.

Department—The Department of Labor and Industry of the Commonwealth.

Disease Law—The Occupational Disease Act (77 P. S. §§ 1201—1603).

Earned premium—A direct premium earned as required to be reported to the Insurance Department on Special Schedule "W," under section 655 of The Insurance Company Law of 1921 (40 P. S. § 815). For the purposes of this chapter, direct premium earned may not include:

(i) The effects of premium credits granted under deductible elections by insured employer.

(ii) Premiums not attributable to coverage under the act or the Disease Law.

(iii) Premiums attributable to excess policies written for specified retentions on self-insured employers.

Employer—As defined in section 401 of the act (77 P. S. § 701), including the insurer and a self-insured employer.

First report of injury—A filing made with the Bureau under section 438 of the act (77 P. S. § 994).

Insurance carrier—An entity or group of affiliated entities subject to The Insurance Company Law of 1921 (40 P. S. §§ 341—477d), including the State Workers' Insurance Fund, but not including self-insured employers or runoff self-insurers, with which an employer has insured its liability under section 305 of the act (77 P. S. § 501).

Insured employer—An employer which has chosen to insure its workers' compensation liabilities through a workers' compensation insurance carrier licensed to do so in this Commonwealth, including the State Workers' Insurance Fund.

Insurer—

(i) A workers' compensation insurance carrier which is licensed to insure workers' compensation liabilities in this Commonwealth and acts in this capacity on behalf of insured employers.

(ii) The term includes a self-insured employer and a runoff self-insurer.

Runoff self-insurer—An employer that had been a self-insurer but no longer maintains a current permit to self-insure under section 305 of the act (77 P. S. § 501).

Self-insured employer—

(i) An employer which has been granted the privilege to self-insure its liability under the act.

(ii) The term includes a parent company or affiliate which has assumed a subsidiary's or an affiliate's liability upon the termination of the parent-subsidary or affiliate relationship, and a runoff self-insurer.

Special funds—Funds maintained under sections 306.2, 443 and 446 of the act (77 P. S. §§ 517, 999 and 1000.2).

§ 121.2. (Reserved).

§ 121.3. Filing of forms.

(a) Forms must be in the format prescribed by the Bureau. All references to forms mean paper forms or an electronic format prescribed by the Bureau.

(b) The Bureau may return forms that are not properly completed or filed. If a form is returned, the Bureau will notify the submitting party as to the reason the form was returned. For a form returned for the first time, the Bureau will preserve the filing date if the submitting party files a corrected version of the form within 14 days of the written notice of the return of the form.

(c) The filing date is the date indicated on the United States Postal Service postmark or postal receipt. If the postmark or postal receipt is absent or unreadable, the filing date is the date of receipt by the Bureau. In all other instances, including electronic filing or hand-delivery, the filing date is the Bureau's date of receipt.

§ 121.3a. Computation of time.

Except as otherwise provided by law, in computing a period of time prescribed or allowed by this chapter, the day of the act, event or default after which the designated period of time begins to run may not be included. The last day of the period so computed shall be included, unless it is Saturday, Sunday or a legal holiday in this Commonwealth, in which event the period shall run until the end of the next day which is neither a Saturday, Sunday nor a holiday. A part-day holiday shall be considered as other days and not as a holiday. Intermediate Saturdays, Sundays and holidays shall be included in the computation.

§ 121.3b. Providing workers' compensation information.

(a) The workers' compensation information specified in subsection (b) shall be provided to every employee at the time of hire and immediately after the injury, or as soon thereafter as possible under the circumstances of the injury. If the employee's injuries are so severe that

emergency care is required, the information shall be given as soon after the occurrence of the injury as is practicable.

(b) The information shall be entitled "Workers' Compensation Information" and include the following:

(1) The workers' compensation law provides wage loss and medical benefits to employees who cannot work, or who need medical care, because of a work-related injury.

(2) Benefits are required to be paid by your employer when self-insured, or through insurance provided by your employer. Your employer is required to post the name of the company responsible for paying workers' compensation benefits at its primary place of business and at its sites of employment in a prominent and easily accessible place, including, without limitation, areas used for the treatment of injured employees or for the administration of first aid.

(3) You should report immediately any injury or work-related illness to your employer.

(4) Your benefits could be delayed or denied if you do not notify your employer immediately.

(5) If your claim is denied by your employer, you have the right to request a hearing before a workers' compensation judge.

(6) The Bureau of Workers' Compensation cannot provide legal advice. However, you may contact the Bureau of Workers' Compensation for additional general information at: Bureau of Workers' Compensation, 1171 South Cameron Street, Room 103, Harrisburg, Pennsylvania 17104-2501; telephone number within Pennsylvania (800) 482-2383; telephone number outside of this Commonwealth (717) 772-4447; TTY (800) 362-4228 (for hearing and speech impaired only); www.state.pa.us, PA Keyword: workers comp.

(c) The information specified in subsection (b) must be printed on paper no smaller than 8 1/2 × 11 inches and in font no smaller than 11 point.

§ 121.4. (Reserved).

§ 121.5. Reporting injuries to the Bureau.

(a) The employer shall file a first report of injury as follows:

(1) Within 48 hours for every injury resulting in death.

(2) Within 7 days after the date disability begins for all other injuries covered by section 438 of the act (77 P. S. § 994).

(3) If there is no disability, a copy of the report should not be sent to the Department.

(b) The employer shall send a copy of the first report of injury to the employee simultaneously with filing it with the Bureau.

(c) A disability that requires a first report of injury is defined as an injury only resulting in death or disability continuing the entire day, shift or turn, or longer, in which the injury was received.

§ 121.6. (Reserved).

§ 121.7. Notice of compensation payable.

(a) If an employer files a Notice of Compensation Payable, Form LIBC-495, the employer shall do all of the following simultaneously and no later than 21 days from the date the employer had notice or knowledge of the disability:

(1) Send the Notice of Compensation Payable, Form LIBC-495, to the employee or the employee's dependent.

(2) Pay compensation to the employee or to the employee's dependent.

(3) File the Notice of Compensation Payable, Form LIBC-495, with the Bureau.

(b) A Statement of Wages, Form LIBC-494A, or Statement of Wages, Form LIBC-494C, shall be filed with every Notice of Compensation Payable, Form LIBC-495, except a Statement of Wages, Form LIBC-494A, or Statement of Wages, Form LIBC-494C, may not be filed with either of the following:

(1) An estimated Notice of Compensation Payable, Form LIBC-495, filed under subsection (c).

(2) A Notice of Compensation Payable, Form LIBC-495, filed under subsection (e).

(c) The employer may file a Notice of Compensation Payable, Form LIBC-495, based upon the employee's estimated wages if the employer has not obtained the wages necessary to properly calculate the employee's compensation payable. The estimated Notice of Compensation Payable, Form LIBC-495, shall be clearly identified as "Estimated."

(d) If the estimated wages or compensation is not correct, the employer shall amend the estimated Notice of Compensation Payable, Form LIBC-495, upon receipt of the employee's actual wages in one of the following ways:

(1) Amendments resulting in an increase in the employee's wage or compensation shall be filed with the Bureau under § 121.12 (relating to Bureau review of agreements and notices of compensation payable), and shall be clearly identified as "Amended" and may have only the insurer's signature.

(2) The employer shall file a Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, under § 121.17 (relating to change in compensation) when there are changes resulting in a decrease in the employee's wage or compensation.

(e) In medical only cases, when an employee's injury has not resulted in lost time from work, an employer may file a Notice of Compensation Payable, Form LIBC-495.

§ 121.7a. Notice of temporary compensation payable.

(a) If an employer files a Notice of Temporary Compensation Payable, Form LIBC-501, the employer shall do all of the following simultaneously and no later than 21 days from the date the employer had notice or knowledge of the disability:

(1) Send the Notice of Temporary Compensation Payable, Form LIBC-501, to the employee or the employee's dependent.

(2) Pay compensation to the employee or to the employee's dependent.

(3) File the Notice of Temporary Compensation Payable, Form LIBC-501, with the Bureau.

(b) A Statement of Wages, Form LIBC-494A or Statement of Wages, Form LIBC-494C, shall be filed with every Notice of Temporary Compensation Payable, Form LIBC-501, except a Statement of Wages, Form LIBC-494A or Statement of Wages, Form LIBC-494C, may not be filed with a Notice of Temporary Compensation Payable, Form LIBC-501, filed under subsection (d).

(c) To modify a Notice of Temporary Compensation Payable, Form LIBC-501, an employer shall file an amended Notice of Temporary Compensation Payable, Form LIBC-501, with the Bureau during the 90-day temporary compensation payable period. The amended Notice of Temporary Compensation Payable, Form LIBC-501, shall be clearly identified as "Amended" and may have only the insurer's signature.

(1) A Statement of Wages, Form LIBC-494A, or Statement of Wages, Form LIBC-494C, shall be filed with every amended Notice of Temporary Compensation Payable, Form LIBC-501.

(2) This section does not apply upon conversion of the Notice of Temporary Compensation Payable, Form LIBC-501, to a Notice of Compensation Payable, Form LIBC-495.

(d) In medical only cases, when an employee's injury has not resulted in lost time from work, an employer may file a Notice of Temporary Compensation Payable, Form LIBC-501.

§ 121.8. Agreements for compensation for disability or permanent injury.

(a) An Agreement for Compensation for Disability or Permanent Injury, Form LIBC-336, shall be completed before being signed by the employer and the employee. If the employer and the employee enter into an agreement, the employer shall do all of the following simultaneously and not later than 21 days from the date the employer had notice or knowledge of the disability:

- (1) Send the fully-executed agreement to the employee.
- (2) Pay compensation to the employee.
- (3) File the agreement with the Bureau.

(b) A Statement of Wages, Form LIBC-494A, or Statement of Wages, Form LIBC-494C, shall be filed with every Agreement for Compensation for Disability or Permanent Injury, Form LIBC-336.

(c) If the employer has not obtained the wages necessary to properly calculate the employee's compensation payable, an Agreement for Compensation for Disability or Permanent Injury, Form LIBC-336, based upon the employee's estimated wages may be filed. The estimated Agreement for Compensation for Disability or Permanent Injury, Form LIBC-336, shall be clearly identified as "Estimated."

(d) If the estimated wages or compensation is not correct, the employer shall amend the estimated Agreement for Compensation for Disability or Permanent Injury, Form LIBC-336, upon receipt of the employee's actual wages.

(1) Amendments resulting in an increase in the employee's wage or compensation shall be filed with the Bureau under § 121.12 (relating to Bureau review of agreements and notices of compensation payable), and shall be clearly identified as "Amended."

(2) The employer shall file a Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, under § 121.17 (relating to change in compensation) when there are changes resulting in a decrease in the employee's wage or compensation.

§ 121.9. Agreements for compensation for death.

(a) If a compensable injury results in death, an Agreement for Compensation for Death, Form LIBC-338, shall be executed between an employer and the deceased's dependents or personal representative and filed with the

Bureau. An Agreement for Compensation for Death, Form LIBC-338, shall be completed before being signed by an employer and a deceased's dependents or personal representative.

(b) A Statement of Wages, Form LIBC-494A, or Statement of Wages, Form LIBC-494C, shall be filed with every Agreement for Compensation for Death, Form LIBC-338.

(c) If death results from the injury, compensation payments to the dependents for the death benefit shall begin from the date of the employee's death.

(d) If the employer has not obtained the wages necessary to properly calculate the employee's compensation payable, an Agreement for Compensation for Death, Form LIBC-338, based on the employee's estimated wages may be filed. The estimated Agreement for Compensation for Death, Form LIBC-338, shall be clearly identified as "Estimated."

(e) If the estimated wages or compensation is not correct, the employer shall amend the estimated Agreement for Compensation for Death, Form LIBC-338, upon receipt of the employee's actual wages.

(1) Amendments resulting in an increase in the employee's wage or dependent's compensation shall be filed with the Bureau under § 121.12 (relating to Bureau review of agreements and notices of compensation payable), and shall be clearly identified as "Amended."

(2) The employer shall file a Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, under § 121.17 (relating to change in compensation) when there are changes resulting in a decrease in the employee's wage or compensation.

§ 121.10. (Reserved).

§ 121.11. Supplemental agreements for compensation for death.

(a) A Supplemental Agreement for Compensation for Death, Form LIBC-339, may be used to change an Agreement for Compensation for Death, Form LIBC-338, or an award. A Supplemental Agreement for Compensation for Death, Form LIBC-339, shall be completed before being signed by an employer and a deceased's dependents or personal representative.

(b) An Agreement for Compensation for Death, Form LIBC-338, shall be changed for any of the following reasons:

- (1) Birth of a posthumous child.
- (2) A change in dependent's status, including death.
- (3) A surviving spouse dies, remarries or becomes capable of self-support and any dependent children remain eligible for benefits.

(c) The Bureau will presume that the surviving parent is guardian for purposes of receiving compensation under the act.

(d) The completed Supplemental Agreement for Compensation for Death, Form LIBC-339, shall be sent to all of the deceased's dependents or their personal representative and filed with the Bureau.

§ 121.12. Bureau review of agreements and notices of compensation payable.

(a) Errors in computing wages shall be corrected by filing an amended version of the agreement or Notice of

Compensation Payable, Form LIBC-495, with the Bureau if correction of errors would increase the employee's wage or compensation.

(1) The amended agreement or Notice of Compensation Payable, Form LIBC-495, shall be clearly identified as "Amended."

(2) A Statement of Wages, Form LIBC-494A, or Statement of Wages, Form LIBC-494C, shall be filed with every amended agreement or Notice of Compensation Payable, Form LIBC-495.

(b) The employer shall file a Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, under § 121.17 (relating to change in compensation) when there are changes resulting in a decrease in the employee's wage or compensation.

§ 121.13. Denial of compensation.

If compensation is controverted, a Notice of Workers' Compensation Denial, Form LIBC-496, shall be sent to the employee or dependent and filed with the Bureau, fully stating the grounds upon which the right to compensation is controverted, within 21 days after notice or knowledge to the employer of the employee's disability or death.

§ 121.14. Weekly wage for occupational disease cases.

For cases involving occupational diseases under the act, the weekly wage will be determined in accordance with section 309 of the act (77 P.S. § 582), and a claimant's compensation rate shall be subject to the maximum compensation payable rate in effect at the date of last exposure.

§ 121.15. Compensation payable.

(a) In computing the time when the disability becomes compensable, the day the injured employee is unable to continue at work by reason of the injury shall be counted as the first day of disability in the 7 day waiting period. If the injured employee is paid full wages for the day, shift or turn on which the injury occurred, the following day shall be counted as the first day of disability. In determining the waiting period or time during which compensation is payable, each calendar day, including Sundays and holidays, shall be counted. In determining the period of disability, seven should be used as a divisor to determine the number, and any part, of the weeks.

(b) If death results from the injury, compensation payments to the dependents for death benefits shall begin from the date of the employee's death.

(c) If death results more than 7 days after the injury, compensation payments covering the disability period should be paid as set forth in this chapter, and compensation payments because of death due to the injury shall start from the date of death.

(d) Compensation due to the date of death shall be paid to the nearest of kin, or in the absence of same, to the estate.

§ 121.16. Updating claims status.

(a) The following paragraphs apply to the Annual Claims Status Report, Form LIBC-774:

(1) The Bureau will provide the Annual Claims Status Report, Form LIBC-774, to an insurer each year before March 1.

(2) The insurer shall file a completed Annual Claims Status Report, Form LIBC-774, including any attachment required to support the data reported, to the Bureau each year before June 1.

(3) If an insurance carrier fails to file the completed report, the Bureau may recommend that the Insurance Commissioner revoke or suspend the insurance carrier's license under section 441(a) of the act (77 P.S. § 997).

(4) If a self-insured employer fails to timely file the completed report, the Secretary of the Department may revoke or suspend the self-insured employer's privilege to carry its own risk under section 441(b) of the act.

(5) The Annual Claims Status Report must contain a list of all open claims which were initiated by the filing of a Bureau document other than a first report of injury, more than 3 calendar years before the calendar year in which the report is filed and on which no activity was reported to the Bureau during the calendar year immediately before the report year.

(6) Only open claims which were initiated with the Bureau during calendar year 2004 and thereafter may be listed in the Annual Claims Status Report.

(b) A Final Statement of Account of Compensation Paid, Form LIBC-392A, shall be filed with the Bureau immediately after the final payment of compensation.

§ 121.17. Change in compensation.

(a) If an injured employee has recovered from an injury, or a deceased employee's dependent or personal representative is no longer eligible to receive death benefits, an Agreement to Stop Weekly Workers' Compensation Payments (Final Receipt), Form LIBC-340, may be executed by the parties. The executed agreement shall be filed with the Bureau.

(b) Termination, suspension, modification or other change in compensation may be accomplished by filing with the Bureau a Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337. A Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, may be used to change an Agreement for Compensation for Disability or Permanent Injury, Form LIBC-336, a Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, an Agreement for Compensation for Death, Form LIBC-338, a Notice of Compensation Payable, Form LIBC-495, or an award. A Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, shall be completed before being signed by the employer and the employee. The completed Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, shall be sent to the employee or his dependents and filed with the Bureau.

(c) A suspension or modification of compensation may be accomplished by the employer mailing a Notification of Suspension or Modification Pursuant to §§ 413 (c) and (d), Form LIBC-751, to the Bureau and the employee. The wage calculation on the Notification of Suspension or Modification Pursuant to §§ 413 (c) and (d), Form LIBC-751, shall be completed for a modification.

(d) If temporary payments made under § 121.7a (relating to notice of temporary compensation payable) are stopped, the employer shall file one of the following:

(1) A Notice Stopping Temporary Compensation, Form LIBC-502, and a Notice of Workers' Compensation Denial, Form LIBC-496, within 5 days of the last payment and within the 90-day temporary compensation payable period.

(2) A Notice of Compensation Payable, Form LIBC-495.

(3) An Agreement for Compensation for Disability or Permanent Injury, Form LIBC-336.

(e) The employer may not file a Notification of Suspension or Modification Pursuant to §§ 413 (c) and (d), Form LIBC-751, to stop temporary payments made under § 121.7a.

(f) If termination, suspension or modification of compensation cannot be achieved through subsection (a), (b), (c) or (d), the employer may file a Petition To: Terminate (stop payment of worker's compensation), Terminate (based upon physician's affidavit, a special supersedeas hearing to be scheduled), Modify or Suspend Compensation Benefits, Form LIBC-378.

§ 121.18. Subrogation.

(a) If an employee obtains a third-party recovery under section 319 of the act (77 P. S. § 671), a Third Party Settlement Agreement, Form LIBC-380, shall be executed by the parties.

(b) If credit is requested against future compensation payable, a Supplemental Agreement for Compensation for Disability or Permanent Injury, Form LIBC-337, may also be filed with the Bureau, including the amount and periodic method of pro rata reimbursement of attorney fees and expenses.

§ 121.20. Commutation of compensation under section 412 of the act (77 P. S. § 791).

Commutation under section 412 of the act (77 P. S. § 791) shall only be allowed for the final 52-week period or less. The commutation amount may not be paid in installments. A Commutation of Compensation, Form LIBC-498, shall be filed with the Bureau.

§ 121.21. Reimbursement for silicosis, anthracosilicosis or coal workers' pneumoconiosis.

(a) Claims for compensation for silicosis, anthracosilicosis or coal workers' pneumoconiosis as defined in section 108(q) of the act (77 P. S. § 27.1(q)), for disability or death, when the date of disability commences or death occurs between July 1, 1973, and June 30, 1976, inclusive, and when the liable employer is seeking to offset part of its liability under section 305.1 of the act (77 P. S. § 411.1), shall be instituted by filing a Claim Petition for Workers' Compensation, Form LIBC-362, with the Bureau.

(b) Unless stayed by a supersedeas on appeal, following the issuance of an award by the workers' compensation judge, the Board or the appellate court, compensation payments for silicosis, anthracosilicosis or coal workers' pneumoconiosis shall be made in full by the insurer. If the insurer seeks reimbursement from the Bureau under section 305.1 of the act, it shall submit the following to the Bureau:

(1) A notarized statement, signed by an officer of the company, containing an itemized list of payments made to all claimants for quarterly reimbursement. Each itemized entry must contain the claimant's name, address, Social Security number and the total amount paid to the claimant. Each itemized list shall be made for a full and exact calendar quarter: that is, January 1 through March 31; April 1 through June 30; July 1 through September 30; or October 1 through December 31. Each list must have two categories: recurring quarterly reimbursement

and initial payment made to each claimant, which payment should include the current reimbursable quarter. Each list submitted must be in roster form and in numerical order according to the claimant's Social Security number, contain the claimant's name and Social Security number, cover the amount to be reimbursed and the total amount paid to the claimant, and be reported to the Bureau.

(2) Each bill containing the itemized entries shall be submitted to the Bureau no later than the 15th day of the month following the end of the calendar quarter for which reimbursement is sought. A bill received after that date will not be considered for payment until the end of the following quarter.

(c) For auditing purposes, an insurer shall keep records for 3 years from the date of each payment made under this section. The records shall be made available for inspection by the Bureau during normal business hours.

(d) If the Bureau believes that the insurer primarily liable for compensation under the act has failed to make a payment under the act and this section, the Bureau may pay compensation directly to the claimant, for the portion of the compensation which is payable by the Commonwealth under section 305.1 of the act until the insurer resumes payment of compensation. The Bureau is not required to initiate direct payments to a claimant when the insurer is making full payment of the compensation but is not seeking reimbursement under this section.

§ 121.22. Subsequent injury fund.

(a) Compensation for a subsequent injury, as defined in section 306.1 of the act (77 P. S. § 516) shall be paid as follows:

(1) The employer is responsible for payments due for specific loss under section 306(c) of the act (77 P. S. § 513).

(2) Upon expiration of the specific loss period, the Bureau will be responsible for additional compensation due for the duration of total disability. The fund established under section 306.2 of the act (77 P. S. § 517), from which these payments are to be made, shall be maintained as follows:

(i) Self-insured employers shall pay assessments in amounts determined by the following:

$$\frac{\text{Amount of Compensation Paid by a Self-insured Employer During the Preceding Calendar Year}}{\text{Total Amount of Compensation Paid by All Insurers During the Preceding Calendar Year}} \times \frac{\text{The Amount Expended from the Subsequent Injury Fund during the Preceding Calendar Year}}{\text{The Amount Expended from the Subsequent Injury Fund during the Preceding Calendar Year}}$$

(ii) The amount expended from the Subsequent Injury Fund during the preceding calendar year, minus the total amount owed by all self-insured employers, as calculated under subparagraph (i), shall equal the aggregate amount to be collected by insurance carriers.

(b) Insurance carriers shall remit to the Bureau assessment amounts as follows:

Amount of Earned Premium
as Reported to the Insurance
Department, by an Insurance
Carrier for the Preceding
Calendar Year

Total Amount of Earned
Premium Reported to the
Insurance Department by all
Insurance Carriers for the
Preceding Calendar Year

Aggregate Amount to be
Collected by Insurance
Carriers

×

(c) If the amount of earned premium as reported to the Insurance Department, by an insurance carrier, for the preceding calendar year is less than zero, the Bureau will calculate the assessment amount as though an earned premium amount of zero were reported to the Insurance Department.

(d) Insured employers shall remit assessment amounts through their insurance carriers, according to procedures defined by the approved rating organization and approved by the Insurance Commissioner.

(e) Self-insured employers and runoff self-insurers shall pay assessments directly to the Bureau.

(f) The claimant shall file a Claim Petition for Additional Compensation from the Subsequent Injury Fund Pursuant to Section 306.1 of the Workers' Compensation Act, Form LIBC-375, as provided in section 315 of the act (77 P. S. § 602) or the claim will be forever barred.

§ 121.23. Supersedeas fund.

(a) Annual assessments under section 443 of the act (77 P. S. § 999) shall be in amounts determined by the following:

(1) Self-insured employers shall pay assessments in amounts determined by the following:

Amount of Compensation
Paid by a Self-insured
Employer During the
Preceding Calendar Year

Total Amount of
Compensation Paid by All
Insurers During the
Preceding Calendar Year

The Amount of Supersedeas
Payments Made or Accrued
as Payable during the
Preceding Calendar Year

×

(2) The amount of supersedeas payments made or accrued as payable during the preceding year, minus the total amount owed by all self-insured employers, as calculated under paragraph (1), shall equal the aggregate amount to be collected by insurance carriers.

(3) Insurance carriers shall remit to the Bureau assessment amounts as follows:

Amount of Earned Premium
as Reported to the Insurance
Department, by an Insurance
Carrier for the Preceding
Calendar Year

Total Amount of Earned
Premium Reported to the
Insurance Department by all
Insurance Carriers for the
Preceding Calendar Year

Aggregate Amount to be
Collected by Insurance
Carriers

×

(b) If the amount of earned premium as reported to the Insurance Department, by an insurance carrier, for the preceding calendar year is less than zero, the Bureau will

calculate the assessment amount as though an earned premium amount of zero were reported to the Insurance Department.

(c) Insured employers shall remit assessment amounts through their insurance carriers, according to procedures defined by the approved rating organization and approved by the Insurance Commissioner.

(d) Self-insured employers and runoff self-insurers shall pay assessments directly to the Bureau.

(e) Applications for reimbursement shall be filed directly with the Bureau on an Application for Supersedeas Fund Reimbursement, Form LIBC-662. Applications will be processed administratively to determine whether the parties can agree on the payment or amount of reimbursement. If the payment or amount of reimbursement cannot be agreed upon, the matter will be assigned to a workers' compensation judge for a formal hearing and adjudication.

§ 121.24. (Reserved).

§ 121.25. Issuance of compensation payments.

Compensation payments shall be issued according to the following:

(1) Unless the claimant and the employer have executed an Authorization for Alternative Delivery of Compensation Payments, Form LIBC-10, or unless payment is otherwise ordered by a workers' compensation judge, the Board or any court, a claimant's payment for workers' compensation or occupational disease compensation shall be mailed by first-class mail to the claimant's last known address, and may not be made payable to, or delivered to, an attorney unless the attorney is the administrator or executor of the claimant's estate, a court-appointed trustee, a court-appointed guardian or acting in some other fiduciary capacity.

(2) Notice of the first payment to a claimant shall be sent to counsel of record by the insurer or self-insured employer.

(3) If a workers' compensation judge or the Board approves attorneys' fees and costs, a payment for fees and costs, separate from a compensation payment, shall be made payable, and issued, to the claimant's attorney.

(4) An employer may not require a claimant to appear at a specific place to receive compensation payments.

§ 121.26. (Reserved).

§ 121.27. Orders to show cause.

(a) The Department may serve an order to show cause on a respondent for an alleged violation of the act or regulations contained in this part. The order to show cause will contain the particulars of the alleged violation and the procedures for filing an answer under subsection (b).

(b) A written answer to the order to show cause may be filed no later than 20 days after the date that the order to show cause is served on the respondent. The answer must admit or deny the allegations in the order to show cause and state respondent's defense. General denials that are unsupported by specific facts will not comply with this section and may be deemed a basis for entry of a final order because the respondent has raised no issues requiring further proceedings. The facts in the order to show cause may be deemed admitted if a respondent fails to file a timely answer under this subsection.

(c) The Director of Adjudication will assign the order to show cause to a presiding officer who will schedule a

hearing. The presiding officer will provide notice to the parties of the hearing date, time and place.

(d) The hearing will be conducted under this section and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) to the extent not specifically superseded in subsection (h). The presiding officer will not be bound by strict rules of evidence.

(e) Hearings will be stenographically recorded and the transcript of the proceedings will be part of the record.

(f) If the respondent fails to appear in person or by counsel at the scheduled hearing without adequate excuse, the presiding officer will decide the matter on the basis of the order to show cause and evidence presented.

(g) The Department has the burden to demonstrate, upon a preponderance of the evidence, that the respondent failed to comply with the act or regulations in this part.

(h) This section supersedes 1 Pa. Code §§ 35.14, 35.37, 35.131, 35.201 and 35.221.

§ 121.27a. Bureau intervention and penalties.

(a) If the workers' compensation judge determines that penalties resulting from an alleged violation of the act or regulations in this part may be imposed on a party under section 435 of the act (77 P.S. § 991), the workers' compensation judge may notify the Bureau in writing within 20 days of the notice of the alleged violation.

(b) The workers' compensation judge will include a description of the nature of the alleged violation in the notice and will provide the Bureau with an opportunity to participate in the proceeding as an intervening party. The workers' compensation judge simultaneously will provide a copy of the notification to all parties.

(c) Within 20 days after receipt of the notice, the Bureau will notify the workers' compensation judge and the parties of its decision to participate in the proceeding or to allow the proceeding to continue without intervention. If the Bureau fails to respond to the notification within 20 days, the Bureau will not have intervened. By not intervening before the workers' compensation judge, the Bureau has not waived its right to intervene in a different forum or following additional notice from the workers' compensation judge in the same proceeding.

(d) Nothing in this section may be construed to require the Bureau to intervene in any matter or to restrain a workers' compensation judge from notifying the Bureau of a further alleged violation of the act or regulations in a case.

(e) This section supplements §§ 131.121 and 131.122 (relating to penalty proceedings initiated by a party; and other penalty proceedings).

§ 121.28. (Reserved).

§ 121.30. Section 306(h) payments (77 P.S. § 583).

(a) Under section 306(h) of the act (77 P.S. § 583), insurers shall submit a listing of all pre-August 31, 1993 cases on which compensation is still payable under sections 306(a), 306(c)(23) or 307 of the act (77 P.S. §§ 511, 513(c)(23), 561, 562 and 542), in an amount less than \$100 per week on January 1, 2007. This listing must contain the following particulars:

- (1) Bureau code.
- (2) Name of claimant.
- (3) Social Security number.

(4) Claimant's date of birth.

(5) Date of injury.

(6) Name of employer.

(7) Insurer claim number.

(8) Current weekly compensation rate.

(b) If the insurer seeks reimbursement from the Bureau under section 306(h) of the act, it shall submit the following to the Bureau on a quarterly basis: a notarized statement, signed by an officer of the company, containing an itemized list of payments made to all claimants, submitted no later than the 10th day of the month following the quarter for which advance reimbursement payments have been made. Each itemized entry must contain the following information: the claimant's name, Social Security number and the total amount paid each claimant per quarter.

(c) Changes in a payment schedule to an individual shall be reported to the Bureau within 10 days of the change. The Bureau will take credit in the following reimbursable quarter for an overpayment caused by change in a payment schedule.

(d) For auditing purposes, every insurer shall keep records for 3 years from the date of each payment made under this section. The records will be made available for inspection by the Bureau during normal business hours.

(e) If the Bureau believes that the insurer primarily liable for compensation under the act has failed to make a payment under the act and this section, the Bureau may pay compensation directly to the claimant, for the portion of the compensation which is payable by the Commonwealth under section 306(h) of the act until the insurer resumes payment of compensation. The Bureau is not required to initiate direct payments to a claimant when the insurer is making full payment of the compensation but is not seeking reimbursement under this section.

§ 121.31. Workmen's Compensation Administration Fund.

(a) Annual assessments on self-insured employers, under section 446(b) of the act (77 P.S. § 1000.2(b)), shall be in amounts determined by the following:

Amount of Compensation Paid by a Self-insured Employer during the Preceding Calendar Year		The Approved Budget of the Workmen's Compensation Administration Fund for the Current Fiscal Year
Total Amount of Compensation Paid by All Insurers During the Preceding Calendar Year	×	

(b) The approved budget of the Workmen's Compensation Administration Fund for the current fiscal year, minus the total amount owed by all self-insured employers, as calculated under subsection (a), shall equal the aggregate amount to be collected by insurance carriers.

(c) Insurance carriers shall remit to the Bureau assessment amounts as follows:

Amount of Earned Premium
as Reported to the Insurance
Department, by an Insurance
Carrier for the Preceding
Calendar Year

Total Amount of Earned
Premium Reported to the
Insurance Department by all
Insurance Carriers for the
Preceding Calendar Year

× Aggregate Amount to be
Collected by Insurance
Carriers

(d) If the amount of earned premium as reported to the Insurance Department, by an insurance carrier, for the preceding calendar year is less than zero, the Bureau will calculate the assessment amount as though an earned premium amount of zero were reported to the Insurance Department.

(e) Insured employers shall remit assessment amounts through their insurance carriers, according to procedures defined by the approved rating organization and approved by the Insurance Commissioner.

(f) Self-insured employers and runoff self-insurers shall pay assessments directly to the Bureau.

§ 121.32. Office of Small Business Advocate.

(a) The Bureau may collect annual assessments imposed on insurance carriers, but not on self-insured employers or runoff self-insurers, for the purpose of funding the Office of Small Business Advocate in accordance with section 1303 of the act (77 P. S. § 1041.3). Insurance carriers shall be directly liable to the Bureau for prompt payment of assessments for the Office of Small Business Advocate, as provided in the act and this chapter.

(b) Annual assessments under section 1303 of the act shall be in amounts as determined by the following formula:

Amount of Compensation Paid
by an Insurance Carrier, but
not a Self-insured Employer
or Runoff Self-insurer, During
the Preceding Calendar Year

Total Amount of
Compensation
Paid by All Insurance
Carriers, but not Self-insured
Employers or Runoff
Self-insurers, During the
Preceding Year

× The Approved Budget of
the Office of Small
Business Advocate for
the Current Fiscal Year

§ 121.33. Collection of special funds assessments.

(a) The Bureau will collect assessments for the special funds by calculating the total amount of the following:

(1) What each self-insured employer is liable for paying to the Bureau.

(2) What each insurance carrier is responsible for collecting from insured employers and remitting to the Bureau.

(b) Assessments for the special funds will be imposed, collected and remitted as follows:

(1) The Bureau will transmit to each insurance carrier and self-insured employer a notice of assessment amount to be collected, which will specify the amount calculated under subsection (a) and the date on which the amount is due.

(2) Each self-insured employer shall timely remit to the Bureau the amount calculated under subsection (a)(1).

(3) Each insurance carrier shall collect payment for assessments from insured employers according to the procedures defined by the approved rating organization and approved by the Insurance Commissioner and timely remit payment to the Bureau.

(4) The failure of an insurance carrier to receive payment from an insured employer does not limit an insurance carrier's responsibility to collect and timely remit to the Bureau the total amount calculated under subsection (a)(2).

§ 121.34. Objections to assessments.

(a) A party receiving a notice of assessment amount to be collected from the Bureau may, within 15 days of receipt, object to the assessment reflected in the notice on the basis that it is excessive, erroneous, unlawful or invalid. Insured employers retain all rights provided under section 717 of the act (77 P. S. § 1035.17).

(b) Objections must be set forth in numbered paragraphs, specifically state the facts necessary to determine the validity of the challenged assessment or assessment amount and be accompanied by a supporting memorandum documenting the legal grounds for the objections.

(c) An objection to assessment or assessment amount shall be accompanied by a proof of service as specified in 1 Pa. Code § 33.35 (relating to proof of service) and a notice of appearance as specified in 1 Pa. Code § 31.24 (relating to notice of appearance), and be served on all interested parties as specified in 1 Pa. Code § 33.32 (relating to service by a participant).

(d) An objection not conforming to this section or the act will be rejected by the Bureau. The Bureau will notify the objecting party of the specific reasons for the rejection. The objecting party shall have 30 days to cure any deficiency.

(e) Upon receipt of an objection which conforms to this section and the act, the Department will hold a hearing in accordance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure). After the hearing, the Department will record its findings on any objections and will transmit to the objector, by registered or certified mail, notice of the amount, if any, charged against it in accordance with the findings. The amount shall be paid by the objector within 10 days after receipt of the findings. After payment has been made, the objector may initiate an action in the appropriate court to recover the payment of the assessment or any portion thereof. An insurer may not maintain an action to recover payment unless it has previously objected under subsection (a).

§ 121.35. Annual reports of compensation paid.

Every annual report of compensation paid made by an insurer under sections 445 and 446(e) of the act (77 P. S. §§ 1000.1 and 1000.2(e)) must include amounts paid by an insurer for which policyholders have agreed to reimburse the insurer under deductible policies issued under section 448 of the act (77 P. S. § 1000.4).

[Pa.B. Doc. No. 07-1393. Filed for public inspection August 3, 2007, 9:00 a.m.]

Title 61—REVENUE

TREASURY DEPARTMENT

[61 PA. CODE CH. 951]

Estimation Calculations for Determining Unclaimed Property Liability

The Treasury Department (Department) amends Chapter 951 (relating to abandoned and unclaimed property) to read as set forth in Annex A.

Omission of Proposed Rulemaking

Under section 204 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204), known as the Commonwealth Documents Law (CDL), the Department is authorized to omit the procedures for proposed rulemaking in sections 201 and 202 of the CDL (45 P. S. §§ 1201 and 1202) if the criteria of section 204 of the CDL are met.

Under authority of section 204(1)(iii) of the CDL, proposed rulemaking has been omitted because the administrative amendments relate to Department procedure and practice regarding petitions for review. See *Soja v. Pennsylvania State Police*, 402 A.2d 281 (Pa. Commw. 1979), affirmed 455 A.2d 613 (Pa. 1982).

Description of the Final-Omitted Rulemaking

The final-omitted rulemaking updates the Department's regulations governing petitions for review. If a person or entity is aggrieved by a decision issued by a bureau or office within the Department, that person or entity may file a petition for review. A hearing is conducted, but the five-person Abandoned and Unclaimed Property Review Committee (Committee) previously specified in the regulation is replaced with a presiding officer to conduct hearings on petitions. Practice and procedure is now governed by 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), which is more akin to the practice of other Commonwealth administrative agencies.

Section 951.1 (relating to definitions) is amended, §§ 951.2—951.8 are rescinded and §§ 951.21 and 951.31—951.33 are added.

Statutory Authority

The final-omitted rulemaking is authorized under section 1301.26 of the Disposition of Abandoned and Unclaimed Property Act (act) (72 P. S. § 1301.26).

Fiscal Impact and Paperwork Requirements

The final-omitted rulemaking will not have a fiscal impact on, or create additional paperwork for, the regulated community or the political subdivisions of the Commonwealth. The substitution of a presiding officer for the five-person Committee to hear petitions will result in a cost savings to the Commonwealth.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on June 13, 2007, the Department submitted a copy of the final-omitted rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Finance Committee and the House Appropriations Committee. On the same date, the final-omitted rulemaking was submitted to the Office of Attorney General for review and approval under the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-506).

Under section 5.1(j.2) of the Regulatory Review Act, on July 18, 2007, the final-omitted rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on July 19, 2007, and approved the final-omitted rulemaking.

Additional Information

For additional information about the final-omitted rulemaking, contact Deborah B. Eskin, Deputy Chief Counsel, Treasury Department, 127 Finance Building, Harrisburg, PA 17120, (717) 787-2740, deskin@patreasury.org.

Findings

The Department finds that:

(1) Public notice of the Department's intention to amend its regulations under the procedures in sections 201 and 202 of the CDL has been omitted under the authority of section 204 of the CDL because the amendments relate to Department procedures and practice regarding petitions for review.

(2) The amendment of the Department's regulations in the manner provided in this order is necessary and appropriate for updated and cost-effective administrative hearings.

Order

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

(a) The regulations of the Department, 61 Pa. Code Chapter 951, are amended by amending § 951.1, by deleting §§ 951.2—951.8 and by adding §§ 951.21 and 951.31—951.33 to read as set forth in Annex A.

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

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

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

ROBIN L. WIESSMANN,
State Treasurer

(*Editor's Note:* For the text of the order of the Independent Regulatory Review Commission, relating to this document, see 37 Pa.B. 4411 (August 4, 2007).)

Fiscal Note: Fiscal Note 64-4 remains valid for the final adoption of the subject regulations.

Annex A

TITLE 61. REVENUE

PART VIII. TREASURY DEPARTMENT

CHAPTER 951. ABANDONED AND UNCLAIMED PROPERTY

Subchapter A. GENERAL PROVISIONS

§ 951.1. Definitions.

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

Act—The Disposition of Abandoned and Unclaimed Property Act (72 P. S. §§ 1301.1—1301.29).

Bureau—The Bureau of Unclaimed Property within the Department.

Claimant—One who submits a property claim or a claim for a payment otherwise alleged to be due from the Department.

Department—The Treasury Department of the Commonwealth.

Final demand—The Department's notification to a holder that unclaimed and abandoned property shall be paid or delivered within a given period of time. Notification may be in the form of a summary of audit findings or a final decision on a petition for review.

Holder—As defined in section 1301.1 of the act (72 P. S. § 1301.1).

Property claim—An assertion of ownership or the right to possess certain abandoned and unclaimed property held in the custody and control of the Department.

State Treasurer—The head of the Department, as set forth in section 206 of The Administrative Code of 1929 (71 P. S. § 66).

Summary of audit findings—

(i) Notice sent to a holder after an audit has been performed stating audit findings and notifying the holder of the abandoned and unclaimed property due the Department.

(ii) The term also includes an assessment made by the Department for late filing or late delivery of abandoned and unclaimed property.

§§ 951.2—951.8. (Reserved).

Subchapter B. REVIEW OF ADMINISTRATIVE DECISIONS

Sec.

951.21 Petitions for review

§ 951.21. Petitions for review.

(a) A claimant or a holder who is aggrieved by a decision issued by the Department may file a petition for review as set forth in subsection (c).

(b) The State Treasurer will designate a presiding officer to exercise the powers and duties of the State Treasurer with respect to matters concerning petitions for review.

(1) Except as otherwise provided herein, practice and procedure before the presiding officer will be governed by 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 2 Pa.C.S. §§ 101—106, 501—507 and 701—704 (relating to general provisions; practice and procedure of Commonwealth agencies; and judicial review of Commonwealth agency action).

(2) The presiding officer will issue a final decision and order, including findings of fact and conclusions of law.

(c) A petition for review shall be filed within 30 days after the mailing date of the Department's decision.

(1) Petitions shall be filed with the Prothonotary, Office of Chief Counsel, Room 127, Finance Building, Harrisburg, Pennsylvania 17120.

(2) Petitions must be in writing, be signed by the petitioner and contain the following:

(i) The petitioner's name, address and telephone number.

(ii) The name, address and telephone number of the authorized representative, if any.

(iii) A detailed statement in separate numbered paragraphs of the facts and grounds relied upon. If based upon a written document, a copy of the document, or the material part of the document, shall be attached.

(iv) A statement specifying the relief to which the petitioner deems itself entitled, which cites the legal authority relied upon.

(v) A statement that either a hearing is requested or the right to a hearing is waived and the petitioner is resting the case on the petition and record, with or without a brief.

(vi) A signed statement certifying that the facts contained in the petition are true and correct to the petitioner's knowledge and belief, and that the petition is not made for purposes of delay.

(3) The presiding officer may, in writing, require a petitioner to furnish additional information that may be necessary to define the issues or to determine the case. The presiding officer may deny the petition for failure by the petitioner to furnish the additional information within a stated reasonable length of time.

Subchapter C. ABANDONED AND UNCLAIMED PROPERTY

Sec.

951.31 Audit of holder records.

951.32 Proceeding to compel payment or delivery.

951.33 Assertion of property claims.

§ 951.31. Audit of holder records.

(a) A holder subject to an examination of records as provided for in section 1301.23(a) of the act (72 P. S. § 1301.23(a)) shall comply with requests by the State Treasurer or an authorized third party to make records available for examination.

(b) When a holder's records do not exist or are insufficient for examination, the State Treasurer may apply sampling and estimation procedures to determine a holder's liability. These procedures will be applied in accordance with standards of the American Institute of Certified Public Accountants (AICPA) and the United States General Accounting Office (USGAO).

(c) A holder who is aggrieved by a summary of audit findings may file a petition for review under Subchapter B (relating to review of administrative decisions). If the petition is not timely filed, the summary of audit findings will be deemed to be a final demand due and payable within 30 days after the expiration of the filing period in § 951.21(c) (relating to petitions for review).

§ 951.32. Proceeding to compel payment or delivery.

If a holder fails to pay or deliver property subject to the Department's final demand, along with an accompanying holder report, the State Treasurer may bring an enforcement action in a court of appropriate jurisdiction under section 1301.24 of the act (72 P. S. § 1301.24).

§ 951.33. Assertion of property claims.

(a) A claimant for abandoned and unclaimed property under the custody and control of the Department shall submit forms and documentation required by the Bureau.

(b) A claimant upon whose claim the Bureau has taken no action within 90 days after all forms and documentation were submitted may bring an action in Commonwealth Court under section 1301.21 of the act (72 P. S. § 1301.21).

(c) A claimant whose claim the Bureau denies may file a petition for review under Subchapter B (relating to review of administrative decisions).

(d) A claimant who is aggrieved by the presiding

officer's final decision and order on a petition for review of property claim may commence an action in Commonwealth Court within 30 days after the entry of the order in accordance with section 1301.21 of the act. The action shall be tried de novo without a jury.

[Pa.B. Doc. No. 07-1394. Filed for public inspection August 3, 2007, 9:00 a.m.]

PROPOSED RULEMAKING

DEPARTMENT OF HEALTH

[28 PA. CODE CH. 611]

Home Care Agencies and Home Care Registries

The Department of Health (Department), Bureau of Community Program Licensure and Certification, Division of Home Health, proposes to add Chapter 611 (relating to home care agencies and home care registries) to read as set forth in Annex A.

Purpose of the Proposed Rulemaking

The purpose of the proposed rulemaking is to set minimum standards for the operation of home care agencies and home care registries. The act of July 7, 2006 (P. L. 334, No. 69) (Act 69) amended the Health Care Facilities Act (act) (35 P. S. §§ 448.101—448.904) to require the Department to license home care agencies and home care registries. Home care agencies employ direct care workers to provide home care services to individuals in their homes or other independent living environments. Home care registries refer direct care workers who are independent contractors to provide home care services to individuals in their homes or other independent living environments. Services provided by home care agencies and home care registries include assistance with activities of daily living (for example, bathing, dressing and feeding) and instrumental activities of daily living (for example, housekeeping, shopping, meal planning and preparation, and transportation), companionship, respite care and other nonmedical services.

This proposed rulemaking is intended by the Department to assure safe, adequate and efficient home care agencies and home care registries and to promote the health, safety and adequate care of the consumers of services provided by home care agencies and home care registries. This proposed rulemaking provides consumer protection by establishing oversight, by requiring criminal background checks, child abuse clearance and communicable disease screens, and by imposing hiring and training requirements for individuals employed by a home care agency or referred by a home care registry to provide care.

Statutory Authority

Section 803(1) of the act (35 P. S. § 448.803(1)) authorizes the Department, after consultation with the Health Policy Board, to promulgate regulations necessary to carry out the purposes and provisions of the act. Act 69 also included a provision expressly authorizing the Department to promulgate regulations to implement sections 806(d.1) and 806.3 of the act (35 P. S. §§ 448.806(d.1) and 448.806(c), regarding licensure standards and consumer protections.

Summary

Act 69 requires the Department to develop regulations in consultation with the Department of Public Welfare and other advisory groups that represent persons in the home health care industry, persons with physical disabilities and the aging community. The Department also is required to take into consideration the preferences and philosophies of persons with physical disabilities who receive home and community-based services through Medicaid waiver or other publicly funded programs.

The Department distributed a set of draft regulations to the Department of Public Welfare, the Department of

Aging, other designated stakeholders and interested persons in advance of stakeholder meetings in Harrisburg on December 7, 2006, in Muhlenberg on December 12, 2006, and in Pittsburgh on December 15, 2006. The Department also met on January 26, 2007, with representatives of what was, at that time, the Pennsylvania Protection and Advocacy, now known as the Disability Rights Network of Pennsylvania, and with other individuals representing organizations serving the disability community. Following meetings with stakeholders, and receipt of comments on the draft regulations, the Department revised the draft regulations based on comments received and presented the proposed rulemaking to the Department's Health Policy Board on March 14, 2007, in accordance with the Department's obligation to consult with the Health Policy Board when promulgating regulations under section 803(1) of the act.

The proposed regulations are divided into several parts. Sections 611.1—611.4 (relating to general) contain general provisions, including definitions. Sections 611.11—611.19 (relating to licensure), §§ 611.31—611.33 (relating to inspection and survey activities) and §§ 611.41—611.45 (relating to sanctions and corrective actions) reflect the Department's existing practices and protocols for licensure and enforcement of licensure standards for all health care facilities covered by the act. Sections 611.51—611.57 (relating to governance and management) address the substantive requirements set forth in the act that a home care agency or home care registry must meet to obtain and maintain a license. These sections address hiring and training of direct care workers employed or on contract, background checks, child abuse clearances and consumer protections.

Section 611.1 (relating to legal base) explains the statutory authority and the purpose of the regulations. Section 611.2 (relating to affected home care agencies and home care registries) explains that the regulations affect home care agencies and home care registries that meet the definition in the regulations and establishes the time frame within which existing home care agencies and home care registries must come into compliance. Section 611.3 (relating to requirements for home care agencies and home care registries) explains the obligation of the home care agency and home care registry to comply with existing laws and regulations addressing environment, health, sanitation and professional licensure standards imposed by Federal, State and local authorities.

Section 611.4 (relating to definitions) includes definitions of terms used in the proposed rulemaking. Terms used in the proposed rulemaking that are defined in the act are not defined again, except to the extent that a definition has been expanded to clarify or interpret compliance obligations for the home care agencies and registries. Thus, the proposed rulemaking includes definitions of "home care agency" and "home care registry" to clarify that entities providing only "financial management services" to consumers of home and community-based services through Medicaid waiver or other publicly funded programs would not be subject to the regulations. "Home care agency" and "home care registry" are defined to exclude an entity designated under 26 U.S.C. § 3504 (relating to acts to be performed by agents) and either IRS Revenue Procedure 70-6 or IRS Revenue Procedure 80-4 that provides only "financial management services" to consumers of home and community-based services through Medicaid waiver or other publicly funded pro-

grams. "Financial management services" means one or more of five specified services associated with meeting the payroll and other responsibilities of a consumer of home care services who is also the employer of the direct care worker. If the entity provides only financial management services to a consumer of home and community-based services, the entity would not be a covered entity for licensure purposes. The corollary, of course, is that if the entity provides more than financial management services, the entity would not be automatically excluded and would have to examine its operations to determine if it were subject to the licensure requirements.

Section 611.4 also includes a definition of "inspection," also defined in the act, to clarify the means by which the Department would determine the agency's or registry's compliance with licensure standards, and to establish that the inspection might or might not be onsite. The remaining definitions are self-explanatory.

Sections 611.11—611.19 set forth requirements for the licensure process that is consistent with those for health care facilities that the Department licenses. These sections contain several provisions, however, that would be specific to home care agencies and home care registries. Section 611.11(a) (relating to license required) requires that to the extent that an entity operates a home care business from more than one location, each physical location of the agency or registry must be separately licensed. Section 611.11(b) addresses the possibility that an entity could be operating as both a home care agency and a home care registry. That is, the entity might offer employees as direct care workers to consumers, and the entity might also offer a roster of individuals who are independent contractors for a consumer to choose from to receive services. In that case, the entity would be required to apply for a license to operate as a home care agency and a home care registry. Section 611.11(c) addresses how existing home care agencies and home care registries would transition from nonlicensed to licensed status. This subsection permits the entity operating as a home care agency or home care registry as of the effective date of the final-form rulemaking to continue to operate after the effective date provided the entity submits an application for a license in accordance with time frames to be announced in the *Pennsylvania Bulletin* and on the Department's website.

Sections 611.31—611.33 contain requirements that would be consistent with those of the Department for all health care facilities that the Department licenses. There are no proposed provisions in this section that vary the inspection and survey process for home care agencies and home care registries. However, § 611.31(e)(4) (relating to inspections) defines access to the agency or registry to include private interviews with the consumer, with the consumer's consent. This proposed language is intended to address concerns expressed during the stakeholder process that the Department might insert itself in the consumer and care-giver relationship without appropriate regard for the consumer's privacy. This provision makes clear that the Department's approach with regard to home care agencies and home care registries would be the same as it is for all other health care facilities. In all circumstances and in all settings in which the services of licensed entities are being assessed for regulatory compliance, the Department does not seek to interview the recipient of regulated services or observe direct care without that person's consent.

Sections 611.41—611.45, which address sanctions for deficiencies, reasons for revocation or nonrenewal of a

license, notice and form of notice of sanctions to be imposed, and request for hearing, also reflect the Department's practices and procedures for all health care facilities that the Department licenses. Much of what is proposed in these sections, most notably the reasons for revocation or nonrenewal of a license, is pulled directly from the act, whose provisions apply to all facilities covered by the act.

Sections 611.51—611.57 address the substantive requirements in the act applicable to home care agencies and home care registries. Section 611.51 (relating to hiring or rostering of direct care workers) requires that, before a home care agency may hire a direct care worker or a home care registry may enter into a contract with and place an individual on a list of available direct care workers (for example, roster the individual), the agency or registry conduct a face-to-face interview with the individual, obtain satisfactory references and require the individual to submit a criminal history report and a ChildLine verification, if necessary. Agencies and registries would be required to include documentation of the face-to-face interview, references obtained and criminal background check and child-line verification in a personnel file for the direct care worker.

Section 611.52 (relating to criminal background checks) includes requirements that mirror those in 6 Pa. Code Chapter 15 (relating to protective services for older adults) to implement the criminal background check requirements under the Older Adults Protective Services Act (OAPSA) (35 P. S. §§ 10225.101—10225.5102). Thus, § 611.52(a) requires that the criminal history report, listed as a prerequisite for hire or roster under § 611.51, be obtained at the time of the application or within 1 year immediately preceding the date of the application. Section 611.52(b) also would require that the applicant for employment or roster submit a State Police criminal history record if the individual has been a resident of this Commonwealth for 2 years preceding the date of application. Under § 611.52(c), if the individual has not been a resident of this Commonwealth for the requisite 2-year period, the applicant would be required to follow the procedures in 6 Pa. Code § 15.144(b) (relating to procedure) to obtain a Federal criminal history record and a letter of determination from the Department of Aging, based on the individual's Federal criminal history record, regarding the individual's eligibility for hire or roster.

This proposed rulemaking anticipates that the Department of Aging, based on an interagency agreement to be developed between the Department and the Department of Aging, will expand its work under OAPSA for nursing care facilities, home health agencies, hospice and other health care providers and review Federal criminal history records for individuals applying to work for home care agencies and home care registries and issue letters of determination. The Department of Aging would review the Federal criminal history record to determine whether the record lists a prohibited conviction (listed in 6 Pa. Code § 15.143 (relating to facility responsibilities)) and then issue a letter of determination.

Under § 611.52(e), the home care agency or home care registry would not be permitted to hire or roster an individual if the State Police criminal history record revealed a prohibited conviction or if the Department of Aging letter of determination stated that the individual is not eligible for hire or roster. Until OAPSA is amended, in light of *Nixon v. Commonwealth of Pennsylvania*, 576 Pa. 385, 839 A.2d 277 (2003), and the life-time prohibition against hire or the list of prohibited convictions revised,

the Department is proposing that the regulations to implement the background check provisions of Act 69 should mirror the existing background check provisions and prohibitions applicable to other health care providers under OAPSA.

Section 611.52(j) requires persons who are employed by or rostered by a home care agency or home care registry as of the effective date of the final-form rulemaking to obtain and submit a State Police criminal history record or Department of Aging letter of determination, as applicable, to the home care agency or home care registry within 120 days of the effective date of the final-form rulemaking. This requirement would not apply if the home care agency or home care registry obtained a criminal history report meeting the requirements of the regulation when the individual was hired or rostered and a copy of the report is included in the individual's personnel file.

Under § 611.53(a) (relating to child abuse clearance), a home care agency or home care registry that serves persons under 18 years of age would need to require each applicant for employment or referral as a direct care worker, and each member of the agency or registry office staff, to request a verification regarding whether that individual is named in the Department of Public Welfare's Statewide Central Register as the perpetrator of a founded or indicated report of child abuse as defined in 55 Pa. Code § 3490.4 (relating to definitions). Under § 611.53(b), the home care agency or home care registry would be prohibited from hiring or rostering an individual named in the Statewide Central Register as the perpetrator of a founded or indicated report of child abuse. Under § 611.53(d), persons currently employed or rostered as of the effective date of the final-form rulemaking will have 120 days to comply, except that a person for whom a ChildLine verification had been obtained when the person was hired or rostered need not obtain another verification as long as a copy of the verification is contained in the individual's personnel file.

During the stakeholder process, the Department received many suggestions that the ChildLine clearance requirement should apply only to those direct care workers employed or rostered specifically to provide care to an individual under 18 years of age. Act 69 requires that "prior to licensing a home care agency or home care registry which provides services to persons under 18 years of age, the department shall determine that all individuals employed by an agency or referred by a register, all office staff working within each entity and the owner or owners have obtained clearance from the child abuse registry, in accordance with 23 Pa.C.S. Ch. 63 (relating to child protective services) and maintain that information on file in the home care agency or registry office." The Department is not permitted to promulgate a regulation less stringent than the act on which the regulation is based.

Section 611.54(a) permits a home care agency or home care registry to hire an applicant for employment or referral on a provisional basis, pending receipt of a criminal history report or a ChildLine verification, as applicable, if certain listed conditions are met. The applicant would be required to apply for a criminal history report and ChildLine verification, as applicable, to affirm in writing that the applicant is not disqualified from employment because of a criminal background or history of child abuse, and to have the training required by the proposed rulemaking. The home care agency or home care registry would be required to monitor the provisionally

hired applicant through random, direct observation and consumer feedback. The period of provisional employment cannot exceed 120 days.

During the stakeholder process, a number of participants suggested that the concept of provisional hiring should be eliminated from the proposed rulemaking. The Department emphasized then, and again points out, that the proposed rulemaking permits, but does not require, provisional hiring. A home care agency or home care registry would be free to assess the risks associated with provisional hiring and to determine that the risks would outweigh the benefits. This proposed rulemaking is meant to establish the parameters within which provisional hiring might occur for those home care agencies or home care registries that would choose to provisionally hire.

Section 611.55 (relating to training requirements) addresses training requirements and allows the home care agency or home care registry several different options for ensuring that the direct care worker is appropriately trained. Section 611.55(b) provides that a direct care worker who provides only assistance with activities of daily living and instrumental activities of daily living may demonstrate competency by successfully completing a competency examination approved by the Department. Section 611.55(c) provides that a direct care worker will have satisfied the training requirements if the direct care worker has a valid nurse's license or has successfully completed one of the listed training programs or other training program approved by the Department and published in the *Pennsylvania Bulletin*. Section 611.55(d) includes required core elements for the competency examination or other training program to be approved by the Department. In response to recommendations made during the stakeholder process by individuals representing persons with physical disabilities and persons who receive services through publicly funded home and community-based programs, the Department proposes to include among the core elements for competency testing consumer control and the independent living philosophy.

Section 611.55(e) would state, in part, that documentation of satisfactory completion of training prerequisites is transferable from one home care agency or registry to another home care agency or registry, provided the break in the individual's employment or roster status does not exceed 12 months. See § 611.55(f). Section 611.55(f) requires periodic reassessment of the individual's competency to perform assigned duties. Reassessment would occur annually and more frequently when discipline or other sanction is imposed because of a quality of care infraction. Finally, § 611.55(g) permits existing home care agencies and registries 2 years from the effective date of the final-form rulemaking to achieve compliance.

Section 611.56 (relating to health evaluations) requires the home care agency or home care registry to ensure that each individual employed by an agency or rostered by a registry, and other office staff or contractors with direct consumer contact, prior to beginning work, provide documentation to be included in the individual's personnel file evidencing a screening assessment performed by a qualified health professional within 180 days prior to the individual's start date. "Qualified health professional" is defined in § 611.4 as an individual who holds a license or certification issued by the Commonwealth which allows for the performance of a physical examination, evaluation or assessment. The term includes a physician, a physician's assistant, a registered nurse and a certified registered nurse practitioner. Under § 611.56(a), the screening assessment would need to show that the individual was

evaluated for tuberculosis risk factors and tested as necessary, and screened for the listed communicable diseases and conditions. Section 611.56(b) prohibits the home care agency or home care registry from referring a direct care worker if the agency or registry suspects the direct care worker has one of the listed communicable diseases or conditions until the direct care worker has been evaluated by a qualified health professional and cleared to return to work. Section 611.56(c) requires the home care agency or home care registry to require the individual to obtain an updated screening assessment annually.

Section 611.57(a) (relating to consumer protections) addresses consumer rights, subsection (b) addresses prohibitions for the home care agency and home care registry and subsection (c) lists information that the home care agency and home care registry must provide to the consumer in advance of providing services. These requirements were taken directly from the act. Section 611.57(c)(7) requires the home care agency to provide a disclosure, addressing the employee or independent contractor status of the direct care worker and the resultant respective tax and insurance obligations and other responsibilities of the consumer, in a format to be published by the Department within 60 days of the effective date of the final-form rulemaking.

Fiscal Impact

State government. The licensure program for home care agencies and home care registries would cost approximately \$1.008 million for the first full year of the program. This projection is based on the approximate cost to survey a home care agency or registry and the projected number of home care agencies and home care registries (650).

The Department also would incur certain start-up costs associated with hiring and training of surveyors or inspectors and updating the Department's electronic Survey Agency Information System (SAIS) through which the Department coordinates and manages its licensure functions. Through SAIS, the Department schedules and tracks surveys or inspections of facilities, tracks surveyor time and efforts and tracks complaints about facilities. The SAIS also includes a function through which a statement of deficiencies, in the event of regulatory violations identified during an inspection, can be generated. The SAIS also allows the facilities to submit its plan of correction electronically. The SAIS will need to be revised to include the home care agency and home care registry licensing function.

Local government. There would be no cost to local government.

Public. There may be a cost to the public in the form of higher charges for care because the home care agency or home care registry would need to recoup start-up and ongoing costs of compliance with licensure criteria.

Regulated entity. Home care agencies and home care registries would incur costs as a result of this proposed rulemaking. To the extent an agency or registry currently does not have hiring policies and procedures in place equal to or more stringent than the hiring prerequisites in the proposed rulemaking, the agency or registry would incur the onetime cost of establishing systems and procedures that comply with the proposed rulemaking and the ongoing cost of doing business in the manner dictated by the regulations. The proposed rulemaking would permit choices, however, and the choice made by an agency or registry would have an impact on overall costs. Establish-

ing competency of a direct care worker through a competency examination, for example, might cost less than establishing competency through a training program. The agency or registry also would be required to pay the annual licensing fee of \$100.

Paperwork Requirements

State government. The Department will have additional paperwork responsibilities connected with its role as the licensing agency. Much of the licensing paperwork is handled electronically through the Department's SAIS system. The Department would issue a hard copy license which the agency or registry must post at the licensed location. The Department also would issue hard copy statement of deficiencies which would be required to be available for public inspection, along with any plan of correction.

Local government. There will be no additional paperwork requirements for local government.

Public. Consumers of home care services would receive paperwork as a result of this proposed rulemaking. Consumers would receive written notice of termination of services. Consumers also would receive written notice of services to be provided, the hours when those services would be provided, fees and costs associated with the services and who to contact with complaints. Consumers also would receive a written description of the hiring and training requirements applicable to direct care workers and a written disclosure of the worker's status as an employee or independent contractor and the resultant respective tax and insurance obligations of the consumer and the agency or registry.

Regulated entity. Home care agencies and home care registries will be required to submit paperwork to receive or renew a license. Home care agencies and home care registries will need to respond to identified regulatory deficiencies in the form of a plan of correction. They will need to notify the Department in writing prior to a change in ownership, change in officers, directors, members, partner or principals or change in management. They will need to create and maintain certain personnel files containing documentation of a face-to-face interview, references, a criminal history report and ChildLine verification, if necessary, and documentation of satisfactory completion of the training prerequisites and the annual reassessment. The personnel file also will be required to contain documentation of a health evaluation obtained prior to employment or roster.

Home care agencies and home care registries will be required to provide written notice to the consumer of the intent to terminate services. Finally, home care agencies and home care registries will be required to provide written documentation to the consumer listing services to be provided, the hours when those services would be provided, fees and costs associated with the services and who to contact with complaints. The written documentation also will be required to describe the hiring and training requirements applicable to the direct care worker being sent to the consumer's home or other independent living environment and disclose the worker's status as an employee or independent contractor and the resultant respective tax and insurance obligations of the consumer and the agency or registry.

Effective Date

This proposed rulemaking will take effect upon final-form publication in the *Pennsylvania Bulletin*.

Sunset Date

The regulations will be continually monitored for their effectiveness and updated as needed. Therefore, no sunset date has been established.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on July 25, 2007, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Health and Human Services and the Senate Committee on Public Health and Welfare. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor of comments, recommendations or objections raised.

Contact Person

Interested persons are invited to submit comments, suggestions or objections regarding the proposed rulemaking to Janice Staloski, Director, Bureau of Community Program Licensure and Certification, 132 Kline Plaza, Suite A, Harrisburg, PA 17104-1579, (717) 783-8665 within 30 days after publication in the *Pennsylvania Bulletin*. For persons with a disability, comments, suggestions or objections regarding the proposed rulemaking should be submitted to Janice Staloski in alternative formats, such as by audio tape, Braille or by using (717) 783-6514 (TDD). Persons with a disability who require an alternative format of this proposed rulemaking (for example, large print, audio tape or Braille), contact Janice Staloski to make the necessary arrangements.

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

Fiscal Note: 10-184. (1) General Fund; (2) Implementing Year 2006-07 is \$447,000; (3) 1st Succeeding Year 2007-08 is \$1,008,000; 2nd Succeeding Year 2008-09 is \$1,058,000; 3rd Succeeding Year 2009-10 is \$1,112,000; 4th Succeeding Year 2010-11 is \$1,169,000; 5th Succeeding Year 2011-12 is \$1,230,000; (4) 2005-06 Program—\$14,529,526; 2004-05 Program—\$14,157,071; 2003-04 Program—\$14,529,526; (7) Quality Assurance; (8) recommends adoption. Funds have been included in the budget to cover these increases.

Annex A**TITLE 28. HEALTH AND SAFETY****PART IV. HEALTH FACILITIES****Subpart H. HOME CARE AGENCIES AND HOME CARE REGISTRIES**

Chap.

611. Home Care Agencies and Home Care Registries

(*Editor's Note:* The following chapter is new. It has been printed in regular type to enhance readability.)

CHAPTER 611. HOME CARE AGENCIES AND HOME CARE REGISTRIES**GENERAL**

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GENERAL**§ 611.1. Legal base.**

(a) This subpart is promulgated by the Department under the powers granted and the duties mandated by sections 803 and 809.1 of the act (35 P.S. §§ 448.803 and 448.809.1).

(b) The Department has the power and its duty is to promulgate the regulations necessary to implement Chapter 8 of the act (35 P.S. §§ 448.801a—448.820) and to assure that its regulations and the act are enforced.

(c) The purpose of this subpart is to protect and promote the public health and welfare through the establishment and enforcement of regulations setting minimum standards for the operation of home care agencies and home care registries. The standards are intended by the Department to assure safe, adequate and efficient home care agencies and home care registries, and to promote the health, safety and adequate care of the consumers of services provided by home care agencies and home care registries.

§ 611.2. Affected home care agencies and home care registries.

(a) This subpart applies to home care agencies, home care registries and to entities that meet both definitions, profit or nonprofit, operated in this Commonwealth, as defined in this subpart.

(b) Existing home care agencies and home care registries which were home care agencies or home care registries prior to _____ (*Editor's Note:* The blank refers to the effective date of adoption of this chapter.) shall be required to meet the same standards as home care agencies and home care registries created

after _____ (*Editor's Note:* The blank refers to the effective date of adoption of this chapter.).

§ 611.3. Requirements for home care agencies and home care registries.

(a) A current copy of this chapter shall be maintained at the home care agency or home care registry.

(b) Home care agencies and home care registries licensed under this chapter shall comply with applicable environmental, health, sanitation and professional licensure standards which are required by Federal, State and local authorities.

(c) If there is a difference in applicable State or local standards, the standards established under State statutes apply for the purpose of compliance with this chapter.

§ 611.4. Definitions.

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

Act—The Health Care Facilities Act (35 P. S. §§ 448.101—448.904).

ChildLine—An organizational unit of the Department of Public Welfare which operates a Statewide toll-free system for receiving reports of suspected child abuse established under 23 Pa.C.S. § 6332 (relating to establishment of Statewide toll-free telephone number), refers the reports for investigation and maintains the reports in the appropriate file.

ChildLine verification—Confirmation regarding whether an applicant for employment or referral by a home care agency or home care registry is named in the Department of Public Welfare's Statewide Central Register as the perpetrator of a founded or indicated report of child abuse (as defined in 55 Pa. Code § 3490.4 (relating to definitions)).

Consumer—An individual to whom services are provided.

Criminal history report—A State Police criminal history record or a Department of Aging letter of determination of eligibility for hire or roster based on a review of a Federal criminal history record.

Department—The Department of Health of the Commonwealth.

Department of Aging letter of determination—A written decision supplied by the Department of Aging regarding whether, based on the criminal history report from the Federal Bureau of Investigation, the applicant for employment by a home care agency or referral by a home care registry may be employed or rostered.

Direct care worker—The individual employed by a home care agency or referred by a home care registry to provide services to a consumer.

Direct consumer contact—Face-to-face interaction with the consumer in the consumer's place of residence or other independent living environment.

Financial management services—One or more of the following services:

(i) Managing payroll including Federal, State and local employment taxes for direct care workers recruited and retained by the consumer.

(ii) Processing the payment of workers' compensation, health and other insurance benefits for the direct care worker.

(iii) Assisting consumers in calculating and managing individual budgets for publicly funded home and community based waiver services.

(iv) Monitoring the consumer's spending of public funds and any underage or overage in accordance with the consumer's approved budget.

(v) Collecting, processing and maintaining time sheets for direct care workers.

(vi) Providing training to consumers related to employer-related tasks (for example, recruiting, hiring, training, managing and discharging direct care workers and managing payroll and bill paying).

Home care agency—

(i) An organization that supplies, arranges or schedules employees to provide assistance with activities of daily living or instrumental activities of daily living, companionship services or specialized care on an hourly, shift or continual basis to a consumer in the consumer's place of residence or other independent living environment for which the organization receives a fee, consideration or compensation of any kind.

(ii) The term does not include a home health care agency, a durable medical equipment provider, a volunteer provider, or an organization or business entity designated under 26 U.S.C. § 3504 (relating to acts to be performed by agents) and either IRS Revenue Procedure 70-6 or IRS Revenue Procedure 80-4 that provides only financial management services to consumers of home and community-based services through Medicaid waiver or other publicly funded programs.

Home care registry—

(i) An organization or business entity or part of an organization or business entity that supplies, arranges or refers independent contractors to provide assistance with activities of daily living or instrumental activities of daily living, or specialized care, in the consumer's place of residence or other independent living environment for which the registry receives a fee, consideration or compensation of any kind.

(ii) The term does not include an organization or business entity designated under 26 U.S.C. § 3504 and either IRS Revenue Procedure 70-6 or IRS Revenue Procedure 80-4 that provides only financial management services to consumers of home and community-based services through Medicaid waiver or other publicly funded programs.

Inspection—An examination or assessment of a home care agency or home care registry to determine compliance with requirements for licensure using one or more of the following means: inspection of records, interviews with office staff, consumers and direct care workers, and observation of the provision of services to consumers who have consented in advance to observation. The inspection may or may not be onsite.

Nurse—A registered nurse or a licensed practical nurse.

Qualified health professional—

(i) An individual who holds a license or certification issued by the Commonwealth which allows for the performance of a physical examination, evaluation or assessment.

(ii) The term includes a physician, a physician's assistant, a registered nurse and a certified registered nurse practitioner.

Roster—To place an individual on a list of individuals eligible to be referred by a home care registry to provide services to an individual in the individual's home or other independent living environment or the list of individuals eligible to be referred by a home care registry to provide services to an individual in the individual's home or other independent living environment.

Statewide Central Register—A register of child abuse established in the Department of Public Welfare, which consists of founded and indicated reports of child abuse.

LICENSURE

§ 611.11. License required.

(a) Except as set forth in subsection (c), an entity or organization may not operate, maintain or hold itself out as operating or maintaining a home care agency or home care registry without first having obtained a license from the Department in accordance with this chapter. Each physical location of the home care agency or home care registry must be separately licensed.

(b) The license will specify whether the entity is licensed as a home care agency or a home care registry, or both, the term of the license, and any conditions or limitations imposed on the license.

(c) An entity operating a home care agency or home care registry, or both, as of _____ (*Editor's Note:* The blank refers to the effective date of adoption of this chapter.) may continue to operate after _____ (*Editor's Note:* The blank refers to the effective date of adoption of this chapter provided it submits an application for a license to the Department in accordance with instructions published in the *Pennsylvania Bulletin* and posted on the Department's website by _____ (*Editor's Note:* The blank refers to a date within 60 days after the effective date of adoption of this chapter.). An entity that has submitted an application for licensure in accordance with the requirements of this subsection may continue to operate the home care agency or home care registry until the date the Department may refuse the application for licensure. If the Department grants the application for licensure, the home care agency or home care registry may continue operation of the agency or registry in accordance with this chapter.

§ 611.12. Application for license.

(a) The applicant shall obtain the application for a license to operate a home care agency or home care registry from the Pennsylvania Department of Health, Division of Home Health.

(b) The applicant shall submit an application or renewal form to the Department with the fee required under section 807 of the act (35 P.S. § 448.807). The applicant shall submit a renewal form at least 60 days prior to the expiration date on the license. There will be no rebate, refund or prorating of an application fee. The applicant shall complete a separate application and pay a separate application fee for each separately licensed home care agency or home care registry that it intends to operate.

(c) The applicant shall provide documentation required by the Department in connection with the application and complete and submit the forms specified by the Department and additional information required by the Department so that the Department can determine if the applicant is a responsible person and otherwise qualified to obtain a license to maintain or operate a home care agency or home care registry.

(d) The applicant shall specify on its application the type of facility for which it is seeking a license.

§ 611.13. Ownership.

The owner of a home care agency or home care registry may be an individual, partnership, association, corporation or a combination of these forms of ownership. The following requirements apply to a home care agency and a home care registry according to the mode of ownership:

(1) *Individual ownership.* A complete list of names and addresses of the owners of the home care agency or home care registry shall be submitted with the application.

(2) *Partnerships.* A complete list of names and addresses of the owners, general partners and partners responsible for the management of the home care agency or home care registry shall be submitted with the application.

(3) *Association or corporation.* A complete list of names and addresses of the officers, directors, principal stockholders, either beneficial or of record, of the corporate owners and of the parent corporation, if applicable, and of the persons in charge who are responsible for the management of the home care agency or home care registry, shall be submitted with the application. Ownership interest of 5% or more—direct or indirect—shall be disclosed on the application.

§ 611.14. Issuance of license.

(a) The Department will issue a license to operate a home care agency or home care registry, or both, after the Department determines the applicant is a responsible person and an inspection conducted by the Department indicates that the applicant is in substantial compliance with this chapter.

(b) A license issued by the Department will expire 1 year from the date of issue.

§ 611.15. Posting of license.

The home care agency or home care registry shall prominently post its license, or duplicate copy of the license, as requested and obtained from the Department, in a public and conspicuous location on the premises.

§ 611.16. Nontransfer of license.

A license may not be transferred to another home care agency or home care registry, or to the purchaser or new owners of a home care agency or home care registry in the event of a change in ownership under § 611.18 (relating to change in ownership or management), and may not extend to another home care agency or home care registry, or to another physical location of the home care agency or home care registry.

§ 611.17. Responsibility of owners of home care agencies and home care registries.

(a) The owner shall be responsible for meeting the minimum standards for operation as set forth by the Department and by other State and local agencies responsible for the health, welfare and safety of the consumers of services.

(b) The owner, administrator or designee shall immediately report to the Department any catastrophic incident, such as a fire or flood, or any incident that may cause interruption or cessation of the delivery of services, or another interruption of services which would affect the health and safety of the consumers of services.

(c) The owner, administrator or designee shall immediately report to the Department a relocation of the home care agency or home care registry or a change of address for the home care agency or home care registry.

§ 611.18. Change in ownership or management.

(a) The home care agency or home care registry shall notify the Department in writing at least 60 days prior to any anticipated change in ownership, form of ownership, or name, and immediately prior to any unanticipated change in ownership, form of ownership, or name. A change in ownership means any transfer of the controlling interest in the facility.

(b) The home care agency or home care registry shall notify the Department in writing at least 60 days prior to any anticipated change in officers, directors, members, partners or principals, and immediately prior to any unanticipated change in officers, directors, members, partners or principals.

(c) The home care agency or home care registry shall notify the Department in writing at least 30 days prior to any transfer involving 5% or more of the stock or equity in the entity that operates the home care agency or home care registry.

(d) The home care agency or home care registry shall notify the Department in writing no later than 30 days following a change in management. Management includes any individual responsible for oversight of day-to-day operations in the facility.

(e) Information regarding an anticipated change in ownership, change in form of ownership or transfer involving 5% or more of the stock or equity in an entity subject to the regulations of the United States Securities and Exchange Commission will not be considered a public record and will remain confidential until the transaction is complete.

§ 611.19. Void license.

A license will be immediately void if any of the following occur:

- (1) The license term expires.
- (2) The facility adds, terminates or otherwise changes the services it provides without notice to the Department required by § 611.17 (relating to responsibility of owners of home care agencies and home care registries).
- (3) The facility is transferred or sold, or substantially changes its ownership, form of ownership or management without notice to the Department required by § 611.18 (relating to change in ownership or management).
- (4) The facility relocates to another site.

INSPECTION AND SURVEY ACTIVITIES**§ 611.31. Inspections.**

(a) Prior to issuance of an initial license or renewal of a regular or provisional license, representatives of the Department will conduct an inspection of a home care agency or home care registry. Whenever the Department has received any complaint or has other reasonable grounds to believe that a deficiency exists, the Department may conduct an inspection to determine whether a deficiency exists.

(b) The Department will make reasonable efforts to prevent duplication of inspections by State and Federal regulatory agencies and will coordinate inspections whenever practical.

(c) Inspections to investigate complaints or other allegation of regulatory deficiency will be prioritized in accordance with the level of perceived threat to the health and welfare of consumers.

(d) Prior to the inspection by the Department, the Department may request from the home care agency or home care registry documents or records of the home care agency or home care registry including those held by other organizations or agencies, or other information necessary for the Department to prepare for the inspection. The home care agency or home care registry shall provide all of the information requested.

(e) Upon presenting a Department identification card, authorized agents of the Department will have access to the home care agency or home care registry to determine compliance with this chapter. The access includes the following:

- (1) Entry to the premises.
- (2) Examination of all of the facilities, buildings, grounds, files, policies and procedures, records, documents, offices, computer files, quality assurance files, risk management documents, governing body and management documents.
- (3) Private interviews with any staff, employees and direct care workers.
- (4) Private interviews with the consumer, with the consumer's consent.

§ 611.32. Retention of records.

The documentation required by this chapter and documentation with respect to establishing that the home care agency or home care registry is in compliance with applicable Federal, State and local requirements shall be retained by the home care agency or home care registry onsite. Documentation shall be retained for 4 years after termination of services to a consumer unless otherwise required by applicable Federal and State laws and regulations. Personnel records required under § 611.51 (relating to hiring or rostering of direct care workers) shall be retained for at least 4 years following termination of employment or roster status of a direct care worker. Documentation and records shall be retained even if the home care agency or home care registry discontinues operation. Documentation includes paper and electronic information.

§ 611.33. Statement of deficiencies and plan of correction.

(a) After completion of the inspection, the Department will evaluate all relevant information gathered during the inspection and formulate its compliance findings and determinations. In the event that the Department makes a determination of noncompliance with any provision of this chapter, the Department will issue to the home care agency or home care registry a statement of deficiencies.

(b) Upon receipt of a statement of deficiencies, the home care agency or home care registry shall provide the Department, within the time frame set by the Department, a plan of correction. The plan of correction must address the deficiencies cited in the statement of deficiencies and identify the corrective action to be taken, the individuals responsible for the corrective action and the time frames within which the corrective action will be accomplished. The plan of correction shall be attested to by the individual given signature authority by the home care agency or home care registry.

(c) Copies of the statement of deficiencies and plan of correction will be readily available on the Department's website for the purpose of public inspection. The agency or registry also shall make available for inspection and

examination by any person a copy of the most recent statement of deficiencies and plan of correction.

SANCTIONS AND CORRECTIVE ACTIONS

§ 611.41. Sanctions for deficiencies.

In the event of one or more regulatory deficiencies, in addition to requiring a plan of correction, the Department may impose a civil monetary penalty, not to exceed \$500 per deficiency per day, and the Department may take one of the following actions:

- (1) Suspend the license.
- (2) Revoke the license.
- (3) Refuse to renew the license.
- (4) Limit the license.
- (5) Issue a provisional license.

§ 611.42. Reasons for sanctions.

(a) The Department may refuse to renew a license, may suspend, revoke or limit a license of a home care agency or home care registry for any of the following reasons:

(1) A serious violation of this chapter, the act or other statutes and regulations, which seriously threatens the health, safety and welfare of consumers.

(2) Failure of an owner to submit a reasonable timetable for correction of deficiencies.

(3) The existence of a pattern of cyclical deficiencies which extends over 2 or more years.

(4) Failure, by the holder of a provisional license, to correct deficiencies in accordance with a timetable submitted by the owner and agreed upon by the Department.

(5) Fraud or deceit in obtaining or attempting to obtain a license.

(6) Lending, borrowing or using the license of another, or knowingly aiding or abetting the improper granting of a license.

(7) Incompetence, negligence or misconduct in operating the home care agency or home care registry or in providing services to consumers.

(8) Mistreating or abusing consumers cared for by direct care workers employed by the home care agency or contractor referred by the home care registry to provide care.

(9) Serious violation of the laws relating to medical assistance or Medicare reimbursement.

(10) Serious violation of other applicable Federal or State laws.

(b) The Department may issue a provisional license when there are numerous deficiencies or a serious specific deficiency which has a substantial impact on governance and management or services, which indicates that the home care agency or home care registry is not in compliance with applicable statutes, ordinances or this chapter, and the Department finds that:

(1) The applicant is taking appropriate steps to correct the deficiencies in accordance with a timetable submitted by the applicant and agreed upon by the Department.

(2) There is no pattern of deficiencies over a period of 2 or more years.

(3) There is no danger to the health or safety of the consumers.

(c) The Department may issue a provisional license for a specific period of not more than 6 months. A provisional license may be renewed three times.

§ 611.43. Notice.

Whenever the Department proposes to impose a sanction for deficiencies, it will give written notice to the home care agency or home care registry by certified mail.

§ 611.44. Form of notice.

The notice under § 611.43 (relating to notice) will conform to 1 Pa. Code § 35.14 (relating to orders to show cause). The order will specify the reasons for the proposed action of the Department and will notify the home care agency or home care registry of its right to an appeal under 37 Pa. Code Chapter 197 (relating to practice and procedure). The order will specify the time within which the home care agency or home care registry shall file its appeal with the Department.

§ 611.45. Request for hearing.

(a) A finding by the Department that a home care agency or home care registry is in violation of the act or this chapter may not be appealed unless the Department also imposes a sanction under § 611.41 (relating to sanctions for deficiencies).

(b) Appeals relating to the Department's imposition of a sanction must address the factual and legal bases asserted by the Department for imposing the sanction, and the facts and law upon which the health care facility relies and be made in accordance with 37 Pa. Code § 197.84 (relating to notice of appeal and answer) and 1 Pa. Code § 35.37 (relating to answers to order to show cause).

(c) A request for supersedeas of a sanction imposed by the Department must be made under 37 Pa. Code § 197.87 (relating to supersedeas).

GOVERNANCE AND MANAGEMENT

§ 611.51. Hiring or rostering of direct care workers.

(a) *Hiring or rostering prerequisites.* Prior to hiring or rostering a direct care worker, the home care agency or home care registry shall:

(1) Conduct a face-to-face interview with the individual.

(2) Obtain at least two satisfactory references for the individual.

(3) Require the individual to submit a criminal history report, in accordance with § 611.52 (relating to criminal background checks), and a ChildLine verification, if necessary, in accordance with § 611.53 (relating to child abuse clearance).

(b) *Personnel files.* Personnel files for direct care workers employed or rostered must include documentation of the date of the face-to-face interview with the individual and of references obtained. Personnel files also must include the other information as required under § 611.52, § 611.53, if applicable, and §§ 611.55 and 611.56 (relating to training requirements; and health evaluations).

§ 611.52. Criminal background checks.

(a) *General rule.* The home care agency or home care registry shall require each applicant for employment or referral to submit a criminal history report obtained at the time of application or within 1 year immediately preceding the date of application.

(b) *State Police criminal history record.* If the applicant for employment or referral has been a resident of this Commonwealth for 2 years preceding the date of application, the applicant shall submit a State Police criminal history record.

(c) *Federal criminal history record.* If the applicant for employment or referral has not been a resident of this Commonwealth for the 2 years immediately preceding the date of the application, the home care agency or home care registry shall require the applicant to follow the procedures in 6 Pa. Code § 15.144(b) (relating to procedure) to obtain a Federal criminal history record and a letter of determination from the Department of Aging, based on the individual's Federal criminal history record, regarding the individual's eligibility for hire or roster.

(d) *Proof of residency.* The home care agency or home care registry may require an applicant for employment or referral to furnish proof of residency, including any one of the following documents:

(1) Motor vehicle records, such as a valid driver's license.

(2) Housing records, such as mortgage records or rent receipts.

(3) Public utility records and receipts, such as electric bills.

(4) Local tax records.

(5) A completed and signed, Federal, State or local income tax return with the applicant's name and address preprinted on it.

(6) Employment records, including records of unemployment compensation.

(e) *Prohibition.* The home care agency or home care registry may not hire or roster an individual if the State Police criminal history record reveals a prohibited conviction listed in 6 Pa. Code § 15.143 (relating to facility responsibilities), or if the Department of Aging letter of determination states that the individual is not eligible for hire or roster.

(f) *Records maintained.* The home care agency or home care registry shall maintain personnel records for individuals employed or rostered which include copies of State Police criminal history records or Department of Aging letters of determination regarding Federal criminal history records. The personnel records shall be available for Department inspection.

(g) *Confidentiality.* The home care agency or home care registry shall keep the information obtained from State Police criminal history records and Department of Aging letters of determination regarding Federal criminal history records confidential and use it solely to determine an applicant's eligibility to be hired, rostered or retained.

(h) *Opportunity to appeal.* If the decision not to hire, roster or retain an individual is based in whole or in part on State Police criminal history records or Department of Aging letters of determination regarding Federal criminal history records, or both, the home care agency or home care registry shall provide an affected individual with information on how to appeal to the sources of criminal history records if the individual believes the records are in error.

(i) *Exceptions.* An individual employed or rostered who has complied with this section and who transfers to another agency or registry owned and operated by same entity is not required to submit another criminal history report. An individual who is employed or rostered by an

entity that undergoes a change of ownership is not required to submit another criminal history report.

(j) *Individuals currently employed or rostered.* A person who is employed by or rostered by a home care agency or home care registry as of _____ (*Editor's Note:* The blank refers to the effective date of adoption of this chapter.) shall obtain and submit a State Police criminal history record or Department of Aging letter of determination, as applicable, to the home care agency or home care registry by _____ (*Editor's Note:* The blank refers to a date 120 days after the effective date of adoption of this chapter.). This subsection does not apply if the home care agency or home care registry obtained a criminal history report meeting the requirements of this subsection when the individual was hired or rostered and a copy of the report is included in the individual's personnel file.

§ 611.53. Child abuse clearance.

(a) *General rule.* A home care agency or home care registry that serves persons under 18 years of age shall require each applicant for employment or referral as a direct care worker, and each member of the agency or registry office staff to request a ChildLine verification regarding whether the applicant or member is named in the Statewide Central Register as the perpetrator of a founded or indicated report of child abuse as defined in 55 Pa. Code § 3490.4 (relating to definitions).

(b) *Prohibition.* A home care agency or home care registry may not employ or roster an individual when ChildLine has verified that the applicant is named in the Statewide Central Register as the perpetrator of a founded or indicated report of child abuse.

(c) *Records maintained.* The personnel records maintained by the home care agency or home care registry for each individual employed or rostered and for each member of the office staff must include copies of the ChildLine verification. The agency or registry shall maintain copies of the ChildLine verification for the agency or registry owners, which shall be available for Department inspection.

(d) *Individuals currently employed or rostered.* A person who is employed by or rostered by the home care agency or home care registry as of _____ (*Editor's Note:* The blank refers to the effective date of adoption of this chapter.) shall obtain and submit a ChildLine verification to the home care agency or home care registry by _____ (*Editor's Note:* The blank refers to a date 120 days after the effective date of adoption of this chapter.). This subsection does not apply if the home care agency or home care registry obtained a ChildLine verification when the individual was hired or rostered and a copy of the verification is included in the individual's personnel file.

§ 611.54. Provisional hiring.

(a) *General rule.* The home care agency or home care registry may hire an applicant for employment or referral on a provisional basis, pending receipt of a criminal history report or a ChildLine verification, as applicable, if the following conditions are met:

(1) The applicant shall have applied for a criminal history report and ChildLine verification, as applicable, and provided the home care agency or home care registry with a copy of the completed request forms.

(2) The home care agency or home care registry shall have no knowledge about the applicant that would dis-

qualify the applicant under 18 Pa.C.S. § 4911 (relating to tampering with public records or information).

(3) The applicant shall swear or affirm in writing that the applicant is not disqualified from employment or referral under this chapter.

(4) The provisionally hired applicant shall meet the requirements of § 611.55 (relating to training requirements).

(5) The home care agency or home care registry shall monitor the provisionally hired applicant through random, direct observation and consumer feedback. The results of monitoring shall be documented in the individual's personnel file.

(6) The period of provisional hire may not exceed 120 days.

(b) *Termination.* If the information obtained from the criminal history report or ChildLine verification, or both, reveals that the individual is disqualified from employment or referral under § 611.52 (relating to criminal background checks) or under § 611.53 (relating to child abuse clearance), the individual shall be terminated by the home care agency or removed from the home care registry's roster immediately. If the individual fails to provide the ChildLine verification or criminal history report, or both, within the 120-day period permitted for provisional hire, the individual shall be terminated by the home care agency or removed from the home care registry's roster.

§ 611.55. Training requirements.

(a) Prior to assigning or referring a direct care worker to provide services to a consumer, the home care agency or home care registry shall ensure that the direct care worker has demonstrated competency in accordance with subsection (b) or has satisfied the training requirements in subsection (c), as applicable.

(b) A direct care worker who will provide to a consumer only assistance with activities of daily living and instrumental activities of daily living may demonstrate competency by successfully completing a competency examination approved by the Department.

(c) A direct care worker, including a direct care worker providing only assistance with activities of daily living and instrumental activities of daily living, will satisfy the training requirements if the direct care worker has a valid nurse's license or has successfully completed one of the following:

(1) The home health aide training program described in 42 CFR 484.36 (relating to the condition of participation: Home health aide services).

(2) The nurse aid certification and training program approved by the Department of Education.

(3) Other training programs, approved by the Department, notice of which will be published in the *Pennsylvania Bulletin* and posted on the Department's website.

(d) To be eligible for approval by the Department, a competency examination or other training program must address, at a minimum, each of the following subject areas:

- (1) Confidentiality.
- (2) Consumer control and the independent living philosophy.
- (3) Recognizing changes in the consumer that need to be addressed.

- (4) Basic infection control.
- (5) Universal precautions.
- (6) Handling of emergencies.
- (7) Documentation.
- (8) Recognizing and reporting abuse or neglect.
- (9) Dealing with difficult behaviors.
- (10) Bathing, shaving, grooming and dressing.
- (11) Hair, skin and mouth care.
- (12) Assistance with ambulation and transferring.
- (13) Meal preparation and feeding.
- (14) Toileting.
- (15) Assistance with self-administered medications.
- (16) Home management.

(e) The home care agency or home care registry shall include documentation of the individual's satisfactory completion of training requirements in the individual's personnel file. If the individual has a nurse's license or other licensure or certification as a health professional, the individual's personnel file shall include a copy of the individual's current license. Documentation of satisfactory completion of training requirements is transferable from one home care agency or registry to another home care agency or registry, provided the training meets the requirements of subsection (a) and the break in the individual's employment or roster status does not exceed 12 months.

(f) The home care agency or home care registry also shall include documentation in the individual's personnel file that the agency or registry has periodically reassessed the individual's competency to perform assigned duties through direct observation, testing, training or other method approved by the Department or through a combination of methods. Periodic reassessment shall occur at least once per year after initial competency is established, and more frequently when discipline or other sanction, including a verbal warning, is imposed because of a quality of care infraction.

(g) Individuals employed by a home care agency or rostered by the home care registry on _____ (*Editor's Note:* The blank refers to the effective date of adoption of this chapter.) shall achieve compliance with the training requirements imposed by this subpart by _____ (*Editor's Note:* The blank refers to a date 2 years after the effective date of adoption of this chapter.).

§ 611.56. Health evaluations.

(a) A home care agency or home care registry shall insure that each individual employed or rostered by the agency or registry and other office staff or contractors with direct consumer contact, prior to beginning work, provide documentation that is made part of the individual's personnel file, evidencing a screening assessment performed by a qualified health professional within 180 days prior to the individual's start date. The results of the screening assessment must include information showing that the individual was evaluated for tuberculosis risk factors, in accordance with guidelines issued by the Federal Centers for Disease Control and Prevention, and tested as necessary, and was screened for the following communicable diseases or conditions:

- (1) Hepatitis A.
- (2) Salmonella.

(3) Shigella.

(4) Shiga toxin producing *Escherichia coli*.

(5) Symptom caused by illness, infection or other source when the symptom is associated with gastrointestinal illness such as diarrhea, fever, vomiting, jaundice or, sore throat with fever.

(b) A home care agency or home care registry may not refer a direct care worker that is suspected by the home care agency or home care registry of having any of the communicable diseases or conditions listed in subsection (a). Subsequent referral shall be contingent on verification from a qualified health professional that the direct care worker is free from any of the communicable diseases or conditions listed in subsection (a).

(c) A home care agency or home care registry shall require each individual employed or rostered by the agency or registry, and other office staff or contractors with direct consumer contact, to obtain an updated screening assessment every 12 months and provide those results to the agency or registry. The updated screening assessment shall be made part of the individual's personnel file.

§ 611.57. Consumer protections.

(a) *Consumer rights.* The consumer of services provided by a home care agency or through a home care registry shall have the following rights:

(1) To be involved in the service planning process and to receive services with reasonable accommodation of individual needs and preferences, except when the health and safety of the direct care worker is at risk.

(2) To receive at least 10 days advance written notice of the intent of the home care agency or home care registry to terminate services. Less than 10 days advance written notice may be provided in the event the consumer has failed to pay for services, despite notice, and the consumer is more than 14 days in arrears, or if the health and welfare of the direct care worker is at risk.

(b) *Prohibitions.* No individual as a result of the individual's affiliation with a home care agency or home care registry may assume power of attorney or guardianship over a consumer utilizing the services of that home care agency or home care registry. The home care agency or home care registry may not require a consumer to endorse checks over to the home care agency or home care registry.

(c) *Information to be provided.* Prior to the commencement of services, the home care agency or home care registry shall provide to the consumer, the consumer's legal representative or responsible family member an information packet containing the following information in a form that is easily read and understood:

(1) A listing of the available home care agency or home care registry services that will be provided to the consumer by the direct care worker.

(2) The hours when those services will be provided.

(3) The fees and total costs for those services on an hourly or weekly basis.

(4) Who to contact at the Department for information about licensure requirements for a home care agency or home care registry and for compliance information about a particular home care agency or home care registry.

(5) The Department's Hot Line (1-800-222-0989) and the telephone number of the Ombudsman Program located with the local Area Agency on Aging (AAA).

(6) The hiring and training requirements applicable to direct care workers employed by the home care agency or referred by the home care registry, a description of the manner and frequency of periodic reassessment of direct care worker competency, and documentation maintained by the home care agency or home care registry to confirm compliance with hiring and training requirements under §§ 611.51 and 611.55 (relating to hiring or rostering of direct care workers; and training requirements).

(7) A disclosure, in a format to be published by the Department in the *Pennsylvania Bulletin* by _____ (Editor's Note: The blank refers to a date within 60 days after the effective date of adoption of this chapter.), addressing the employee or independent contractor status of the direct care worker providing services to the consumer, and the resultant respective tax and insurance obligations and other responsibilities of the consumer and the home care agency or home care registry.

[Pa.B. Doc. No. 07-1395. Filed for public inspection August 3, 2007, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

[4 PA. CODE CH. 250]

Special Rules of Administrative Practice and Procedure

The State Employees' Retirement Board (Board) proposes to amend § 250.1 (relating to applicability of general rules) and add § 250.2 (relating to appeal period from decisions of administrative staff) to read as set forth in Annex A.

A. Effective Date

The proposed rulemaking will go into effect upon final-form publication in the *Pennsylvania Bulletin*.

B. Contact Person

For further information, contact Robert Gentzel, Director of Communications and Policy, State Employees' Retirement System, 30 North Third Street, P. O. Box 1147, Harrisburg, PA 17108-1147, (717) 787-9657; or Paul M. Stahlnecker, Counsel, State Employees' Retirement System, 30 North Third Street, Harrisburg, PA 17101, (717) 783-7317. Information regarding submitting comments on this proposed rulemaking appears in Section H of this preamble.

C. Statutory Authority

This rulemaking is proposed under 71 Pa.C.S. § 5902(h) (relating to administrative duties of the board).

D. Background and Purpose

The proposed rulemaking will formalize current Board practice of granting a 30-day appeal period from decisions of administrative staff made under authority delegated by the Board. The provisions of 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) (GRAPP), which has been adopted by the Board under § 250.1, only provides for a 10-day appeal period.

The proposed rulemaking is intended to alleviate confusion and prevent possible disputes with regard to the

granting of the additional 20-day period in which an aggrieved party may file an appeal.

E. *Benefits, Costs and Compliance*

Benefits

The proposed rulemaking is intended to alleviate confusion and prevent possible disputes with regard to the granting of the additional 20-day period in which an aggrieved party may file an appeal.

Costs

There are no costs to the Commonwealth, its citizens or State employees associated with this proposed rulemaking.

Compliance Costs

The proposed rulemaking is not expected to impose additional compliance costs on State employees.

F. *Sunset Review*

Not applicable.

G. *Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on July 24, 2007, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House State Government Committee and the Senate Finance Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of comments, recommendations or objections raised.

H. *Public Comments*

Written comments—Interested persons are invited to submit comments, suggestions or objections regarding the proposed rulemaking to Robert Gentzel, Director of Communications and Policy, State Employees' Retirement System, 30 North Third Street, 5th Floor, Harrisburg, PA 17101. Comments submitted by facsimile will not be

accepted. The Board must receive comments, suggestions or objections within 30 days of publication in the *Pennsylvania Bulletin*.

Electronic comments—Comments may be submitted electronically to the Board at rgentzel@state.pa.us and must be received by the Board within 30 days of publication in the *Pennsylvania Bulletin*. A subject heading of the proposal and a return name and address must be included in each transmission. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt.

NICHOLAS J. MAIALE,
Chairperson

Fiscal Note: 31-6. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART X. STATE [EMPLOYEES'] EMPLOYEES' RETIREMENT BOARD

CHAPTER 250. SPECIAL RULES OF ADMINISTRATIVE PRACTICE AND PROCEDURE

Subchapter A. APPLICABILITY OF RULES

§ 250.1. Applicability of general rules

Under 1 Pa. Code § 31.1 (relating to scope of part), 1 Pa. Code Part II (relating to [**general rules of administrative practice and procedure**] **General Rules of Administrative Practice and Procedure**) is applicable to the activities of and proceedings before the Board, **except as provided in this chapter.**

§ 250.2. Appeal period from decisions of administrative staff.

(a) Decisions of administrative staff under authority delegated by the Board may be appealed to the Board by filing a formal appeal within 30 days after service of notice of the administrative decision. Extensions of this appeal period may be requested for good cause and will be granted at the discretion of the Board Secretary.

(b) This section supersedes 1 Pa. Code § 35.20 (relating to appeals from actions of the staff).

[Pa.B. Doc. No. 07-1396. Filed for public inspection August 3, 2007, 9:00 a.m.]

NOTICES

DEPARTMENT OF BANKING

Actions 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 24, 2007.

BANKING INSTITUTIONS

Section 112 Applications

<i>Date</i>	<i>Name of Individual</i>	<i>Location</i>	<i>Action</i>
7-19-07	J. Donald Steele, Jr., and Joanne K. Steele, to acquire up to 35.0% of the shares of common stock of Northumberland Bancorp, Northumberland	Northumberland	Approved

Interim Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-18-07	Elderton Interim Bank Elderton Armstrong County	Elderton	Approved and Effective

Incorporation of an interim bank in conjunction with the reorganization of Elderton State Bank to create a bank holding company structure. Elderton State Bank will become the wholly-owned subsidiary of Keystrong Financial, Inc., a new holding company in formation.

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-14-07	CommunityBanks Millersburg Dauphin County	749 East Main Street Mount Joy Lancaster County	Opened
6-25-07	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	1520 Cecil B. Moore Avenue Philadelphia Philadelphia County	Authorization Surrendered
7-12-07	Northwest Savings Bank Warren Warren County	605 East Dubois Avenue Dubois Clearfield County	Authorization Surrendered

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Branch Applications

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
7-3-07	TruMark Financial Credit Union Trevose Bucks County	863 Easton Road Jamison Bucks County	Filed
7-23-07	First Credit Union of Scranton Scranton Lackawanna County	18 Kennedy Drive Archbald Lackawanna County	Filed

The Department's website at www.banking.state.pa.us includes public notices for more recently filed applications.

VICTORIA A. REIDER,
Acting Secretary

[Pa.B. Doc. No. 07-1397. Filed for public inspection August 3, 2007, 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.

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or amendment
Section III	WQM	Industrial, sewage or animal waste; discharge into groundwater
Section IV	NPDES	MS4 individual permit
Section V	NPDES	MS4 permit waiver
Section VI	NPDES	Individual permit stormwater construction
Section VII	NPDES	NOI for coverage under NPDES general permits

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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PAS604801 IW	Abramson Auto Wrecking 3149 Nittany Valley Drive Howard, PA 16841	Walker Township Centre County	Little Fishing Creek 9C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0103209	Wattsburg Area School District 10782 Wattsburg Road Erie, PA 16509	Greene Township Erie County	UNT to LeBoeuf Creek 16-A	Y
PA0035718	John Koller and Son, Inc. 1734 Perry Highway Fredonia, PA 15124	Fairview Township Mercer County	UNT to Otter Creek 20-A	Y
PA0005622	Bessemer & Lake Erie Railroad 85 Ohl Street Greenville, PA 16125	Greenville Borough Mercer County	Shenango River 20-A	Y
PA0100129	Seneca Hills Bible Conference P. O. Box 288 Franklin, PA 16323	Victory Township Venango County	Sandy Creek 16-G	Y
PA0102679	Runamuck Camping Area 8896 US Highway 6 Conneaut Lake, PA 16316	Sadsbury Township Crawford County	UNT to Conneaut Lake 16-D	Y

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

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

PA0210196, Industrial Waste, **Seneca Landfill, Inc.**, P. O. Box 1080, Mars, PA 16046. This proposed facility is located in Jackson Township, **Butler County**.

Description of Proposed Activity: an existing discharge of treated industrial waste and stormwater.

The receiving water is Connoquenessing Creek. The receiving stream is in State Water Plan 20-C and is classified for the following uses: WWF, aquatic life, water supply and recreation. The nearest downstream potable water supply is the Beaver Falls Municipal Authority intake on the Beaver River, located at Eastvale, approximately 30 miles below the point of discharge.

Interim Limits (For Municipal Landfill Leachate)

The proposed effluent limits for Outfall 001 based on a design flow of 0.0432 mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX	XX			
CBOD ₅	13.3	50.4	37	140	175
NH ₃ -N	1.8	3.6	4.9	10	12.5
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)				200/100 ml 2,000/100 ml	
TSS	9.7	31.7	27	88	110
Oil and Grease	XX		15		30
Aluminum		XX		0.55	0.69
Iron, Total		XX		7.0	8.8
Manganese		XX		2.0	2.5
Zinc	XX	XX	0.11	0.2	0.25
TRC			XX		
a-Terpineol	XX	XX	0.016	0.033	0.041
Benzoic Acid	XX	XX	0.071	0.12	0.15
p-Cresol	XX	XX	0.014	0.025	0.031
Phenol	XX	XX	0.015	0.026	0.032
pH	Within limits of 6.0 to 9.0 Standard Units at all times.				

XX—Monitor and Report

Final Limits (For Centralized Waste Treatment—Multiple Wastestreams)

The proposed effluent limits for Outfall 001 based on a design flow of 0.085 mgd.

<i>Parameter</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Maximum Daily (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)	XX	XX			

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
BOD ₅			53	163	163
TSS			11.3	29.6	29.6
Oil and Grease			15		30
Antimony			0.0132	0.111	0.111
Arsenic			0.0199	0.0993	0.0993
Cadmium			0.0102	0.0172	0.0255
Chromium			0.0522	0.167	0.167
Cobalt			0.0703	0.182	0.182
Copper			0.216	0.659	0.659
Lead			0.16	0.35	0.4
Mercury			0.000246	0.000641	0.000641
Nickel			0.309	0.794	0.794
Selenium			0.0698	0.176	0.176
Silver			0.0122	0.0318	0.0318
Tin			0.0367	0.0955	0.0955
Titanium			0.00612	0.0159	0.0159
Vanadium			0.0518	0.0628	0.1295
Zinc			0.252	0.657	0.657
Acetone			7.97	30.2	30.2
Acetophenone			0.0562	0.114	0.1405
Bis (2-ethylhexyl) phthalate			0.101	0.215	0.252
2-Butanone			1.85	4.81	4.81
Butylbenzyl phthalate			0.0887	0.188	0.222
Carbazole			0.276	0.598	0.69
o-Cresol			0.561	1.92	1.92
p-Cresol			0.205	0.698	0.698
n-Decane			0.437	0.948	1.092
Fluoranthene			0.0268	0.0537	0.067
n-Octadecane			0.302	0.589	0.755
Phenol			1.08	3.65	3.65
Pyridine			0.182	0.37	0.455
2,4,6-Trichlorophenol			0.106	0.155	0.265
Cyanide			178	500	500
pH			Within limits of 6.0 to 9.0 Standard Units at all times.		

Stormwater Outfalls 002—005

XX—Monitor and Report

Special Conditions: Stormwater Best Management Practices

The EPA waiver is in effect.

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

PA0058408, Sewage, SIC 4952, **New Life Youth and Family Services Sewage Treatment Plant (STP)**, 585 Freeman School Road, Schwenksville, PA 19473. This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Proposed Activity: This application is for an existing sewage treatment facility.

The receiving stream, UNT to East Branch Perkiomen Creek, is in the State Water Plan Watershed 3E-Perkiomen and is classified for: TSF, aquatic life, water supply and recreation. The nearest downstream public water intake/supply is Pennsylvania American's Water Filtration Plant and is approximately 18 miles downstream on the Schuylkill River.

The effluent limits for Outfall 001 are based on a design flow of 22,500 gpd.

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Average Weekly	Average Monthly	Average Monthly	Instantaneous Average Weekly
CBOD ₅					
(5-1 to 10-31)			10		20
(11-1 to 4-30)			20		40
Total Suspended Solids			30		60
Fecal Coliform			200/100 ml		1,000/100 ml
Dissolved Oxygen			6.0 (Minimum)		
pH (Standard Units)			6.0 (Minimum)		9.0 (Maximum)

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Monthly</i>	<i>Instantaneous Average Weekly</i>
Ammonia as N (5-1 to 10-31)			1.5		3.0
(11-1 to 4-30)			4.5		9.0
Phosphorus as P			2.0		4.0

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.

The EPA waiver is in effect.

PA0244350, Sewage, SIC 4952, **Judy Schimpf Small Flow Sewage Treatment Plant (SFSTP)**, 1650 Fels Road, Pennsburg, PA 18073-2423. This proposed facility is located in Milford Township, **Bucks County**.

Description of Proposed Activity: This application is for a new sewage treatment plant serving a single-family home at the previous address. The facility is needed to replace a failing onlot system.

The receiving stream, UNT to Hazelbach Creek, is in the State Water Plan Watershed 3E-Perkiomen and is classified for: HQ-TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake is Pennsylvania American's Water Filtration Plant located on the Schuylkill River and is 22 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 400 gpd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow					
BOD ₅			10		20
Total Suspended Solids			10		20
Fecal Coliform*			200/100 ml		
Dissolved Oxygen			6.0 (Minimum)		
pH (Standard Units)			6.0 (Minimum)		9.0 (Maximum)

*Ultraviolet disinfection system. Once per year fecal coliform monitoring required. All other parameters monitoring is upon request by Department of Environmental Protection.

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.

The EPA waiver is in effect.

PA0036897 A1, Sewage, SIC 4952, **Borough of South Coatesville**, 136 Modena Road, South Coatesville, PA 19320.

Description of Proposed Activity: This application is for a NPDES permit amendment to rerate the hydraulic capacity of the Borough of South Coatesville Wastewater Treatment Plant to an annual average of 0.381 mgd from 0.365 mgd. This existing facility is located in South Coatesville Borough, **Chester County**.

The receiving stream, West Branch Brandywine Creek, is in the State Water Plan Watershed 3H Brandywine and is classified WWF for: WWF, potable water supply, industrial water supply, livestock water supply, wildlife water supply, irrigation, boating, fishing, water contact sports and esthetics. There are no downstream public water supply intakes on West Branch Brandywine or Brandywine Creek in Pennsylvania. Brandywine Creek crosses the State line approximately 9.5 miles downstream from the discharge point. Approximately 7.5 miles downstream from the State line is an intake for the City of Wilmington, DE.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.381 mgd.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Monthly Average</i>	<i>Weekly Average</i>	<i>Monthly Average</i>	<i>Weekly Average</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	79	127	25	40	50
Total Suspended Solids	95	143	30	45	60
Ammonia as N (5-1 to 10-30)	22		7.0		14
(11-1 to 4-30)	67		21		42
Total Phosphorus	6.4		2.0		4.0
Fecal Coliform			200/100 ml		1,000/100 ml
Dissolved Oxygen			2.0 (minimum)		
pH (Standard Units)			6.0 (minimum)		9.0

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Monthly Average</i>	<i>Weekly Average</i>	<i>Monthly Average</i>	<i>Weekly Average</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine			0.5		1.2
Total Nitrogen	Monitor and Report		Monitor and Report		

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

1. Notification of Designation of Operator.
2. Average Weekly Definition.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Total Residual Chlorine Requirement.
7. Sludge Disposal Requirement.
8. Imax Requirements.
9. Laboratory Certification.
10. Certified Operator.

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

PA#0065188, Sewage, **Wayne Economic Development Corporation**, 303 Commercial Street, Suite 109, Honesdale, PA 18431. This proposed facility is located in Sterling Township, **Wayne County**.

Description of Proposed Activity: Issuance of an NPDES Permit.

The receiving stream, West Branch Wallenpaupack Creek, is in the State Water Plan Watershed 1C and is classified for: HQ-CWF. The nearest downstream public water supply intake for proposed East Stroudsburg/Stroudsburg Intake is located on the Delaware River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.035.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	10		20
Total Suspended Solids	10		20
NH ₃ -N			
(5-1 to 10-31)	3		6
(11-1 to 4-30)	9		18
Phosphorus as "P"	0.3		0.6
Dissolved Oxygen	A minimum of 3 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric mean		
(10-1 to 4-30)	2,000/100 ml as a geometric mean		
pH	6.0 to 9.0 Standard Units at all times.		
Total Residual Chlorine	Ultraviolet Disinfection or Nondetect		

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

Application No. PA 0054852, Industrial Waste, SIC Code 4953, **WBLF Acquisitions, LLC**, 256 Eagle View Boulevard, Exton, PA 19341. This facility is located in Cumru Township, **Berks County**.

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

The receiving stream, Schuylkill River, is in Watershed 3-C, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Borough of Pottstown Water and Sewer Authority located on the Schuylkill River, approximately 15 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 0.04 mgd are:

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report	Monitor and Report			
pH (Standard Units)				6.0 to 9.0	
TSS	Monitor and Report	Monitor and Report	27	60	75

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
BOD	Monitor and Report	Monitor and Report	37	140	175
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)			200 2,000		
NH ₃ -N	Monitor and Report	Monitor and Report	5		10
Total Residual Chlorine			0.5		2.5
Total Zinc	Monitor and Report	Monitor and Report	0.11	0.275	0.275
Phenol	Monitor and Report	Monitor and Report	0.015	0.037	0.037
p-Cresol	Monitor and Report	Monitor and Report	0.014	0.035	0.035
Alpha Terpineol	Monitor and Report	Monitor and Report	0.016	0.04	0.04
Benzoic Acid	Monitor and Report	Monitor and Report	0.071	0.177	0.177
TDS	2,568	5,137	7,700	15,400	19,250

Persons 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 0085707, Industrial Waste, SIC Code 2015, **Cocalico Valley Poultry Farms**, 1095 Mt. Airy Road, Stevens, PA 17578. This facility is located in West Cocalico Township, **Lancaster County**.

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

The receiving stream, UNT of Indian Run, is in Watershed 7-J, and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Lancaster Municipal Water Authority located on the Conestoga River, approximately 24 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 0.035 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	50	62
Suspended Solids	30	60	75
NH ₃ -N			
(5-1 to 10-31)	2.5	5.0	6.25
(11-1 to 4-30)	7.5	15	18.75
Total Phosphorus	2.0	4.0	5.0
Total Residual Chlorine	0.5		1.6
Oil and Grease	15		30
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	

Persons 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 0008303, Industrial Waste, SIC Code 3312, **ISG Steelton, LLC**, 215 Front Street, Steelton, PA 17113-2594. This facility is located in Steelton Borough, **Dauphin County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-C, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Columbia Water Company located on the Susquehanna River, approximately 25.2 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 002 based on a design flow of 19.7 mgd are:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
pH (Standard Units)	From 6.0 to 9.0 inclusive				
Total Suspended Solids			30	60	
Oil and Grease			10	15	
Temperature				105° F	

The proposed effluent limits for IMP 102 based on a design flow of 6.7 mgd are:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
pH (Standard Units)	From 6.0 to 9.0 inclusive				
Total Suspended Solids	1,105	2,962	15	40	50
Oil and Grease	253	668		10	12.5

The proposed effluent limits for IMP 112 based on a design flow of 0.17 mgd are:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
pH (Standard Units)	From 6.0 to 9.0 inclusive				
Total Suspended Solids				Monitor and Report	
Oil and Grease				Monitor and Report	
Total Lead	0.14	0.41	0.3	0.9	1.1
Total Zinc	0.21	0.62	0.45	1.35	1.68

The proposed effluent limits for IMP 122 based on a design flow of 0.05 mgd are:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
pH (Standard Units)	From 6.0 to 9.0 inclusive				
Total Suspended Solids				Monitor and Report	
Total Lead	0.14	0.41	0.3	0.9	1.1
Total Zinc	0.20	0.62	0.45	1.35	1.68

The proposed effluent limits for Stormwater Outfalls 001—006, 008 and 015 are:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
COD				Monitor and Report	
Total Suspended Solids				Monitor and Report	
Total Lead				Monitor and Report	
Total Zinc				Monitor and Report	
Total Iron				Monitor and Report	
Oil and Grease				Monitor and Report	
pH (Standard Units)				Monitor and Report	

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

- Requirements applicable to stormwater.
- Controlling chemical additives usage rates.

Persons 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 not in effect.

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

PA0229164, Nonmunicipal NPDES, SIC 4952, **Judith A. Taylor**, 168 Hastings Road, Bellefonte, PA 16823. The proposed facility will be located in Union Township, **Centre County**.

Description of Proposed Activity: The applicant has applied for an NPDES permit to authorize the discharge from the proposed small flow treatment facility to serve the Taylor residence. The SFTF will consist of a septic tank, an effluent filter, a peat biofilter and an erosion chlorinator.

The receiving stream, a UNT to Dewitt Run, is in the State Water Plan Watershed 9C and is classified for: CWF. The nearest downstream public water supply intake, for the Pennsylvania-American Water Company in Milton, PA, is 89 river miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Instantaneous Maximum
pH	6.0 to 9.0 Standard Units at all times			
Fecal Coliforms (5-1 to 9-30) (10-1 to 4-30)	200 colonies per 100 ml as Geometric Mean (2,000 colonies per 100 ml as Geometric Mean)			
BOD ₅			25	50
TSS			30	60
Total Residual Chlorine			Monitor	

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

PA0000558, Industrial Waste, SIC 6512, **Hertz Gateway Center, LP**, Two Gateway Center, 603 Stanwix Street, Suite 400, Pittsburgh, PA 15222-1402. This application is for renewal of an NPDES permit to discharge untreated noncontact cooling water and filter backwash from Gateway Center in the City of Pittsburgh, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Allegheny River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Emsworth Lock and Dam located at Neville Island, 5.3 miles below the discharge point.

Outfall 001: existing discharge, design flow 21.4 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Total Suspended Solids			0.5		1.25
Temperature, ° F					110
pH	not less than 6.0 nor greater than 9.0				

Outfall 101: existing discharge, design flow of 0.864 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Total Suspended Solids			30		60
Total Iron			2		4
Total Aluminum			4		8
Total Manganese			1		2
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA0097110, Industrial Waste, SIC 4153, **Shade Landfill, Inc.**, 1176 No. 1 Road, Cairnbrook, PA 15924. This application is for the renewal of an NPDES permit to discharge treated leachate and underdrain and stormwater from the Shade Landfill in Shade Township, **Somerset County**.

The following effluent limitations are proposed for discharge to receiving waters, Laurel Run and Dark Shade Creek both classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Buffalo Township Municipal Authority on the Allegheny River located at Freeport, PA, 105 miles below the discharge point.

Outfall 001: existing discharge to Laurel Run, design flow of 0.025 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	0.025	Monitor and Report			
CBOD ₅			31		78
BOD			37	140	

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			23	46	
Oil and Grease			15		30
Ammonia-nitrogen					
(5-1 to 10-31)			3.4	6.8	
(11-1 to 4-30)			4.9	10	
Total Residual Chlorine			0.5		1.0
Fecal Coliforms					
(5-1 to 9-30)			200/100 ml		1,000/100 ml
(10-1 to 4-30)			2,000/100 ml		
Antimony			0.022	0.044	
Beryllium			Nondetectable using EPA test method 200.7		
Boron			3.6	7.2	
Cadmium					
Interim			0.003	0.006	
Final			0.0006	0.0012	
Copper					
Interim			0.025	0.05	
Final			0.021	0.042	
Iron			3.3	6.6	
Iron, dissolved			0.66	1.32	
Lead			0.007	0.014	
Silver			0.006	0.012	
Thallium			0.004	0.008	
Zinc			0.11	0.20	
Nickel					
Interim			0.150	0.30	
Final			0.124	0.248	
a-Terpineol			0.016	0.033	
Benzoic acid			0.071	0.12	
p-Cresol			0.014	0.025	
Phenol			0.015	0.026	
pH			Not less than 6.0 nor greater than 9.0		

Outfall 001: existing discharge to Laurel Run, design flow of 0.04 mgd. These limits are effective if the monthly average flow rate is greater than 0.025 mgd up to 0.04 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	0.04	Monitor and Report			
CBOD ₅			31		78
BOD			37	140	
Suspended Solids			23	46	
Oil and Grease			15		30
Ammonia-nitrogen					
(5-1 to 10-31)			2.9	5.8	
(11-1 to 4-30)			4.9	10	
Total Residual Chlorine			0.41		1.0
Fecal Coliforms					
(5-1 to 9-30)			200/100 ml		1,000/100 ml
(10-1 to 4-30)			2,000/100 ml		
Antimony			0.018	0.036	
Beryllium			Nondetectable using EPA test method 200.7		
Boron			2.8	5.6	
Cadmium					
Interim			0.002	0.004	
Final			0.0005	0.001	
Copper					
Interim			0.02	0.04	
Final			0.017	0.034	
Iron			2.6	5.2	
Iron, dissolved			0.53	1.06	
Lead			0.006	0.012	
Silver			0.005	0.010	
Thallium			0.004	0.008	

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Zinc			0.11	0.20	
Nickel					
Interim			0.150	0.30	
Final			0.098	0.196	
a-Terpineol			0.016	0.033	
Benzoic acid			0.071	0.12	
p-Cresol			0.014	0.025	
Phenol			0.015	0.026	
pH			Not less than 6.0 nor greater than 9.0		

Outfall 001: new discharge to Dark Shade Creek, design flow of 0.025 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	0.025	Monitor and Report			
CBOD ₅			31		78
BOD			37	140	
Suspended Solids			23	46	
Oil and Grease			15		30
Ammonia-nitrogen					
(5-1 to 10-31)			3.4	6.8	
(11-1 to 4-30)			4.9	10	
Total Residual Chlorine			0.5		1.0
Fecal Coliforms:					
(5-1 to 9-30)			200/100 ml		1,000/100 ml
(10-1 to 4-30)			2,000/100 ml		
Antimony			0.022	0.044	
Beryllium			Nondetectable using EPA test method 200.7		
Boron			20.9	41.8	
Cadmium			0.003	0.006	
Copper			0.025	0.05	
Iron			3.3	6.6	
Iron, dissolved			0.66	1.32	
Lead			0.007	0.014	
Silver			0.006	0.012	
Thallium			0.004	0.008	
Zinc			0.11	0.20	
Nickel			0.68	1.36	
a-Terpineol			0.016	0.033	
Benzoic acid			0.071	0.12	
p-Cresol			0.014	0.025	
Phenol			0.015	0.026	
pH			Not less than 6.0 nor greater than 9.0		

Outfall 001: new discharge to Dark Shade Creek, design flow of 0.04 mgd. These limits are effective if the monthly average flow rate is greater than 0.025 mgd up to 0.04 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	0.04	Monitor and Report			
CBOD ₅			31		78
BOD			37	140	
Suspended Solids			23	46	
Oil and Grease			15		30
Ammonia-nitrogen					
(5-1 to 10-31)			2.9	5.8	
(11-1 to 4-30)			4.9	10	
Total Residual Chlorine			0.5		1.0
Fecal Coliforms:					
(5-1 to 9-30)			200/100 ml		1,000/100 ml
(10-1 to 4-30)			2,000/100 ml		
Antimony			0.018	0.036	
Beryllium			Nondetectable using EPA test method 200.7		
Boron			13.7	27.4	

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Cadmium			0.002	0.004	
Copper			0.025	0.05	
Iron			2.6	5.2	
Iron, dissolved			0.53	1.06	
Lead			0.006	0.012	
Silver			0.005	0.010	
Thallium			0.004	0.008	
Zinc			0.11	0.20	
Nickel			0.45	0.90	
a-Terpineol			0.016	0.033	
Benzoic acid			0.071	0.12	
p-Cresol			0.014	0.025	
Phenol			0.015	0.026	
pH			Not less than 6.0 nor greater than 9.0		

Outfall 002: existing discharge, average flow of 0.002 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended Solids			35	70	
Cadmium			0.005	0.01	
Iron			3.0	6.0	
Manganese			1.03	2.06	
Silver			0.011	0.022	
Iron, dissolved				7.0	

Outfalls 003—007: existing discharge, design flow of varied mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			Monitor and Report		
Oil and Grease			Monitor and Report		
CBOD ₅			Monitor and Report		
Dissolved Solids			Monitor and Report		
Ammonia-nitrogen			Monitor and Report		
Arsenic			Monitor and Report		
Cadmium			Monitor and Report		
Chromium			Monitor and Report		
Iron			Monitor and Report		
Iron, dissolved			Monitor and Report		
Lead			Monitor and Report		
Mercury			Monitor and Report		
Selenium			Monitor and Report		
Silver			Monitor and Report		
Zinc			Monitor and Report		
ph			Monitor and Report		

The EPA waiver is in effect.

PA0090824, Sewage, **New Plan of Laurel Mall, Inc., c/o New Plan Excel Realty Trust**, 420 Lexington Avenue, New York, NY 10170. This application is for renewal of an NPDES permit to discharge treated sewage from Laurel Mall Sewage Treatment Plant in Dunbar Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Gist Run, which are classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westmoreland County Municipal Authority-McKeesport.

Outfall 001: existing discharge, design flow of 0.032 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0			10.0
(11-1 to 4-30)	15.0			30.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0092037, Sewage, **Roy Teague**, 5404 Pleasant Unity Road, Latrobe, PA 15650. This application is for renewal of an NPDES permit to discharge treated sewage from the Teagues Mobile Home Park STP in Unity Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Little Crabtree 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 Municipal Authority of Buffalo Township.

Outfall 001: existing discharge, design flow of 0.00525 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Phosphorus	2			4
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0096067, Sewage, **Mount Pleasant Area School District**, 271 State Street, Mount Pleasant, PA 15666. This application is for renewal of an NPDES permit to discharge treated sewage from Westmoreland Homesteads STP in Mt. Pleasant Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Sewickley Creek, which are classified as a HQ-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 McKeesport Municipal Water Authority.

Outfall 001: existing discharge, design flow of 0.02 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0096130, Sewage, **Nemacolin, Inc.**, 379 Grant Avenue, Box 484, Nemacolin, PA 15351-0484. This application is for renewal of an NPDES permit to discharge treated sewage from Nemacolin, Inc. Sewage Treatment Plant in Cumberland Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Monongahela River, 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 Carmichaels Municipal Authority located on the Monongahela River.

Outfall 001: existing discharge, design flow of 0.1 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0096652, Sewage, **Miley Motor Sports**, P. O. Box 4530, Pittsburgh, PA 15205. This application is for renewal of an NPDES permit to discharge treated sewage from Pennsylvania Motor Speedway STP in North Fayette Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as a UNT (Drainage Swale) to Half Crown 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 West View Borough Municipal Water Authority on the Ohio River.

Outfall 001: existing discharge, design flow of 0.025 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0205681, Sewage, **Somerset Township Municipal Authority**, 2209 North Center Avenue, P. O. Box 247, Somerset, PA 15501-0247. This application is for renewal of an NPDES permit to discharge treated sewage from Somerset Correctional Facility Sewage Treatment Plant in Black Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Laurel 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 Ohiopyle Municipal Wastewater Authority located on the Youghiogheny River.

Outfall 001: existing discharge, design flow of 0.42 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10	15		20
Suspended Solids	10	15		20
Ammonia Nitrogen				
(5-1 to 10-31)	1.9	2.9		3.8
(11-1 to 4-30)	2.8	4.2		5.6
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
Total Residual Chlorine	0.06			0.18
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0219177, Sewage, **Dana Mining Company of PA, Inc.**, P. O. Box 1170, Morgantown, WV 26507. This application is for issuance of an NPDES permit to discharge treated sewage from Titus Mine Sewage Treatment Plant in Dunkard Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Dunkard 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 Dunkard Valley Joint Municipal Authority located on the Monongahela River.

Outfall 001: new discharge, design flow of 0.001 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	9.0			18.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a geometric mean			
(10-1 to 4-30)	2,000/100 ml as a geometric mean			
pH	not less than 6.0 nor greater than 9.0			

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)

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

WQM Permit No. 4607406, Sewerage, **Lower Salford Township Authority**, P. O. Box 243, Mainland, PA 19451. This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sanitary pump station and force main.

WQM Permit No. 1507406, Sewerage, **East Brandywine Township Municipal Authority**, 1214 Horseshoe Pike, Downingtown, PA 19335-1153. This proposed facility is located in East Brandywine Township, **Chester County**.

Description of Action/Activity: Construction and operation of a sewage treatment plant with drip irrigation disposal.

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

WQM Permit No. 0607401, Sewerage, **Quest Land Development, LLC**, 711 Spring Street, Wyomissing, PA 19610. This proposed facility is located in Muhlenberg Township, **Berks County**.

Description of Proposed Action/Activity: Application for construction/operation of a pump station and sewer extension to serve the Spring Valley Land Development.

WQM Permit No. 2104040, Amendment 07-1, Sewerage, **Silver Spring Township Authority**, 31 West Main Street, New Kingstown, PA 17072-1001. This proposed facility is located in Silver Spring Township, **Cumberland County**.

Description of Proposed Action/Activity: Application to increase the Walden Pump Station capacity to serve an additional 236 residential lots and 3 commercial lots (formerly Tyson Commons).

WQM Permit No. 2105402, Amendment 07-1, Sewerage, **Shippensburg Borough Authority**, 111 North Fayette Street, P. O. Box 129, Shippensburg, PA 17257-0129. This proposed facility is located in Southampton Township, **Franklin County**.

Description of Proposed Action/Activity: Application for modifications to existing activated sludge process tanks and construct an additional tank to facilitate implementation of biological nutrient treatment.

WQM Permit No. 2107201, Industrial Waste, **Fish and Boat Commission, Bureau of Engineering and Development**, 450 Robison Lane, Bellefonte, PA 16823-9616. This proposed facility is located in Penn Township, **Cumberland County**.

Description of Proposed Action/Activity: Application to upgrade water treatment and renovate station buildings and utilities project at the Huntsdale Fish Culture Station.

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

WQM Permit No. WQG016147, Sewerage, **Michael Otowski**, 206 Golf Avenue, Elwood City, PA 16117. This proposed facility is located in Big Beaver Borough, **Beaver County**.

Description of Proposed Action/Activity: Application for the construction and operation of a single-residence sewage treatment plant.

WQM Permit No. WQG016148, Sewerage, **Ardex, LP**, 400 Ardex Park Drive, Aliquippa, PA 15001. This proposed facility is located in Center Township, **Beaver County**.

Description of Proposed Action/Activity: Application for the construction and operation of a small flow sewage treatment facility.

WQM Permit No. 0207401, Sewerage, **McCandless Township Sewer Authority**, 418 Arcadia Drive, Pittsburgh, PA 15237. This proposed facility is located in Marshall Township, **Allegheny County**.

Description of Proposed Action/Activity: Application for the construction and operation of the Neely School Road Pump Station.

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

V. Applications for NPDES Wavier 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.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010906042	Sohum Development Corporation 2185 Stewart Drive Hatfield, PA 19440	Bucks	Milford Township	Molasses Creek HQ-TSF
PAI010907010	Prime Properties, Inc. 1630 Meetinghouse Road Harlysville, PA 18974	Bucks	Springfield Township	Unami Creek HQ-TSF
PAI011507032	Apostolic Christian Church of America 3281 Phoenixville Pike Phoenixville, PA 19460	Chester	Charlestown Township	Little Valley Creek EV

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10S056R(4)	Sanofi Pasteur Inc. Discovery Drive Route 611 Swiftwater, PA 18370	Monroe	Pocono Township	Scot Run HQ-CWF
PAI024505025(1)	Mount Airy #1, LLC 44 Woodland Road Mt. Pocono, PA 18344	Monroe	Paradise Township	Paradise Creek HQ-CWF

Northampton County Conservation District: Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024807010	Borough of Freemansburg 600 Monroe Street Freemansburg, PA 18017	Northampton	Freemansburg Borough	Nancy Run HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI034407002	Newton Wayne Joint Authority c/o Victor Dimoff 45 Club Lane Mount Union, PA 17066	Mifflin	Newton Hamilton Borough	Juniata River WWF
PAI030606004	Donald Kuser E. Kuser, Inc. 150 Grings Hill Road Sinking Spring, PA 19608	Berks	Spring Township	Wyomissing Creek HQ-CWF

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

Butler Conservation District: 122 McCune Drive, Butler PA 16001-6501, (724) 284-5270.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI061007001	Diane Sheets Community Development Corporation of Butler County 122 Woody Avenue Butler, PA 16001	Butler	Butler Township City of Butler	Connoquenessing Creek WWF

VII. List of NOIs for NPDES and/or Other General Permit Types

PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

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

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

Application No. 4007504 , Public Water Supply.	
Applicant	Aqua Pennsylvania Inc. (Meadowcrest) Kingston Township Luzerne County

Responsible Official	Patrick R. Burke, Regional Manager Aqua Pennsylvania, Inc. 50 East Woodhaven Drive White Haven, PA 18661
Type of Facility	Public Water System
Consulting Engineer	CET Engineering Services 1240 North Mountain Road Harrisburg, PA
Application Received Date	June 28, 2007
Description of Action	The addition of a new source, well No. 5 to replace well No. 2.

Application No. 1307504, Public Water Supply.

Applicant	Brew House Coffee Depot, Inc. 4451 Lehigh Drive Walnutport, PA 18088-9511 Palmerton Borough Carbon County
Responsible Official	Leo Livengood, Owner 620 Hickory Road Palmerton, PA 18071
Type of Facility	PWS
Consulting Engineer	George Ruby, P. E. Ruby Engineering 3605 Island Club Drive Unit No. 9 North Port, FL 34288-6611
Application Received Date	July 9, 2007
Description of Action	Application proposes the installation of a nitrate reduction anion exchange system.

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

Permit No. 2207509, Public Water Supply.

Applicant	Loyalton Water Association
Municipality	Washington Township
County	Dauphin

Responsible Official Loyalton Water Association,
Operator
1160 North Second Street
Lykens, PA 17048

Type of Facility Public Water Supply

Consulting Engineer Angelo A. Tesoriero, P. E.
GeoSource Engineers
7 Winter Drive
Dillsburg, PA 17019-9550

Application Received: July 6, 2007

Description of Action Addition of caustic soda for pH
adjustment.

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

Application No. 4307502, Public Water Supply.

Applicant **Signature Aluminum, Inc**

Township or Borough Pine Grove Township
Mercer County

Responsible Official John E. Thigpen, President

Consulting Engineer Dennis A. DeSilvey, P. E.
Creative Environmental
Solutions, Inc.
211 Gearhart Road
Pulaski, PA 16143

Application Received
Date July 2, 2007

Description of Action Installation of Greensand
filtration with potassium
permanganate regeneration
system to correct arsenic mcl.

Application No. 2507504, Public Water Supply.

Applicant **Edinboro Mobile Home
Village**

Township or Borough Washington Township
Erie County

Responsible Official William Olczak, Owner

Consulting Engineer Robert L. Rabell, P. E.
Robert L. Rabell Surveying &
Engineering
10560 Walnut Street
Albion, PA 16401

Application Received
Date July 20, 2007

Description of Action Addition of Well No. D6 to the
potable water system servicing
the residents of the Mobile Home
Park.

WATER ALLOCATIONS

**Applications received under the act of June 24,
1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641)
relating to the Acquisition of Rights to Divert
Waters of the Commonwealth.**

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

WA-67, Water Allocation, Aqua Pennsylvania Inc.,
762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489,
Lower Providence Township, **Montgomery County**. This
application is for Perkiomen Water Allocation Permit
Renewal.

**WA-15-182-E, Water Allocation, Pennsylvania Ameri-
can Water, 4 Wellington Boulevard, Reading, PA 19610,**
Caln Township, **Chester County**. This application is for
interconnection with Downingtown Municipal Water Au-
thority including water main and pump station.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

**Acknowledgment of Notices of Intent to Remediate
Submitted under the Land Recycling and Envi-
ronmental Remediation Standards Act (35 P. S.
§§ 6026.101—6026.908).**

Sections 302—305 of the Land Recycling and Environ-
mental 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 Stan-
dard, the Site-Specific Standard or who intend to remedi-
ate 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 demon-
strates 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)(1)(ii) and 305(c)(2) of the act,
there is a 30-day public and municipal comment period
for sites proposed for remediation using a Site-Specific
Standard, in whole or in part, and for sites remediated as
a special industrial area. This period begins when a
summary of the Notice of Intent to Remediate is pub-
lished 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 remedia-
tion 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 alter-
native 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.

1574 Bristol Pike Site, Bensalem Township, **Bucks County**. Terry Harris, Boucher & James, Inc., Fountainville Professional Building, 1456 Ferry Road, Building 500, Doylestown, PA 18901 on behalf of Chris Mazullo, Mazmar, LLC, 77 West Court Street, Doylestown, PA 18901 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of MTBE and diesel fuel. The future use of the site will remain the same. A summary of the Notice of Intent to Remediate was reported to have been published in the *Bucks County Courier Times* on November 22, 2006.

Monroe Office Building, LAD Presidential III, City of Philadelphia, **Philadelphia County**. Gerry Kirkpatrick, Environmental Standards, 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482 on behalf of George David, Jr., LAD Presidential III, LLP, 13 Allandale Road, Wynnwood, PA 19096 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of No. 2 fuel oil and unleaded gasoline. The current and intended future use of the property is for commercial space.

Frazer Shop Center, East Whiteland Township, **Chester County**. Phil Gray, Phoenix GeoEnvironmental, LLC, 445 Bethlehem Pike, Suite 108, Colmar, PA 18915 on behalf of Michael Stapler, Metropol Properties, LP, and P. O. Box 1189, Frazer, PA 19355 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of chlorinated solvents. The future use of the site will be commercial. A summary of the Notice of Intent to Remediate was reported to have been published in the *Daily Local News* on June 21, 2007.

Fibre Metal Products Company, Concord Township, **Delaware County**. Jennifer Gresh, Duffield Associates, Inc., 5400 Limestone Road, Wilmington, DE 19808 on behalf of Charles Grandi, Bowers Property Management Company, LLC, 140 Jaffrey Road, Malvern, PA 19355 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted by release of chlorinated solvents. The intended future use of the property is for office and commercial uses.

PECO Orleand MGP, Springfield Township, **Montgomery County**. Douglas Kier, URS Corporation, 335 Commerce Drive, Suite 300, Fort Washington, PA 19034 on behalf of Benjamin Henry, PECPO Energy Company, 2301 Market Street, S9-1, Philadelphia, PA 19101 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of other organics. The future use of the property is undetermined.

Malvern Preparatory School, Malvern Borough, **Chester County**. Richard Werner, Environmental Consulting, Inc., 500 East Washington Street, Norristown, PA 19401 on behalf of Ted Caniglia, Malvern Preparatory School, 418 South Warren Avenue, PA 19355 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of No. 2 fuel oil. The present use of the property is residential and the proposed future use of the property is the same.

Northeast Region: Ronald S. Brezinski, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Davey Residence, Palmyra Township, **Pike County**. James Sposito, James P. Sposito Associates, 11 Archbald Street, Carbondale, PA 18407 has submitted a Notice of Intent to Remediate (on behalf of his client, John Davey, 114 Windward Way, Paupack, PA 18451), concerning the remediation of soils found or suspected to have been impacted by No. 2 fuel oil as a result of an accidental release. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard. The proposed future use of the property will be residential. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

Former Cincinnati Milacron, North Middleton Township, **Cumberland County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of DAC Realty, 590 Rutter Avenue, Kingston, PA 18704-4719, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with VOCs, petroleum compounds and chlorinated solvents. The property is a former manufacturing facility and future use is for non-residential commercial development. The applicant is seeking to remediate to the Statewide Health Standard.

Ames True Temper—Harrisburg Facility, Harrisburg City, **Dauphin County**. BB & J, LLC, 1641 Saw Mill Run Boulevard, Pittsburgh, PA 15210-3433, on behalf of Ames True Temper, 465 Railroad Avenue, Camp Hill, PA 17001, submitted a Notice of Intent to Remediate soils contaminated with fuel oil released during removal of underground storage tanks. The property is commercial and will remain a commercial property in the future. The applicant is seeking to remediate to the Site-Specific Standard.

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

Former Agway Keytrol (Yawga), Canton Borough, **Bradford County**. EMS Environmental Inc. on behalf of Agway Energy Products, 333 Butternut Drive, Dewitt, NY 13214 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with unleaded gasoline. The applicant proposes to remediate the site to meet the Statewide Health Standard.

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. 101689. Valley Waste Service, Inc., 121 Brickyard Road, Mars, PA 16046. Valley Waste Service, Wallace Run Road, Beaver Falls, PA 15010. Application for a municipal waste transfer station in Big Beaver and West Mayfield Boroughs, Chippewa Township, **Beaver County** was received in the Regional Office on July 24, 2007.

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, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

01-05016J: ISP Minerals, Inc. (P. O. Box O, 1455 Old Waynesboro Road, Blue Ridge Summit, PA 17214-0914) for installation of an additional baghouse for their exist-

ing crushing and screening operations. These sources will be controlled by the use of an existing fabric filter baghouse in Hamiltonban Township, **Adams County**.

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

65-00981: Solar Power Industries, Inc. (440 Jonathan Willey Road, Belle Vernon, PA 15012) for installation of various sources of regulated air pollutants and associated air pollution control equipment in a proposed expansion of an existing solar power cell and panel manufacturing facility in Rostraver Township, **Westmoreland County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, George Monasky, New Source Review Chief, (814) 332-6940.

33-155C: Trail King Industries, Inc. (147 Industrial Park Road, Brookville, PA 15825-9798) to install a plasma cutting table and associated downflow air filtration system at their manufacturing facility in Brookville Borough, **Jefferson County**.

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.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Thomas McGinley, New Source Review Chief, (484) 250-5920.

09-0186A: Kinder Morgan Bulk Terminals, Inc. (1 Sinter Lane, Fairless Hills, PA 19030) for construction of a fertilizer material Transfer and storage operation that will unload various forms of fertilizers from barges and cargo ships, store the material and then ship fertilizer out in trucks or railcars in Falls Township, **Bucks County**. The only pollutant of concern from the proposed operation is PM emissions. This operation will have a potential-to-emit of 34.85 tpy for total PM, 13.24 tpy for PM10 and 2.01 tpy for PM2.5. The facility will be restricted to a site-wide limit of 109 tpy for total PM and 34 tpy for PM10, keeping this facility from being a Title V facility. PM emissions will be controlled by covers on conveyors, enclosures around transfer points and total enclosures around other various parts of the operation. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

46-0166A: M & M Stone Co. (460 Indian Creek Road, Harleysville, PA 19438) for installation of a replacement dust collector at their Hot Mix Asphalt plant, in Lower Salford Township, **Montgomery County**. This facility is a non-Title V facility. The new dust collector will reduce emissions of filterable PM to 0.02 grains per dry standard cubic foot or less and PM10 emissions will be equal to or less than 6.3 tpy. This application will not increase emissions of PM10 at this facility. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Mark Wejksznier, New Source Review Chief, (570) 826-2531.

48-310-066: Brandenburg Industrial Service, Co. (2217 Spillman Drive, Bethlehem, PA 18015) for construction of a concrete crushing operation and associated air cleaning device (water spray dust suppression system) at their facility in Bethlehem, **Northampton County**. The concrete crushing operation is a non-Title V facility. The fugitive dust emissions from the concrete crushing plant will be controlled by a water spray dust suppression system to the extent that the concrete crushing operation will comply with the fugitive air contaminant emission requirements of 25 Pa. Code §§ 123.1 and 123.2 and the requirements of 40 CFR Part 60, Subpart OOO—Standards of Performance for New Stationary Sources. The plan approval will include emissions restrictions, monitoring, work practices, reporting and recordkeeping requirements designed to keep the sources operating within all applicable air quality requirements.

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

ER 36-05014A: Alumax Mill Products, Inc. (1480 Manheim Pike, Lancaster, PA 17601) for an Emission Reduction Credit approval for 48 tons of VOC from the shutdown of the Bliss I cold rolling mill at the Lancaster rolling mill in Manheim Township, **Lancaster County**.

67-05046E: BAE Systems Land and Armaments, LP (1100 Bairs Road, York, PA 17404) for installation of four washing booths at their Ground Systems Division in West Manchester Township, **York County**. The booths will have VOC emissions due to a change in the detergent used. The facility has a VOC emission limit of 50 tpy for all sources. Standard monitoring, recordkeeping and work practice standards shall be included to keep the facility operating within all applicable requirements.

67-05046F: BAE Systems Land and Armaments, LP (1100 Bairs Road, York, PA 17404) for installation of a surface coating line, a vehicle wash booth and metal processing equipment controlled by three fabric filters at their plant in West Manchester Township, **York County**. The annual limit on VOC emissions from surface coating will increase to 41 tpy. The plan approval will include emission limits along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Mark Wejkszner, New Source Review Chief, (570) 826-2531.

48-00034: Lafayette College (Plant Operations Building, Easton, PA 18042) for a Title V Operating Permit modification for a facility in the City of Easton, **Northampton County**. The modification is for the derating of two Nebraska boilers from 37.5 mmBtu/hr each to 29.5 mmBtu/hr and approved by the Department of Environmental Protection. The derating of the boilers causes the requirement for a Continuous Opacity Monitoring System per 40 CFR Part 60, Subpart Dc to be removed from the operating permit. The proposed Title V Operating Permit Modification contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Matthew Williams, Facilities Permitting Chief, (814) 332-6940.

10-00028: Armstrong Cement And Supply Corp. (100 Clearfield Road, Cabot, PA 16023) for reissuance of a Title V Permit to operate a cement manufacturing facility in Winfield Township, **Butler County**. The facility's major emission sources include raw material stockpiles, primary and secondary crushers for raw materials, material conveyance systems, cement kilns, finish mills and miscellaneous support operations. The facility is a major facility due to its potential to emit PM₁₀, SO_x, NO_x and CO.

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001—4015) 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.

09-00091: Columbia Lighting, Inc. (1119 Beaver Street, Bristol, PA 19007) for renewal of a State-only, Natural Minor Operating Permit in Bristol Borough, **Bucks County**. The facility manufactures, powder coats and assembles commercial lighting fixtures. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

05-05001: Cannondale Corp. (172 Friendship Village Road, Bedford, PA 15522-6600) for operation of a bicycle manufacturing facility in Bedford Township, **Bedford County**. This is a renewal of the State-only operating permit issued on September 13, 2002.

06-05082: Dietrich Milk Products, LLC (100 McKinley Avenue, Reading, PA 19605-2199) for operation of a dried milk manufacturing facility controlled by fabric collectors in Muhlenberg Township, **Berks County**. This action is a renewal of the State-only operating permit issued in 2002.

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

65-00946: The Peoples Natural Gas Co. (445 West Main Street, Clarksburg, WV 26301) for operation of a natural gas compression engine, rated at 1,004 brake horsepower at their West Fairfield Compressor Station in Fairfield Township, **Westmoreland County**. This is a State-only Operating Permit.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Matthew Williams, New Source Review Chief, (814) 332-6940.

61-00012: OMG, America Inc. (Two Mile Run Road, Franklin, PA 16323) for re-issuance of synthetic minor permit to operate an industrial organic chemicals manufacturing facility in Sugarcreek Borough, **Venango County**. The Synthetic Minor Operating Permit will limit the emission of VOC to 49.9 tpy emissions of any single HAPs to 9.9 tpy and emissions from all HAPs to 24.9 tpy. Appropriate requirements to assure compliance with those limitations have been included in the permit.

25-00918: MMC Sterilization Services Group, Inc. (2205 East 33rd Street, Erie, PA 16510-2555) for reissuance of a Natural Minor Operating Permit to operate a process to sterilize medical devices in the City of Erie, **Erie County**. The facility's primary emission sources include four ETO Sterilization Chambers, two aeration rooms and two natural gas fired boilers.

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 or any officer or head of any Federal, State or local government agency or authority to the Department at the district mining office indicated before an application 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 at the conference; and 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:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH ¹		greater than 6.0; less than 9.0	
Alkalinity greater than acidity ¹			

¹The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/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 Office: 25 Technology Drive, Coal Center, PA 15423, (724) 769-1100.

Permit Number 30841316 and NPDES Permit No. PA0213535, Consol Pennsylvania Coal Company (1525 Pleasant Grove Road, P. O. Box J, Claysville, PA 15323), to revise the permit for the Bailey Mine and Prep Plant in Richhill Township, **Greene County** to add acreage for longwall mining and perform stream remediation as may be necessary to alleviate subsidence pooling impacts to Kent Run in 5 areas and North Fork Dunkard Fork in two areas, bound by the flowing points on the Wind Ridge USGS Quadrangle, N: 1.33 inches; W: 5.88 inches, N: 5.40 inches; W: 5.90 inches, and to one area of North Fork Dunkard Fork on the New Freeport USGS Quadrangle, N: 22.27 inches; W: 4.71 inches, N: 22.38 inches; W: 4.23 inches. The impact to Whitehorn Run can be located on the New Freeport USGS Quadrangle, N: 22.31 inches; W: 4.55 inches to Wind Ridge USGS Quadrangle, N: 3.58 inches; W: 3.42 inches. Underground Acres Proposed 3,135.0, Subsidence Control Plan Acres Proposed 3,135.0. No additional discharges. Application received April 6, 2007.

tion as may be necessary to alleviate subsidence pooling impacts to Kent Run in 5 areas and North Fork Dunkard Fork in two areas, bound by the flowing points on the Wind Ridge USGS Quadrangle, N: 1.33 inches; W: 5.88 inches, N: 5.40 inches; W: 5.90 inches, and to one area of North Fork Dunkard Fork on the New Freeport USGS Quadrangle, N: 22.27 inches; W: 4.71 inches, N: 22.38 inches; W: 4.23 inches. The impact to Whitehorn Run can be located on the New Freeport USGS Quadrangle, N: 22.31 inches; W: 4.55 inches to Wind Ridge USGS Quadrangle, N: 3.58 inches; W: 3.42 inches. Underground Acres Proposed 3,135.0, Subsidence Control Plan Acres Proposed 3,135.0. No additional discharges. Application received April 6, 2007.

Permit Number 56950702 and NPDES Permit No. PA0214914, PBS Coals, Inc. (P. O. Box 260, Friedens, PA 15541), to renew the permit the Cambria Refuse

Disposal Area in Stonycreek Township, **Somerset County** and related NPDES permit. No additional discharges. Application received July 3, 2007.

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

11970104 and NPDES No. PA0234486. M. B. Energy, Inc., 175 McKnight Road, Blairsville, PA 15717, permit renewal for reclamation only of a bituminous surface auger mine in Blacklick Township, **Cambria County**, affecting 449.6 acres. Receiving streams: UNTs to/and South Branch Blacklick Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 17, 2007.

11070102 and NPDES No. PA0262293. C. M. T. Energy, Inc., 108 South Twigg Street, Box 23, Smokerun, PA 16681, revision of an existing bituminous surface auger mine to change the land use from forestland to pastureland or lands occasionally cut for hay in Chest Township, **Cambria County**, affecting 15.2 acres. Receiving streams: unnamed streams No. 1—4 to Chest Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 18, 2007.

32010112 and NPDES No. PA0249084. Amerikohl Mining, Inc., 202 Sunset Drive, Butler, PA 16001, permit renewal for reclamation only of a bituminous surface mine in Burrell Township, **Indiana County**, affecting 80.4 acres. Receiving streams: UNTs to Blacklick Creek; UNTs to Two Lick Creek classified for the following uses: CWF; TSF. There are no potable water supply intakes within 10 miles downstream. Application received June 25, 2007.

56870101 and NPDES No. PA0597937. Hilltop Mining, Inc., 126 Bronco Drive, Berlin, PA 15530-9210, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 15.8 acres. Receiving streams: UNT to Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 19, 2007.

11900201 and NPDES Permit No. PA0599051. Maple Coal Company, 2593 Wexford-Bayne Road, Suite 100, Sewickley, PA 15143, renewal of NPDES Permit, Barr and Blacklick Townships, **Cambria County**. Receiving stream: Elk Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 13, 2007.

Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, (724) 925-5500.

26870107 and NPDES Permit No. PA0589802. David L. Patterson, Jr. (12 Short Cut Road, Smithfield, PA 15478). Renewal application for continued operation and reclamation of an existing bituminous surface mine, located in Nicholson Township, **Fayette County**, affecting 100.2 acres. Receiving streams: UNTs to Jacobs Creek, classified for the following use: WWF. The potable water supply intake within 10 miles downstream from the point of discharge at Masontown Borough Municipal Authority. Renewal application received July 13, 2007.

26970106 and NPDES Permit No. PA0202061. T. L. Hill Coal Company (R. D. 3, Box 690A, Uniontown, PA 15401). Renewal application for continued operation and reclamation of an existing bituminous surface mine, located in Georges Township, **Fayette County**, affecting 243 acres. Receiving streams: UNTs to York Run, 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 13, 2007.

03050105 and NPDES Permit No. PA0250821. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Revision application to add a variance for Rensel Road to an existing bituminous surface mine, located in Madison Township, **Armstrong County**, affecting 288 acres. Receiving streams: Mahoning Creek and UNTs to Mahoning Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Revision application received July 18, 2007.

GP12-03830116 and NPDES Permit No. PA0599727. Bedrock Mines (111 Freeport Road, Pittsburgh, PA 15215). Air Quality General Permit for the operation of a crusher to an existing bituminous surface mine, located in Kittanning Township, **Armstrong County**, 812 acres. Receiving streams: UNTs to Mill Run, classified for the following use: WWF. GP12 application received July 19, 2007.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

16-06-09 and NPDES Permit No. PA0258377. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Proposal to enter into a Government Financed Construction Contract on a 16 acre site in Paint Township, **Clarion County**. The proposal offers to remove coal refuse material from the site and reclaim the site using Circulating Fluidized Bed Combustion ash as a beneficial use. This proposal also includes plans to reclaim approximately 650 feet of open highwall. Receiving streams: UNTs to Paint Creek and Step Creek, classified for the following use: CWF. There are no potable water intakes within 10 miles downstream. Application received July 11, 2007.

General Permit Type—PAG-02

Facility Location: Municipality & County	Permit No.	Applicant Name & Address	Receiving Water/Use	Contact Office & Phone No.
Washington Township Jefferson County	PAG2243307002	Fairview Coal Company P. O. Box R Ridgway, PA 15853	Wolf Run CWF	Knox DMO (814) 797-1191

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.

17030105 and NPDES No. PA0243469. Hepburnia Coal Company (P. O. Box 1, Grampian, PA 16838), permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Ferguson Township, **Clearfield County**, affecting 115 acres. Receiving streams: Watts Creek to West Branch Susquehanna River, classified for the following uses: HQ-CWF and CWF, respectively. There are no potable water supply intakes within 10 miles downstream. Application received June 28, 2007.

17910125 and NPDES No. PA0206733. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650), permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Lawrence Township, **Clearfield County**, affecting 112.6 acres. Receiving streams: UNTs to Wallace Run (HQ-CWF); Wallace Run (HQ-CWF) and Mitchell Run (HQ-CWF) to Little Clearfield Creek (HQ-CWF) to Clearfield Creek (HQ-CWF), classified for the following use: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 15, 2007.

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

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

56970301 and NPDES Permit No. PA0234362. Garrett Limestone Company, Inc. (451 Stoystown Road, Suite 104, Somerset, PA 15501), renewal of NPDES Permit, Black and Summit Townships, **Somerset County**. Receiving stream: Casselman River classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. Application received July 13, 2007.

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

15810401C. Martin Limestone, Inc. (P. O. Box 550, Blue Ball, PA 17506), depth correction to an existing quarry operation in Honey Brook and Caernarvon Townships, **Chester and Lancaster Counties** affecting 86.96 acres, receiving stream: West Branch Brandywine Creek. Application received July 12, 2007.

8274SM2A2C8. Rohrer's Quarry, Inc. (70 Lititz Road, Lititz, PA 17543), an incidental boundary correction for a quarry operation in Penn and Warwick Townships, **Lancaster County** affecting 171.8 acres, receiving stream: UNT to Little Conewago Creek. Application received July 17, 2007.

17010110 and NPDES No. PA0243132. River Hill Coal Co., Inc. (P. O. Box 141, Kylertown, PA 16847), revision of an existing bituminous surface mine to beneficially use coal ash in Bigler and Woodward Townships, **Clearfield County**, affecting 200.0 acres. Receiving streams: UNT to Upper Morgan Run to Upper Morgan Run to Clearfield Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 13, 2007.

17910114 and NPDES No. PA0206628. River Hill Coal Co., Inc. (P. O. Box 141, Kylertown, PA 16847), revision of an existing bituminous surface mine to reduce acreage in Karthaus Township, **Clearfield County**, affecting 4.0 acres. Receiving streams: UNT to Dutch Hollow Run to Mosquito Creek to West Branch Susquehanna River, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 16, 2007.

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, 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 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(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

EA46-018. Nolan Companies, 950 West Valley Forge Road, King of Prussia, PA 19406, Springfield Township, **Montgomery County**, ACOE Philadelphia District.

A request for an Environmental Assessment for impacts associated with the construction, operation and maintenance of the nonjurisdictional dam and modification to existing pond across an UNT to the Wissahickon Creek (TSF). The proposed dam will provide stormwater management for Squires Ridge residential subdivision.

The site is located about 500 feet northwest of the intersection of Ridge Pike and Northwestern Avenue (Germantown, PA, Quadrangle N: 13.9 inches; W: 16.7 inches).

E09-915. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, Bedminster Township, **Bucks County**, ACOE Philadelphia District.

Deep Run Bridge Replacement SR 4091 Section 10S (Kellers Church Road Bridge)

The Department of Transportation, District 6, proposes to replace the existing three-span 73 feet long Kellers Church Road Bridge with a single span 78.5 feet bridge over Deep Run (WWF). The bridge replacement involves the following water obstruction and encroachments:

1. To excavate approximately 118 sq. ft. of streambed and conduct grading to remove center piers associated with existing bridge and to return the streambed to original grade.
2. To excavate approximately 26 sq. ft. within the stream to accommodate the replacement of existing abutments and piers.
3. To construct in place rock slope protection to control upstream meandering of the stream at the designated areas as per the design drawings.
4. To construct a temporary road crossing to facilitate the easy access across the stream during construction.
5. To provide for and place within the stream and at various other areas within the floodway sandbags cofferdams, concrete barriers devices, J-hook vanes and other auxiliary water control structures to facilitate the construction design scheme.
6. To construct approximately 60 linear feet of riprap scour protection at the entrance and exit points of the proposed bridge abutments as energy dissipaters.

7. To temporarily impact approximately 0.0026 acre of wetland (PEM) to facilitate the movement of equipment and fill materials in furtherance of the construction process.

8. To excavate approximately 118 sq. ft. of streambed and conduct grading to remove center piers associated with existing bridge and to return the streambed to original grade.

9. To excavate approximately 26 sq. ft. within the stream to accommodate the replacement of existing abutments and piers.

10. To construct in place rock slope protection to control upstream meandering of the stream at the designated areas as per the design drawings.

11. To construct a temporary road crossing to facilitate the easy access across the stream during construction.

12. To provide for and place within the stream and at various other areas within the floodway sandbags cofferdams, concrete barriers devices, J-hook vanes and other auxiliary water control structures to facilitate the construction design scheme.

13. To construct approximately 60 linear feet of riprap scour protection at the entrance and exit points of the proposed bridge abutments as energy dissipaters.

14. To temporarily impact approximately 0.0026 acre of wetland (PEM) to facilitate the movement of equipment and fill materials in furtherance of the construction process.

The project will permanently impact approximately 241 linear feet of stream, fill in a net area of approximately 745 cubic yards of floodway, and temporarily impact 417 linear feet of stream. The project is located approximately 159 feet South of the Meadow Lane and Kellers Church Road intersection in Bedminster Township, Bucks County (Bedminster PA, Quadrangle N: 6.81 inches; W: 7.04 inches).

E09-917. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 10406, Tinicum Township, **Bucks County**, ACOE Philadelphia District.

Red Hill Road Bridge Replacement—SR 1009 Section 04B

The Department of Transportation, District 6, proposes to replace the existing simply supported 24-foot long concrete encased I-beam bridge with a 49-foot single span adjacent box beam bridge that carries Red Hill Road over an UNT to Tinicum Creek (EV). The bridge will be skewed at 60°. The bridge replacement involves the following water obstructions and encroachments:

1. To perform work associated with the proposed bridge widening and roadway approach widening, filling, excavation and grade adjustment within floodway and stream banks.
2. To excavate and backfill within the stream to accommodate new abutments.
3. To fill approximately 0.03 acre of exceptional value wetland (PEM) to facilitate the construction of new abutments and roadway approach widening.
4. Provision and construction set up of sandbag cofferdam within the stream to facilitate continuous separate stream flow away from in-stream construction areas during construction works.
5. To provide for and place within the stream and at various other areas within the floodway sandbag coffer-

dams and other auxiliary water control structures to facilitate the construction design scheme.

6. To perform culvert work and associated grading on tributary to main stem to enhance stream flow hydrology in sync with proposed bridge.

The project will permanently impact approximately 20 linear feet of stream, fill in approximately 0.03 acre of wetland and temporarily impact 0.04 acre of wetland. The project is located approximately 506 feet North of the intersection of Red Hill Road and Hollow Horn Road intersection in Tinicum Township, Bucks County (Bedminster PA, Quadrangle N: 15.36 inches; W: 0.06 inch).

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

E22-516: S & A Custom Built Homes, Inc., Keith Sunderman, 2121 Old Gatesburg Road, Suite 200, State College, PA 16803, Lower Paxton Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain a 99-foot long 8-inch ductile iron sanitary sewer pipe crossing temporarily impacting 0.004 acre PEM wetland and 0.003 acre stream of an UNT to Beaver Creek (WWF). The project is located on the north side of Union Deposit Road, approximately 150 feet west of its intersection with Page Road Extended (Harrisburg East, PA Quadrangle, N: 7.1 inches; W: 5.7 inches, Latitude 40° 17' 7"; Longitude: 76° 47' 32") in Lower Paxton Township, Dauphin County.

E06-621: City of Reading, Charles Jones, 503 North 6th Street, Reading, PA 19601, Reading City, **Berks County**, ACOE Baltimore District.

To construct and maintain an extension to an existing storm sewer system including: (1) a 50.0-foot long by 15.0-foot bottom-width trapezoidal Reno mattress channel in the floodway of the Schuylkill River (CWF); (2) a 47.0-foot long by 15-foot bottom width concrete channel; (3) a 60.0-foot long by 15.0-foot bottom width trapezoidal Reno Mattress channel; (4) 50.0-feet of 36-inch SLCPP pipe; (5) 171.0-feet of 36-inch SLCPP pipe to replace existing CMP; and (6) a 302.0-foot long gravel access drive, and some associated grading all in the floodplain of the Schuylkill River (CWF) (Reading, PA Quadrangle N: 2.75 inches; W: 3.75 inches, Latitude: 40° 18' 44"; Longitude 75° 54' 44") in the City of Reading, Berks County.

E28-342: Richard E. Jordan, Exit 24 Warehouse, 2010 State Road, Camp Hill, PA 17011, Southampton Township, **Franklin County**, ACOE Baltimore District.

To construct and maintain a 36.0-foot by 8.0-foot by 85.0-foot long arch culvert with R-7 riprap; to relocate 1,100 feet of Furnace Run; to fill 0.67 acre of PEM wetland associated Furnace Run (CWF). The project is located east of Olde Scotland Road (SR 696), approximately 6,000 feet northeast of the SR 696/Interstate 81 interchange (Shippensburg, PA Quadrangle, N: 5.3 inches; W: 2.9 inches, Latitude: 40° 02' 01"; Longitude: 77° 31' 20") in Southampton Township, Franklin County. The applicant is proposing a minimum of 1.05 acres of replacement wetlands onsite to compensate for direct and indirect wetland impacts.

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

E41-578. Grizzly Industrial, Inc., 1815 West Battlefield Street, Springfield, MO 65807. Distribution center construction in Muncy Township, **Lycoming County**, Baltimore USACE District (Muncy, PA Quadrangle N: 20.70 inches; W: 11.60 inches).

As part of the construction of a distribution center, the applicant proposes to permanently impact 0.15 acre of Palustrine Emergent (PEM) wetlands. To meet the wetland replacement requirement, the permit applicant has proposed to make a monetary contribution to the Pennsylvania Wetland Replacement Project Fund.

The project site is located in the Turkey Run Watershed, State Water Plan Subbasin 10D, approximately 2 miles west of the village of Pennsdale.

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

E02-1564. Allegheny County Airport Authority, 1000 Airport Boulevard, Suite 4000, P. O. Box 12370, Pittsburgh, PA 15231-0370. To place fill in wetlands in Findlay and Moon Townships, **Allegheny County**, Pittsburgh ACOE District (Aliquippa, PA Quadrangle N: 1.26 inches; W: 1.26 inches, Latitude: 40° 30' 24.9"; Longitude: 80° 15' 32.7"). The applicant proposes to place and maintain fill in approximately 0.57 acre of wetlands that are adjacent to an UNT within the Montour Run Basin (TSF), and to construct and maintain an approximately 60-ft. extension of an existing stream enclosure in another UNT within the Montour Run Basin, in association with the extension of Halverson Drive and the construction of a building-ready pad for up to eight airport cargo-related buildings. The project site is located southwest of the intersection of International Drive and Business Route 60, and north of Runway 10L-28R, at the Pittsburgh International Airport.

E63-599. Coal Center Borough, 132 Water Street, Coal Center, PA 15432. To construct a riverfront park in Coal Center Borough, **Washington County**, Pittsburgh ACOE District (California, PA Quadrangle N: 12.8 inches; W: 3.5 inches, Latitude: 40° 04' 14.8"; Longitude: 79° 53' 58.8"). The applicant proposes to construct and maintain a riverfront park improvement project including the addition of walkways, benches, tables and lighting located in the floodplain of the Monongahela River (WWF) along Water Street.

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

E25-713. Dahlkemper Landscape Architects and Contractors Inc., 1650 Norcross Road, Erie, PA 16510-3899. Access Bridge over Mill Creek, in Millcreek Township, **Erie County**, ACOE Pittsburgh District (Erie South, PA Quadrangle N: 18.9 inches; W: 3.7 inches).

The applicant proposes to construct and maintain a bridge (to relocate loading and storage areas for an existing landscaping business) having a clear span of 24 feet and an underclearance of approximately 3 feet across Mill Creek approximately 0.2 mile NE of the intersection of SR 8 and Norcross Road. Mill Creek is a perennial stream classified as a WWF and MF. The project proposes to directly impact approximately 30 linear feet of stream.

E43-342. Borough of Sharpsville, 1 South Walnut Street, Sharpsville, PA 16150-1258. Sharpsville Water Treatment Facility Upgrade, in the Borough of Sharpsville, **Mercer County**, ACOE Pittsburgh District (Sharpsville, PA Quadrangle N: 3.8 inches; W: 13.7 inches).

The applicant proposes to remove a portion of the existing public water treatment facility and to construct and maintain a new public water treatment facility that includes coagulation, two-stage flocculation, sedimentation and microfiltration membrane technology approximately 0.6 mile SE of the intersection of SR 3018 and Saranac Drive involving: 1) to construct and maintain fill and water treatment facilities within the floodway and floodplain of the Shenango River; and 2) to construct and maintain a water intake having two 1-foot-diameter water intake pipes. The Shenango River is a perennial

stream classified as a TSF. This project proposes to directly impact approximately 0.05 acre of stream.

ENVIRONMENTAL ASSESSMENTS

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

EA07-003: Francis R. and Valerie J. Plewa, 1479 Hanover Road, Gettysburg, PA 17325, Frankstown Township, **Blair County**, ACOE Baltimore District.

To restore approximately 3 acres of exceptional value PEM and PSS wetlands through construction of a nonjurisdictional dam, shallow excavations and invasive species removal located along East Loop Road (Frankstown, PA Quadrangle; N: 11.6 inches; W: 11.1 inches, Latitude: 40° 26' 21"; Longitude: 78° 19' 49") in Frankstown Township, Blair County. Restoration will require direct impacts to approximately 0.37 acre of existing wetlands on the site.

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.

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

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.

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.

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0111350 (SEW)	Petersburg Borough Sewer Authority P. O. Box 6 Petersburg, PA 16669-0006	Huntingdon County Logan Township	Shaver Creek 11-B	Y
PA0029939 (SEW)	Southern Huntingdon School District (High/Middle Schools) R. R. 2, Box 1124 Three Springs, PA 17264-9730	Huntingdon County Cromwell Township	Aughwick Creek 12-C	Y
PA0029947 (SEW)	Southern Huntingdon County School District (Elementary) R. R. 2, Box 1124 Three Springs, PA 17264-9730	Huntingdon County Clay Township	UNT Spring Creek 12-C	Y
PA0081710 (SEW)	Outdoor World Resorts, LLC 3801 Parkwood Boulevard Suite 100 Frisco, TX 75034	Lancaster County Pequea Township	Conestoga River 7-J	Y
PA0081191, Amendment No. 1 (SEW) Permit Transfer	Outdoor World Resorts, LLC (PA Dutch Country Campground) 3801 Parkwood Boulevard Suite 100 Frisco, TX 75034	Lebanon County West Cornwall Township	Chickies Creek 7-G	Y
PA0081060 (SEW)	Ernest Kerstetter, Jr. 314 Erford Road Camp Hill, PA 17011	York County Fairview Township	UNT Yellow Breeches Creek 7-E	Y
PA0083020 (SEW)	Forbes Road School District 159 Red Bird Drive Waterfall, PA 16689-9734	Fulton County Taylor Township	Dry Swale to UNT Elders Branch of Wooden Bridge Creek 12-C	Y
PA0084468 (IW)	Dura-Bond Pipe, LLC 2716 South Front Street Steelton, PA 17113	Dauphin County Steelton Borough	Ditch to Lauren Run 7-C	Y
PA0051748 (SEW)	Tulpehocken School District— High School 428 New Shafferstown Road Bernville, PA 19506-8939	Berks County Jefferson Township	UNT Tulpehocken Creek 3-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0114057 SN	White Deer Run, Inc. Devitt Camp Road P. O. Box 97 Allenwood, PA 17810-0097	Union County Gregg Township	White Deer Hole Creek 10C	Y
PA0115231 SP	Woodland Bigler Area Authority P. O. Box 27 Woodland, PA 16881-0027	Clearfield County Bradford Township	Roaring Run 8C	Y
PA0113824 SN	GSP Management Company P. O. Box 677 Morgantown, PA 19543-0677	Lycoming County Upper Fairfield Township	Kaiser Hollow 10B	Y
PA0114715	Hemlock Municipal Sewer Cooperative 8 Ridge Road Bloomsburg, PA 17815	Columbia County Hemlock Township	Fishing Creek C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0006327 Industrial Waste	Allegheny Ludlum Corporation 100 River Road Brackenridge, PA 15014	Westmoreland County West Leechburg Borough	Kiskiminetas River and Elder Run	Y
PA0096792 Industrial Waste	The Techs Industries 2400 Second Avenue Pittsburgh, PA 15219	Allegheny County City of Pittsburgh	Monongahela River	Y
PA0110591 Industrial Waste	North American Hoganas High Alloys, LLC 101 Bridge Street Johnstown, PA 15902	Cambria County City of Johnstown	Stoneycreek River and a Municipal Storm Sewer to Stoneycreek	N
PA0036293 Sewage	The Municipal Authority of the Township of Robinson P. O. Box 15539 Pittsburgh, PA 15244-0539	Allegheny County Robinson Township	Campbells Run	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0222127	Glade Run United Presbyterian Church 1091 Pittsburgh Road Valencia, PA 16059	Middlesex Township Butler County	UNT to Glad Run 20-C	Y
PA0035505	Faith Builders Educational Programs P. O. Box 127 Guys Mills, PA 16327	Randolph Township Crawford County	UNT to Woodcock Creek 16-A	Y
PA0025291	Southwest Warren County Municipal Authority 174 Main Street Tidioute, PA 16351	Tidioute Borough Warren County	Allegheny River 16-F	Y
PA0209945	Widad Bazzoui 565 Minard Run Road Bradford, PA 16701	Bradford Township McKean County	UNT to Minard Run 16-B	Y

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. PA0056880, Industrial Waste, **Lower Bucks County Joint Municipal Authority**, 7811 New Falls Road, Levittown, PA 19058-0460. This proposed facility is located in Tullytown Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge from the Water Treatment Plant to the Delaware River Zone 2 in Watershed 2E.

NPDES Permit No. PA0053392, Industrial Waste, **UPS, Inc.**, 1 Hog Island Road, Philadelphia, PA 19153-3996. This proposed facility is located in Tinicum Township, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge stormwater from the UPS Air Terminal and Distribution Center to the Delaware River in Watershed 3G.

NPDES Permit No. PA0035769, Amendment No. 1, Industrial Waste, **Smithfield Beef Group, Inc. (Moyer Packing Company)** P. O. Box 23000, Green Bay, WI 54305-3000. This proposed facility is located in Franconia Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the amendment to modified effluent limits for total dissolved solids to the Skippack Creek in Watershed 3E.

NPDES Permit No. PA0031771, Amendment No. 1, Sewage, **Westtown Township**, P. O. Box 79, Westtown, PA 19395. This proposed facility is located in Westtown Township, **Chester County**.

Description of Proposed Action/Activity: approval for the amendment to discharge treated sewage from Westtown-Chester Creek STP to the East Branch of Chester Creek in Watershed 3G.

NPDES Permit No. PA0058408, Sewage, **Rivercrest Homeowners Association**, 100 Rivercrest Drive, Phoenixville, PA 19460. This proposed facility is located in Upper Providence Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage to an UNT to Schuylkill River (001) and Doe Run (002) in Watershed 3E-Perkiomen.

NPDES Permit No. PA0050920, Sewage, **Home Properties Inc.**, 610 Freedom Business Center, Suite 100, King of Prussia, PA 19406. This proposed facility is located in East Whiteland Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage from William Henry APT STP located at 1086 King Road, East Whiteland Township, Chester County to UNT to Ridley Creek in Watershed 3G.

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

NPDES Permit No. PA0260134, Sewage, **Lancaster Family YMCA, Camp Shand**, 572 North Queen Street, Lancaster, PA 17603. This proposed facility is located in Cornwall Borough, **Lebanon County**.

Description of Proposed Action/Activity: Authorization to discharge to Watershed 7-G.

NPDES Permit No. PA0029955, Sewage, **Southern Huntingdon County School District, Trough Creek Valley Elementary School**, R. R. 2, Box 1124, Three Springs, PA 17264-9730. This proposed facility is located in Todd Township, **Huntingdon County**.

Description of Proposed Action/Activity: Authorization to discharge to a UNT to the Great Trough Creek in Watershed 11-D.

NPDES Permit No. PA0260126, Sewage, **HAMM Equities, LLC**, Buffalo Crossing Development STP, 1002 Monroe Boulevard, King of Prussia, PA 19406. This proposed facility is located in Howe Township, **Perry County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Juniata River in Watershed 12-B.

NPDES Permit No. PA0248185, Sewage, **Jackson Township Authority**, 60 North Ramona Road, Myerstown, PA 17067. This proposed facility is located in Jackson Township, **Lebanon County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to discharge to UNT Tulpehocken Creek in Watershed 3-C.

NPDES Permit No. PA0260843, CAFO, **Ken Haller**, 225 SR 501 South, Newsmanstown, PA 17073. This proposed facility is located in Heidelberg Township, **Lebanon County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 444-AEU broiler, horse and heifer operation in Watershed 7-J.

NPDES Permit No. PA0260622, CAFO, **Clifford Zimmerman, Clifford Zimmerman Farm**, 2993 Mill Road, Elizabethtown, PA 17022. This proposed facility is located in Conewago Township, **Dauphin County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 432-AEU broiler and steer operation in Watershed 7-G.

NPDES Permit No. PA0013129, Industrial Waste, **Carpenter Technology Corporation**, P. O. Box 14662, Reading, PA 19612-4662. This proposed facility is located in Reading City, **Berks County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to discharge to the Schuylkill River in Watershed 3-C.

Public Notice of Permit Issuance

Permit for National Pollutant Discharge Elimination System (NPDES) to Discharge to State Waters

Southcentral Regional Office: Water Management Program Manager; 909 Elmerton Avenue, Harrisburg, PA, 17110-8200, (717) 705-4707.

Final Notice is hereby given that the Pennsylvania Department of Environmental Protection, after public notice, has on July 23, 2007 issued a National Pollutant Discharge Elimination System Permit to:

Permit No. 0260444

Permittee: **Wissahickon Spring Water, Inc.**
315 South Front Street
Hamburg, PA 19526

This notice reflects changes from the notice published in the *Pennsylvania Bulletin*.

Parameter	Mass (lb/day)		Concentration (mg/l)		
Total Lead	0.007	0.015	0.009	0.018	0.023
Total Thallium	0.005	0.010	0.006	0.012	0.015
Total Suspended Solids			30	60	75
Total Dissolved Solids			1,000	2,000	2,500
Temperature			Monitor and Report	Monitor and Report	110° F
Oil and Grease			15	30	30
pH			From 6.0 to 9.0 Standard Units inclusive		
Dissolved Oxygen			Minimum of 5.0 mg/l at all times		

Persons 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.

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

Amplified Final Public Notice for NPDES Permit No. PA0006327, Industrial Waste, **Allegheny Ludlum Corporation**, 100 River Road, Brackenridge, PA 15014.

This notice reflects changes from the notice published in the November 4, 2006, *Pennsylvania Bulletin* for Internal Monitoring Point 108.

<i>Parameter</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids	207.5	482.3				
Oil and Grease	66.3	198.5				
Chromium	6.49	16.25				
Nickel	4.88	14.62				

III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)

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

WQM Permit No. WQG02-090714, Sewerage, **Matrix Realty Associates, Inc.**, CN 4000, Forgate Drive, Cranbury, NJ 08512-1564. This proposed facility located in Lower Makefield Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a sewer extension.

WQM Permit No. WQG02150715, Sewerage, **Tredyffrin Township**, 1100 DuPortail Road, Berwin, PA 19312. This proposed facility located in Tredyffrin Township, **Chester County**.

Description of Action/Activity: Construction and operation of 17 low pressure individual grinder pumps and low pressure force mains.

WQM Permit No. 1500421-H, Sewerage, **Upper Uwchlan Township**, 140 Pottstown Pike, Chester Springs, PA 19425. This proposed facility located in Upper Uwchlan Township, **Chester County**.

Description of Action/Activity: Construction and operation of a drip irrigation facility.

WMQ Permit No. 0907406, Sewerage, **Upper Makefield Township**, 1076 Eagle Road, Newtown, PA 18940. This proposed facility is located in Upper Makefield Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a wastewater treatment facility.

WQM Permit No. 1583402 A4, Sewerage, **County of Chester, Department of Facilities Management**, 14 East Biddle, P. O. Box 2748, West Chester, PA 19380. This proposed facility is located in Pocopson Township, **Chester County**.

Description of Action/Activity: Upgrading of existing pump station.

WQM Permit No. WQG02150716, Sewerage, **Oxford Area Sewer Authority**, P. O. Box 379, Oxford, PA 19363. This proposed facility is located in Lower Oxford Township, **Chester County**.

Description of Action/Activity: Construction and operation of a pump station and sewer extension.

WQM Permit No. 1507405, Sewerage, **Avon Grove School District**, 375 Kelton-Jennersville Road, West Grove, PA 19335. This proposed facility is located in New London Township, **Chester County**.

Description of Action/Activity: Install a sodium aluminate feed system to remove phosphorus and installation of an automatic soda ash feed system.

WQM Permit No. WQG01-0018, Sewerage, **Brian and Megan Synder, Owners**, 78 Morwood Road, Telford, PA 18969. This proposed facility is located in Salford Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a single-residence small flow treatment facility.

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

WQM Permit No. 4806406, Sewerage, **Borough of Portland**, P. O. Box 476, Portland, PA 18351. This proposed facility is located in Borough of Portland, **Northampton County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit.

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

WQM Permit No. 3807403, Sewage, **Lancaster Family YMCA**, 572 North Queen Street, Lancaster, PA 17603. This proposed facility is located in Cornwall Borough, **Lebanon County**.

Description of Proposed Action/Activity: Approval for construction/operation of sewerage facilities consisting of a 0.004 mgd extended aeration with tertiary filters and ultraviolet disinfection to serve Camp Shand.

WQM Permit No. 5007401, Sewage, **HAMM Equities, LLC, Buffalo Crossing Development STP**, 1002 Monroe Boulevard, King of Prussia, PA 19406. This proposed facility is located in Howe Township, **Perry County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities consisting of a 0.050 mgd Biologically Engineered Single Sludge Treatment plant with a discharge to a UNT Juniata River.

WQM Permit No. 2806405, Sewage, **Timothy and Barbara Moran**, 2765 Grand Point Road, Chambersburg, PA 17202. This proposed facility is located in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Transfer of Permit.

WQM Permit No. 3402202, Industrial Waste, **Valley Proteins, Inc.**, P. O. Box 3588, Winchester, VA 22604-2586. This proposed facility is located in Fermanagh Township, **Juniata County**.

Description of Proposed Action/Activity: Approval for the operation of industrial wastewater facilities consisting of an aerated treatment tank, dissolved air flotation clarifier, storage tank and a 6.9 acre land application field at their Mifflintown facility.

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

WQM Permit No. 1407402, Sewage 4952, **Bellefonte Borough**, 236 West Lamb Street, Bellefonte, PA 16823. This proposed facility is located in Spring Township, **Centre County**.

Description of Proposed Action/Activity: The applicant proposes to construct and operate a relief sewer interceptor to accommodate projected growth in the Spring Benner Walker service area.

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

WQM Permit No. 1107401, Sewerage, **Johnstown Regional Energy, LLC**, 80 Clinton Street, Johnstown, PA 15901. This proposed facility is located in Jackson Township, **Cambria County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a sanitary gravity sewer and force main.

WQM Permit No. 6505202, Sewerage, **Allegheny Ludlum Corporation**, 100 River Road, Brackenridge, PA 15014-1597. This proposed facility is located in West Leechburg Borough, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a chromium reduction system for No. 67 Line.

WQM Permit No. 6506201, Sewerage, **Allegheny Ludlum Corporation**, 100 River Road, Brackenridge, PA 15014-1597. This proposed facility is located in Allegheny Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a wastewater treatment facility.

WQM Permit No. WQG026113, Sewerage, **Ligonier Camp and Conference Center**, 188 Macartney Lane, Ligonier, PA 15658. This proposed facility is located in Ligonier Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a pump station.

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.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010907001	269 Canal Road, LP 301 Oxford Valley Road Yardley, PA 19067-7713	Bucks	Falls Township	Delaware River WWF
PAI011503088	Susan L. Butler 864 Fellowship Road Chester Springs, PA 19425	Chester	West Vincent Township	Birch Run EV
PAI011506093	Michael and Nancy Ligon 4054 Tinker Hill Road Phoenixville, PA 19460	Chester	East Nantmeal Township	Beaver Run EV
PAI011507024	Ground Hog Land Conservation, LP 438 Ground Hog College Road West Chester, PA 19382	Chester	West Bradford Township	Broad Run EV
PAI011507025	James P. Bryant 602 First Avenue Coatesville, PA 19320	Chester	West Brandywine Township	UNT West Branch Brandywine Creek HQ, TSF, MF
PAI012307002	Anthony J. Sabatelli 524 Darlington Road Media, PA 19063	Delaware	Middletown Township	Rocky Run and Chester Creek HQ-CWF-MF-TSF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS107800®	Columbia Gas Transmission Corp. Attn: Kim McNeil 1700 MacCorkle Avenue Charleston, WV 25314	Lehigh and Northampton	Upper Saucon and Lower Saucon Townships	Saucon Creek CWF Cooks Creek EV, CWF
PAI025406004	Greater Tamaqua Industrial Development Enterprises 204 East Broad Street Tamaqua, PA 18252	Schuylkill	Rush Township	Nesquehoning Creek HQ-CWF
PAI021306002	Alfred Natale 19 Whispering Hills Court Effort, PA 18330	Carbon	Penn Forest Township	Mud Run HQ-CWF Lehigh River HQ-CWF
PAI023906008	Sorensen Construction, LLC 4542 Sebbly Court New Tripoli, PA 18066	Lehigh	Lower Milford Township	Perkiomen Creek HQ-CWF
PAI023507002	North Pocono School District 701 Church Street Moscow, PA 18444	Lackawanna	Covington Township	Roaring Brook HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032106007	Members 1st FCU 5000 Louise Drive Mechanicsburg, PA 17055	Cumberland	Hampden Township	UNT Conodoguinet WWF
PAI030306006(1)	Daniel Winkler East Penn Mfg. Co. Deka Road Lyon Station, PA 19536	Berks	Richmond Township	Moselem Creek HQ

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).

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

General Permit Type—PAG-02

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Easttown Township Chester County	PAG2001507014	The Benson Companies 112 Moores Road Suite 200 Malvern, PA 19355	Little Darby Creek CWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
London Britain Township Chester County	PAG2001506063	RML Associates, LLC P. O. Box 1180 Hockessin, DE 19707	Tributaries to White Clay and Christiana Creeks TSF, MF, CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Whiteland Township Chester County	PAG2001506076	Freemont Cal Associates P. O. Box 1387 West Chester, PA 19380	UNT Valley Creek West CWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Valley Township Chester County	PAS10G487R	Chester County Area Airport Authority 1 Earhart Drive Suite 2 Coatesville, PA 19320	Sucker Run WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Goshen Township Chester County	PAG2001506083	Dish Enterprises, LP 706 Autopark Boulevard West Chester, PA 19383	UNT Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Clan Township and Downingtown Borough Chester County	PAG2001507038	The Puchron Group 48 General Warren Boulevard Malvern, PA 19355	East Branch Brandywine Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Radnor Township Delaware County	PAG2002307010	EB Mahoney Builders 615 Old Lancaster Pike Bryn Mawr, PA 19010	Darby Creek CWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Radnor Township Delaware County	PAG2002306059	Brandywine Realty Trust 2951 Market Street Suite 103 Upper Mezzanine Philadelphia, PA 19104	Darby Creek CWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Salford Township Montgomery County	PAG2004606139	Miller Pump Service 3336 Skippack Pike Cedars, PA 19423	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Pottsgrove Township Montgomery County	PAG2004607098	TH Properties 345 Main Street Harleysville, PA 19438	Manatawny Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Towamencin Township Montgomery County	PAG2004605167	William Brown 1290 Allentown Road Lansdale, PA 19446	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Abington Township Montgomery County	PAG2004607051	Abington Plaza Assoc., LP 1062 East Lancaster Avenue Suite 30-B Rosemont, PA 19010	Sandy Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hatfield Township Montgomery County	PAG2004606136	Kamiesh C. Patel 131 Tudor Drive North Wales, PA 19454	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Merion Township Montgomery County	PAG2004607027	Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Trout Creek and Schuylkill River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Montgomery Township Montgomery County	PAG2004606185	Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Little Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Montgomery Township Montgomery County	PAG2004607104	Pennmark Management Co., Inc. 1000 Germantown Pike, Suite A-2 Plymouth Meeting, PA 19462	Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Springfield Township Montgomery County	PAG2004607066	LaSalle College/High School 8604 Cheltenham Avenue Wyndmoor, PA 19038	UNT Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG2004605228	Joseph Rieger 144 Tows Glen Lane Collegeville, PA 19426	Possum Hollow Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG2004606202	Danny Jake Corporation 3625 Welsh Road Willow Grove, PA 19090	Limerick Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Hanover Township Montgomery County	PAG2004606157	David Erb Contractors, Inc. 2930 Felton Road Norristown, PA 19401	Swamp Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Trappe Borough Montgomery County	PAG2004606104	JTW Associates, Inc. 3953 Ridge Pike Suite 201 Collegeville, PA 19426	UNT Mingo Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Whitpain Township Montgomery County	PAG2004607028	Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Prophecy Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Perkiomen Township Montgomery County	PAG2004607099	Gorski Engineering, Inc. 1 Iron Bridge Drive Collegeville, PA 19426	UNT Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hatfield Township Montgomery County	PAG2004607068	Clemens Development, LLC 2700 Funks Road P. O. Box 902 Hatfield, PA 19440	UNT Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Pottsgrove Township Montgomery County	PAG2004606166	Amita Patel 32 Rosedale Drive Pottstown, PA 19464	Spogels Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Towamencin Township Montgomery County	PAG2004606206	WB Homes, Inc. 404 Sumneytown Pike North Wales, PA 19454	UNT Towamencin Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Merion Township Montgomery County	PAG2004607081	625 West DeKalb, LP 700 West Germantown Pike East Norriton, PA 19403	Crow Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Franconia Township Montgomery County	PAG2004607003	Kenneth J. Taggart 45 Heron Road Holland, PA 18966	Indian Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Merion Township Montgomery County	PAG2004607073	Valley Forge Inc. 462 Glennie Circle King of Prussia, PA 19406	Schuylkill River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015107010	Redevelopment Authority of the City of Philadelphia 1234 Market Street 16th Floor Philadelphia, PA 19107	Schuylkill River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hanover Township Luzerne County	PAG2004006053	Department of General Services 18th and Herr Street's Room 101 Harrisburg, PA 17125	Sugar Notch Run CWF	Luzerne Co. Cons. Dist (570) 674-7991
Taylor Borough Lackawanna County	PAG2003507008	James Gaughan 1146 Reynolds Avenue Taylor, PA 18517	Keyser Creek CWF	Lackawanna Co. Cons. Dist. (570) 281-9495
Delano Township Schuylkill County	PAG2005407008	George Kleppinger 1349 South Main Road Mountaintop, PA 18707	North Mahanoy Creek CWF	Schuylkill Co. Cons. Dist. (570) 622-3742
Silver Spring Township Cumberland County	PAG2002107022	PPL Berm Regrading SAV, Ltd. Daniel Sunderland 4444 Carlisle Pike Camp Hill, PA 17011	Hogestown Run CWF	Cumberland County Conservation District 310 Allen Road Carlisle, PA 17013 (717) 240-7812
Miller Township Perry County	PAG2035007011	S. Robert Campbell 240 State Park Road Newport, PA 17074	Bailey Run CWF	Perry County Conservation District P. O. Box 36 31 West Main Street New Bloomfield, PA 17068 (717) 582-5119
Watts Township Perry County	PAG2035007007	Jorich Land Development Corp. 1620 Peters Mountain Road Dauphin, PA 17018	Buffalo Creek WWF	Perry County Conservation District P. O. Box 36 31 West Main Street New Bloomfield, PA 17068 (717) 582-5119
Ayr Township Fulton County	PAG2002906004(1)	Scott Alexander c/o Todd Township 216 North Second Street Suite 15 McConnellsburg, PA 17233	UNT to Big Cove Creek CWF	Steven Thomas Fulton County Conservation District 216 North Second Street Suite 15 McConnellsburg, PA 17233
Amity Township Berks County	PAG2000607051	Charles Lyon 2004 Weavertown Road Douglassville, PA 19518	Monocacy Creek WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bern Township Berks County	PAG2000607020	Terry Sroka Reading Regional Airport Authority 2501 Bernville Road Reading, PA 19605	Schuylkill River WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Wyomissing Borough Berks County	PAG2000606084(1)	Marvin Zimmerman First Church of the Brethren 2200 State Hill Road Wyomissing, PA 19610	Wyomissing Creek- Cacoosing Creek CWF-WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Columbia County Montour Township	PAG2001907008	Thomas E. Gensemer MC 15-40 100 North Academy Avenue Danville, PA 17821	UNT to Montour Run CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, Ext. 102
Potter County Harrison Township	PAG2005307001	Kenneth Wingo Potter County Commissioner, Chair One East Second Street Coudersport, PA 16915	Coweneseque River and North Fork WWF	Potter County Conservation District 107 Market Street Coudersport, PA 16915 (814) 274-8411, Ext. 4
Tioga County Wellsboro Borough	PAG2005907008	Richard J. Strauch 2-B Waln Street Wellsboro, PA 16901	Kelsey Creek and Boyden Brook WWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, Ext. 3
Union County East Buffalo Township	PAG2006007003	Frederick Kessler 8 North Third Street Lewisburg, PA 17837	UNT to Susquehanna River WWF	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860
Fayette County North Union Township	PAG2002607015	Elias Nickman, Jr. 148 Gardner Avenue Lemont Furnace, PA 15456	Cove Run WWF	Fayette County CD (724) 438-4497
Greene County Morgan Township	PAG2003007006	Equitrans, LP 225 North Shore Drive Pittsburgh, PA 15212-5861	Grimes Run WWF UNT Poverty Run WWF	Greene County CD (724) 852-5278
Somerset County Conemaugh Township	PAG2005607006	Terry Croyle 2700 Carpenters Park Road Davidsville, PA 15928	Stonycreek River CWF	Somerset County CD (814) 445-4652
Butler County Butler Township	PAG2001007005	Butler Crossing, LLC 1765 Merriman Road Akron, OH 44313	Sullivan Run WWF Little Connoquenessing Creek CWF	Butler Conservation District (724) 284-5270
Erie County Harborcreek Township	PAG2002507009	University Gate Apartments II 2601 West 26th Street Erie, PA 16506	UNT Four Mile Creek WWF	Erie Conservation District (814) 825-6403

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Erie County North East Township	PAG2002507006	Windswept III Subdivision Dave Thornton 10650 West Main Road North East, PA 16428	Sixteen Mile Creek WWF, MF	Erie Conservation District (814) 825-6403
Mercer County City of Hermitage	PAG2004307005	Ronald Klinge, Chairperson Avalon Holdings Corporation One American Way Warren, OH 44484	Thornton Run WWF	Mercer Conservation District (724) 662-2242

General Permit Type—PAG-3

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Franklin County Shippensburg Borough	PAR113510 (Transfer)	Volvo Road Machinery, Inc. 312 Ingersoll Drive Shippensburg, PA 17257	Rowe Run CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Newberry Township	PAR803700	Freedom Equipment, Inc. 205 Red Mill Road Etters, PA 17319	UNT Fishing Creek TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Manchester Township	PAR703519	Consolidated Container Corporation, LP 15 Lightner Road York, PA 17404	UNT Codorus Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County East Hempfield Township	PAR803699	Republic Services, Inc.— York Waste Disposal— East Petersburg 110 S.E. 6th Street Suite 2800 Fort Lauderdale, FL 33301	UNT Little Conestoga Creek TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lancaster County East Lampeter Township	PAR803650	Federal Express—LNSA 3620 Hacks Cross Road Building B, 2nd Floor Memphis, TN 38125	Stauffer Run WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lebanon County Lebanon City	PAR203598	Beck Aluminum Alloys, Ltd. 24 Keystone Drive Lebanon, PA 17042-9791	UNT Quittapahilla Creek TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Caernarvon Township	PAR143526	Chiyoda America, Inc. P. O. Box 470 Thousand Oaks Boulevard Morgantown, PA 19543	East Branch Conestoga River WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Moon Township Allegheny County	PAR606112	H. Snyder Steel Corporation P. O. Box 111 100 Montour Road Coraopolis, PA 15108-0111	Montour Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Deemston Borough Washington County	PAR806222	Borough of Deemston 1622 Morey Road Fredericktown, PA 15333	UNT to Fishpot Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-4**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
New Hanover Township Montgomery County	PAG040074	John and Becky Schaefer 691 Swamp Picnic Road Gilbertsville, PA 19525	UNT to Swamp Creek Watershed 3-E Perkiomen	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Salford Township Montgomery County	PAG040070	Brian and Megan Snyder 78 Morwood Road Telford, PA 18969	UNT to Perkiomen Creek Watershed 3E	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Berks County Caernarvon Township	PAG043688	Robert Schickling, Jr. 1485 Elverson Road Elverson, PA 19520	East Branch Conestoga River WWF 7-J	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Berks County Caernarvon Township	PAG043616	Wade Smith 1475 Elverson Road Elverson, PA 19520	East Branch Conestoga River WWF 7-J	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Glade Township Warren County	PAG048460	William A. Acklin and Wendy K. Albaugh 48 Wright Road Warren, PA 16365-4258	UNT to Hatch Run 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Penn Township Butler County	PAG048475	Samuel A. Baker 121 Creek Road P. O. Box 111 Renfrew, PA 16053	Connoquenessing Creek 20-C	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Hayfield Township Crawford County	PAG048517	William G. and Nanette L. Biery 14933 State Highway 198 Meadville, PA 16335	UNT to Cussewago Creek 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Lake Township Mercer County	PAG048810	Ryan Wells 64 Small Road Fredonia, PA 16124	Pine Run 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-7

<i>Facility Location & County/ Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Borough of New Holland 436 East Main Street New Holland, PA 17557 Earl Township Lancaster County	PAG073507	Borough of New Holland 436 East Main Street New Holland, PA 17557		DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

General Permit Type—PAG-8

<i>Facility Location & County/Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
McVeytown Borough Authority P. O. Box 321 McVeytown, PA 17051 McVeytown Borough Mifflin County	PAG083571	McVeytown Borough Authority P. O. Box 321 McVeytown, PA 17051		DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

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. 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.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 3807501, Public Water Supply.

Applicant	Twin Maples MHP
Municipality	Jackson Township
County	Lebanon
Type of Facility	Construction of a new replacement storage tank and a high service pump station.
Consulting Engineer	David J. Gettle Kohl Bros., Inc. P. O. Box 350 Myerstown, PA 17067
Permit to Construct Issued:	July 2, 2007

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

Permit No. M.A.—4146426EP120—Operation, Public Water Supply.

Applicant	H2O to Go
Township or Borough	Sunbury

County	Northumberland
Responsible Official	William Brightman, P. E. H2O to Go 49 Village Square Drive Marietta, PA 17547
Type of Facility	Public Water Supply—Operation
Consulting Engineer	N/A
Permit Issued Date	June 23, 2007
Description of Action	Vended Permit by Rule. NAMA approved water dispenser and finished water holding and disinfection equipment located at Weis Store #36.

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

Operations Permit issued to **Sugarcreek Borough**, PWSID 6610044, Sugarcreek Borough, **Venango County**. Permit issued July 11, 2007, for the operation of the Route 417 interconnection, including new booster pump station, 191,000 gallon standpipe, chlorine booster stations and the distribution system, as constructed and permitted under construction permit Number 6105501, approved May 17, 2005.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted under section 5 of the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

Plan Location: Merrill Murphy

Borough or Township	Borough or Township Address	County
Moore Township	2491 Community Drive Bath, PA 18014	Northampton

Plan Description: The approved plan provides for a five bedroom, single-family residence on a 0.23 acre tract. This project proposes a small flow treatment facility to repair a malfunctioning cesspool system, which currently serves the residence. The proposed treatment facility will include a BioMicrobics 750 gpd aerobic treatment unit, a recirculating subsurface sand filter and a disinfection tank with an erosional chlorination unit on the tank inlet and erosional dechlorination by sodium sulfite tablets on the tank outlet. A 4" SCH40 PVC outfall sewer will discharge from the disinfection tank to the Hokendaqua Creek. A private well supplies drinking water to the residence. The proposed development is located at 622 Creek Road in Moore Township, Northampton County.

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

Plan Location:

Borough or Township	Borough or Township Address	County
Silver Spring Township	6475 Carlisle Pike Mechanicsburg, PA 17055	Cumberland

Plan Description: Approval of a revision to the Official Sewage Plan of Silver Spring Township, Cumberland County. The proposed Walden subdivision consists of 682 residential EDU's, plus four commercial establishments, with total sewage flow estimated at 161,118 gpd. Four

hundred twenty of these residential EDU's were previously approved as the Tyson Commons Subdivision. Two hundred sixty two additional residential units with sewage flows of 62,356 gpd, plus the four commercial establishments with sewage flows of 4,262 gpd, are proposed in this module. The proposed collection system includes a sewage pump station and force main to be dedicated to the Silver Spring Township Authority and with sewage treatment at the Silver Spring Township Sewage Treatment Plant. The Department's review of the sewage facilities update revision has not identified any significant impacts resulting from this proposal.

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.

United Rental Services Facility, Bristol Township, **Bucks County**. Peter Milionis, ARCADIS, 6 Terry Drive, Suite 300, Newtown, PA 18940 on behalf of Craig

Eckstein, Lester Clock, LLC, 420 Howell Street, Bristol, PA 19007 has submitted a Final Report concerning remediation of site groundwater contaminated with other organics. The report is intended to document remediation of the site to meet the Site Specific Standards.

Canada, New Hanover Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Carlos Canada, Candea Residence, 2452 Swamp Pike, Gilbertsville, PA 19525 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Imperial Specialty, Pottstown Borough, **Montgomery County**. Paul White, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Nelly Savage, Imperial Specialty, Inc. 1153 Sembling Avenue, Pottstown, PA 19468 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with PAH and chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Malvern Preparatory School, Malvern Borough, **Chester County**. Richard Werner, Env. Consulting, Inc., 500 East Washington Street, Norristown, PA 19401 on behalf of Ted Caniglia, Malvern Preparatory School, 418 South Warren Avenue, Malvern, PA 19355 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Ambler Boiler House, Ambler Borough, **Montgomery County**. John Zaharchuk, Summit Realty Advisors, LLC, 621 Delaware Street, New Castle 19720 has submitted a Cleanup Plan and Remedial Investigation Report concerning remediation of site soil contaminated with inorganic. The report is intended to document remediation of the site to meet the Site Specific Standards.

Jesse Jones Box Company, City of Philadelphia, **Philadelphia County**. Craig Herr, RT Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of William Fenkel, B & SF Realty, P. O. Box 250, Villanova, PA 19085 has submitted a Remedial Investigation Report and Final Report concerning remediation of site soil and groundwater contaminated with No 2 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standards.

Hafer Farm Property, New Hanover Township, **Montgomery County**. Richard Ley, MARCOR Remediation, Inc., 540 Trestle Place, Downingtown, PA 19335 on behalf of Maren Troxel, National Penn Investors Trust, 2201 Ridgewood Road, No. 180, Wyomissing, PA 19610 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Pembroke North Redevelopment, Radnor Township, **Delaware County**. Chuck Reed, Kleinfelder East, Inc., 800 East Washington Street, West Chester, PA 19380 on behalf of Michelle Beaman, Razak Company, One South Broad Street, Philadelphia, PA 19107 has submitted a Final Report concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Secane Dry Cleaners, Upper Darby Township, **Delaware County**. Douglas Schoot, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Avi Nechemia, 4346 Frankford Avenue, Inc., 417 Callowhill Street, Philadelphia, PA 19123 has submitted a Remedial Investigation Report and Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Millcraft Shade Shop, Lower Merion Township, **Montgomery County**. Mark Irani, Land Recycling Solutions, LLC, 3101 Mt. Carmel Avenue, Suite 3, Glenside, PA 19038 on behalf of William and MaryPat Kraft, Millcraft Shade Shop Inc., 455 Penn Avenue, Glenside, PA 19038 has submitted a 90-day Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

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

Former Cincinnati Milacron, North Middleton Township, **Cumberland County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of Fredrick Alcaro, DAC Realty, 590 Rutter Avenue, Kingston, PA 18704-4719, submitted a Final Report concerning remediation of site soils and groundwater contaminated with VOCs, petroleum compounds and chlorinated solvents. The report is intended to document remediation of the site to the Statewide Health Standard.

Berks County Intermediate Unit Alsace School Facility, Alsace Township, **Berks County**. Hafer Environmental Services, Inc., P. O. Box 4418, Reading, PA 19606, on behalf of Berks County Intermediate Unit, 1111 Commons Boulevard, Reading, PA 19612, submitted a Final Report concerning remediation of site soil and groundwater contaminated with heating oil released from a removed underground storage tank. The report is intended to document remediation of the site to the Statewide Health Standard.

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

Williamsport Wirerope Works, Inc., City of Williamsport, **Lycoming County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of Dilworth Paxson, LLP, 1735 Market Street, 3200 Mellon Bank Center, Philadelphia, PA 19103 has submitted a revised Remedial Investigation Report concerning remediation of site groundwater contaminated with TCE, PAHs, lead and cadmium and soils contaminated with lead and arsenic. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), 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 reuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. 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.

Phillips Property, West Norriton Township, **Montgomery County**. Joseph Diamadi, Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Joe Phillips, 2546 West Ridge Pike, Norristown, PA 19403 has submitted a Final Report concerning the remediation of site soil contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on July 12, 2007.

Rosenblum/Hecht Prop., Lower Merion Township, **Montgomery County**. David Farrington, Brickhouse Env., 515 South Franklin Street, West Chester, PA 19382 on behalf of Mandy Rosenblum and Elizabeth Hecht, 210 Ladbroke, Bryn Mawr, PA 19010 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated

attainment of the Statewide Health Standards and was approved by the Department on July 10, 2007.

Widner University, City of Chester, **Delaware County**. Joseph Diamadi, Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426 on behalf of Jerry Pasquariello, Widner University, 1 University Place, Chester, PA 19013 has submitted a 90-day Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department on July 11, 2007.

654 Street Road Site, Bensalem Township, **Bucks County**. Mark Eschbacher, RT Env. Assoc., Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Abraham and Esther Orlick, 1637 Oakwood Drive, S-202, Narberth, PA 19072 has submitted a Remedial Investigation and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with PHA. The Remedial Investigation and Final Report was approved by the Department on July 10, 2007.

Frankford Cleaners, City of Philadelphia, **Philadelphia County**. Peter Granholm, Apex Companies, LLC, 15850 Crabbs Branch Way, Suite 200, Rockville, MD 20855 on behalf of Eric Slivers, URSP I, LLC, 121 West Forsyth Street, Suite 200, Jacksonville, FL 32202 has submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Remedial Investigation Report and Cleanup Plan approved by the Department on July 10, 2007.

Northeast Region: Ronald S. Brezinski, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Former Exide Battery Facility, City of Allentown, **Lehigh County**. Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 submitted a combined Remedial Investigation Report and a Cleanup Plan (on behalf of his client, Jerc Partners II, LLC, 171 Route 173, Suite 201, Asbury, NJ 08802) concerning the proposed remediation of site soils found to have been impacted by lead and the remediation of groundwater found to have been impacted by sporadic inorganic detections as a result of historic operations. The proposed future use of the site will be nonresidential for retail purposes. The combined reports were submitted in partial fulfillment of the Site-Specific Standard using Pathway Elimination and were approved on July 20, 2007.

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

Sunoco Chambersburg Terminal, Chambersburg Borough, **Franklin County**. Aquaterra Technologies, Inc., P. O. Box 744, West Chester, PA 19381, on behalf of Sunoco, Inc., (R & M), 350 Eagleview Boulevard, Suite 300, Exton, PA 19431, submitted a final report concerning the remediation of site groundwater contaminated with diesel and fuel oil. The final report demonstrated attainment of the Nonresidential Statewide Health Standard and was approved by the Department on July 18, 2007.

Larry Metz Residence, Upper Bern Township, **Berks County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Mr. and Mrs. Larry Metz, 5520 Old Route 22, Shartlesville, PA 19554, Mr. and Mrs. Norman Rapak, 5528 Old Route 22, Shartlesville, PA 19554 and State Farm Insurance, P. O. Box 13, Concordville, PA 19331, submitted a final report concerning the remediation of site soils and groundwater

contaminated with unleaded gasoline. The final report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on July 19, 2007.

Metso Minerals Industries, Inc., Spring Garden Township, **York County**. Buchart Horn, Inc., 445 West Philadelphia Street, York, PA 17404 on behalf of Cresticon, Inc., 1840 Century City Park East, Los Angeles, CA 90067-2199 and Metso Minerals Industries, Inc., 240 Arch Street, P. O. Box 15312, York, PA 17405, submitted a final report concerning remediation of site soils contaminated with lead and cadmium. The final report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on July 19, 2007.

Former Garber Motor Company, Elizabethtown Borough, **Lancaster County**. Groundwater Sciences Corporation, 2601 Market Street Place, Room 6, Harrisburg, PA 17110, on behalf of Garber Motor Company, P. O. Box 308, Elizabethtown, PA 17022-0308, submitted a Remedial Investigation and Final Report concerning the remediation of site soils and groundwater contaminated with petroleum hydrocarbons. The remedial investigation and final report demonstrated attainment of the Residential Statewide Health and Site-Specific Standards and was approved by the Department on July 19, 2007.

Messiah College, Schoolhouse Building, Upper Allen Township, **Cumberland County**. United Environmental Services, Inc., 86 Hillside Drive, Drums, PA 18222, on behalf of Messiah College, 1 College Avenue, Grantham, PA 17027, submitted a final report concerning the remediation of site soils contaminated with No. 2 fuel oil. The final report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department on July 24, 2007.

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

Crete Carriers Danville I-80 Truck Accident, Valley Township, **Montour County**. Northridge Group Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Crete Carriers, 132 South 13th Street, Suite 200, Lincoln, NE 68508 has submitted a Final Report concerning the remediation of site soil and surface water contaminated with diesel fuel along I-80 at MM 222. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on July 16, 2007.

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.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Thomas McGinley, New Source Review Chief, (484) 250-5920.

09-310-075GP: J.D.M. Materials Co., Inc. (851 County Line Road, Huntingdon Valley, PA 19006) on July 23, 2007, to operate a portable nonmetallic mineral in Langhorne Borough, **Bucks County**.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Mark Wejkszner, New Source Review Chief, (570) 826-2531.

39-310-034GP3: Haines and Kibblehouse (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on July 18, 2007, to construct and operate a Portable Crushing Operation with watersprays at their site at Huckleberry Road in South Whitehall Township, **Lehigh County**.

39-310-035GP3: Haines and Kibblehouse (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on July 18, 2007, to construct and operate a Portable Crushing Operation with watersprays at their site at Huckleberry Road in South Whitehall Township, **Lehigh County**.

39-329-005GP9: Haines and Kibblehouse (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on July 18, 2007, to install and operate a Diesel I/C Engine at their site at Huckleberry Road in South Whitehall Township, **Lehigh County**.

39-329-006GP9: Haines and Kibblehouse (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on July 18, 2007, to install and operate a Diesel I/C Engine at the site at Huckleberry Road in South Whitehall Township, **Lehigh County**.

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

GP4-36-05019: Anvil International, Inc. (1411 Lancaster Avenue, Columbia, PA 17512-1900) on July 23, 2007, for Burn Off Ovens under GP4 in Columbia Borough, **Lancaster County**.

GP14-21-03054: Hollinger Funeral Home, Inc. (501 North Baltimore Avenue, Mt. Holly Springs, PA 17065) on July 18, 2007, for Human and Animal Crematories under GP14 in Mount Holly Spring Borough, **Cumberland County**.

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

GP3-26-00565: Steve Patterson Excavating (170 Yasenosky Road, Smithfield, PA 15478) on July 16, 2007, to install and operate one Cedar Rapids Crusher, Model 3054, rated at 250 tph, one Hazmag Grinder, Model 1013Q, rated at 250 tph, one Telesmith Screen, Model 5X16TR, rated at 250 tph, one JCI Screen, Model 6X20, rated at 250 tph and nine Conveyors at the Steve Patterson Excavating, Rose Surface Mine Portable Non-metallic Mineral Processing Plant in Dunbar Township, **Fayette County**.

GP9-26-00565: Steve Patterson Excavating (170 Yasenosky Road, Smithfield, PA 15478) on July 16, 2007 to install and operate one Cummins Diesel Engine, Model VTA1710G2, rated at 700 bhp and one CO Oxidation Catalyst at the Steve Patterson Excavating, Rose Surface Mine Portable Nonmetallic Mineral Processing Plant to be located in Dunbar Township, **Fayette County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, George Monasky, New Source Review Chief, (814) 332-6940.

GP-61-202: Great Lakes Energy Partners LLC—Cook Station (Goodwin Road, Dempseytown, PA 16319) on July 18, 2007, for a natural gas fired compressor engine in Plum Township, **Venango County**.

GP-62-148: Elkhorn Operating Co.—Roystone Station (Route 6 East, Sheffield, PA 16347) on July 9, 2007, for a natural gas fired compressor engine in Sheffield, **Warren County**.

GP-61-191: Seneca Printing and Label, Inc. (1642 Debence Drive, Franklin, PA 16323) on July 16, 2007, for a lithographic printing press in Sugarcreek Township, **Venango County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Thomas McGinley, New Source Review Chief, (484) 250-5920.

09-0120: BASF Construction Chemicals, LLC (Route 13 and Beaverdam Road, Bristol, PA 19007) on July 23, 2007, to operate five mixer vents in Bristol Township, **Bucks County**.

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

36-05067K: C & D Technologies, Inc. (82 East Main Street, Leola, PA 17540-1963) on July 19, 2007, for modifications to the existing battery manufacturing plant in Upper Leacock Township, **Lancaster County**.

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

30-00099G: Allegheny Energy Supply Co., LLC (800 Cabin Hill Drive, Greensburg, PA 15601) on July 18, 2007, to install and operate limestone and gypsum Materials Handling Systems as part of the Flue Gas Desulfurization Project at the Hatfield's Ferry Power Station located in Monongahela Township, **Greene County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, George Monasky, New Source Review Chief, (814) 332-6940.

10-062E: Slippery Rock University (1 Marow Way, Slippery Rock, PA 16057) on July 10, 2007, to modify a 39.5 mmBtu/hr coal-fired 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.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Thomas McGinley, New Source Review Chief, (484) 250-5920.

46-01981: Blommer Chocolate Co. (P. O. Box 45, 1101 Blommer Drive, East Greenville, PA 18041) on July 17, 2007, to operate two diffusion filter systems in Upper Hanover Township, **Montgomery County**.

46-0147: Chemalloy Co., Inc. (P. O. Box 350, Bryn Mawr, PA 19010) on July 17, 2007, to operate a ball mills and dust collectors in Plymouth Township, **Montgomery County**.

09-0127A: Bracalente Manufacturing Co., Inc. (20 West Creamery Road, Trumbauersville, PA 18970) on July 20, 2007, to operate eight degreasers in Trumbauersville Borough, **Bucks County**.

46-0155D: Sermatech International, Inc. (159 South Limerick Road, Royersford, PA 19468) on July 19, 2007, to operate a spray booth in Limerick Township, **Montgomery County**.

46-313-146: Penn Color, Inc. (2755 Bergey Road, Hatfield, PA 19440) on July 23, 2007, to operate a base pigment dispersion facility in Hatfield Township, **Montgomery County**.

09-0107: Oldcastle Retail Inc. d/b/a Bonsal American (1214 Hayes Boulevard, Bristol, PA 19007) on July 20, 2007, to operate a baghouse in Bristol Township, **Bucks County**.

23-0003G: ConocoPhillips Company (1400 Park Avenue, Linden, NJ 07036) on July 19, 2007, to operate a platformer heaters revamp in Trainer Borough, **Delaware County**.

09-0143A: Naceville Materials (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on July 20, 2007, to operate a scalping screen and conveyors in West Rockhill Township, **Bucks County**.

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

47-399-016: Augusta Fiberglass Coatings, Inc. (18 McMichael Road, Washingtonville, PA 17884) on July 20, 2007, to operate a fiberglass stack liner manufacturing operation on a temporary basis until November 17, 2007, at the PPL Montour Steam Electric Station in Derry Township, **Montour County**. The plan approval has been extended.

41-00010F: Andritz, Inc. (35 Sherman Street, Muncy, PA 17756) for July 13, 2007, to extend the authorization to operate a metal parts shot blasting system, an arc welding station, four metal parts grinding stations and four plasma cutting/welding stations on a temporary basis to November 10, 2007, in Muncy Borough, **Lycoming County**. The plan approval has been extended.

14-00029A: Con-Stone, Inc. (P. O. Box 28, Bellefonte, PA 16823) on June 1, 2007, to construct and operate two screens, six belt conveyors, two radial stacking conveyors, a feeder, a bin, an aggregate conditioner and a fine material screw in their existing limestone crushing and screening plant until September 30, 2007, in Haines Township, **Centre County**. The plan approval has been extended.

53-00009A: Morgan Advance Materials & Technology, Inc. (441 Hall Avenue, St. Marys, PA 15857) on May 24, 2007, to construct and operate three electric powered heat treat ovens, each to be equipped with a natural gas fired thermal oxidizer to control air contaminant emissions in their Coudersport plant until September 21, 2007 in Eulalia Township, **Potter County**. The plan approval has been extended.

08-00003C: CraftMaster Manufacturing, Inc. (P. O. Box 311, Shiner Road, Towanda, PA 18848) on July 16, 2007, to extend the due date to perform PM, PM10, VOCs, SO₂ and ammonia emissions stack testing on wood-fired boiler No. 3 until September 30, 2007 and to extend the due date to perform PM stack testing on the dry wood fuel handling sources to November 15, 2007 at their facility in Wysox Township, **Bradford County**.

Title V Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.

67-05030: CP Converters, Inc. (15 Grumbacher Road, York, PA 17406-84717) on July 19, 2007, to install a Flexographic Press in existing permanent total enclosure Room 2 and Thermal Oxidizer at Manchester Township, **York County**. This Title V Operating Permit was administratively amended to incorporate Plan Approval No. 67-05030C. This is revision No. 1.

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

11-00288: Johnstown America Corp.—Freight Car Division (17 Johns Street, Johnstown, PA 15901) on July 18, 2007, for a Title V Operating Permit renewal for their Franklin Plant, in Franklin Borough, **Cambria County**. The facility's major sources of emissions include rail car painting operations, which emit major quantities of VOCs.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Matthew Williams, Facilities Permitting Chief, (814) 332-6940.

10-00311: FB Leopold Co. (227 South Division Street, Zelienople, PA 16063) on July 19, 2007, to operate the facility's air contamination sources consisting of a Fiberglass Spray Up Area and a Natural Gas Boiler. The facility manufactures municipal water filtering equipment using a styrene based polyester resin and creates fugitive emissions in the Borough of Zelienople, **Butler County**.

43-00287: Jones Performance Products, Inc.—West Middlesex Plant (No. 1 Jones Way, P. O. Box 563, West Middlesex, PA 16159) on July 16, 2007, to reissue a Title V Operating Permit to operate a Reinforced Plastic Manufacturing Facility, in West Middlesex Borough, **Mercer County**. This facility is a major source due to potential VOC and HAP emissions.

62-00141: National Fuel Gas Supply Corp.—Roystone Compressor (Route 6, Warren, PA 16365) on July 16, 2007, to reissue a Title V Operating Permit to operate a Natural Gas Compressor Station, at Star Route Box 574, Sheffield Township, **Warren County**.

16-00127: Piney Creek Limited Partnership—Piney Creek Power Plant (428 Power Lane, Clarion, PA 16214) on July 23, 2007, to reissue a Title V Operating Permit to operate an Electric Energy Generating Facility, in Piney Township, **Clarion County**.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

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

07-03010: Hollidaysburg Area School District (201 Jackson Street, Hollidaysburg, PA 16648-1615) on July 11, 2007, to operate their coal, oil and gas fired boilers in Hollidaysburg Borough, **Blair County**. This is a renewal of the State-only operating permit.

07-03036: Forsht Concrete Products Co., Inc. (R. R. 4, Box 568, Altoona, PA 16601) on July 16, 2007, to operate a human crematory in Logan Township, **Blair County**. This is a renewal of the State-only operating permit.

22-03051: Buse Funeral Home (9066 Jonestown Road, Grantville, PA 17028) on July 16, 2007, to operate a crematorium in East Hanover Township, **Dauphin County**. This is a renewal of the State-only operating permit.

22-03065: Department of Agriculture (2301 North Cameron Street, Harrisburg, PA 17110-9405) on July 18, 2007, to operate a pathological/infectious waste incinerator at the facility's Pennsylvania Veterinary Laboratory in Susquehanna Township, **Dauphin County**.

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

56-00267: Future Industries, Inc. (P. O. Box 157, Meyersdale, PA 15552-0157) on July 20, 2007, for a State-only operating permit to operate the Merrill Strip Mine Coal Preparation Plant in Brothervalley Township, **Somerset County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Matthew Williams, Facilities Permitting Chief, (814) 332-6940.

25-00279: Associated Spring Barnes Group (226 South Center Street, Corry, PA 16407) on July 16, 2007, to operate the facility's air contamination sources consisting of four boilers, Thermadep (dip coating) operation, 10 grinders and 20 natural gas fired ovens each rated less than 2 mmBtu/hr in the City of Corry, **Erie County**.

42-00193: Allegheny Bradford Corp. Mfg. (1522 South Avenue, Route 219 South, Bradford, PA 16701) on July 16, 2007, for the facility's air contamination sources consisting of the stainless steel polishing operation in the Borough of Lewis Run, **McKean County**.

10-00298: ESM Group, Inc. (955 Saxonburg Boulevard, Saxonburg, PA 16056-2317) on July 19, 2007, to operate a magnesium-lime powders facility, in Saxonburg Borough, **Butler County**. The facility's primary emission sources include four magnesium grinding buildings, three powdered magnesium transfer and storage silos, powdered lime handling and storage, a mixing operation, a paint booth, truck loading, vessel cleaning and miscellaneous natural gas use.

25-00179: Erie City Sewer Authority (68 Port Access Road, Erie, PA 16507-2204) on July 13, 2007, to reissue the Title V Operating Permit to operate a waste water treatment plant located in the City of Erie, **Erie County**. The primary sources of emissions at the facility include two sewage sludge incinerators, five 4-pass aeration tanks, a 25,000 gallon oil storage tank and four back up generators.

42-00178: Glenn O. Hawbaker Inc.—Turtle Point—Plant No. 7 (1724 Champlain Hill Road, Turtle Point, PA 16750) on July 17, 2007, to operate their facility's air contamination sources consisting of a batch mix asphalt operation with the use of a natural gas drier and a rail unloading system in Borough of Annin, **McKean County**.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Edward Jurdon Brown, Facilities Permitting Chief, (484) 250-5920.

23-00038: Delaware County Regional Water Authority (100 East 5th Street, Chester, PA 19016) on July 23, 2007, a Title V facility located in the City of Chester, **Delaware County**. The Title V Permit was revised in response to objections raised in an appeal. Changes to the Title V Permit included additional language to clarify the intent of permit conditions in Section C, corrections of typographical errors and clarifications of language in the permit in Source ID Nos. 001 and 002, removal of duplicate equipment included under Source ID No. 500, the removal of language concerning bypassing Source ID Nos. C01 and C02, clarification of language for Department approved standard operating procedures and preventive maintenance schedules associated with Source ID Nos. C03 and C04 and corrections from PM10 to TSP in Section F of the Title V Permit. The changes listed above do not result in an increase of emissions from this facility.

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

36-03052: Boose Aluminum Foundry Co., Inc. (77 North Reamstown Road, P. O. Box 261, Reamstown, PA 17567-0261) on July 19, 2007, to operate their aluminum foundry in East Cocalico Township, **Lancaster County**. This operating permit was administratively amended to incorporate Plan Approval 36-03052A. This is revision No. 1.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

63-00016: Allegheny Energy Supply Co., LLC (800 Cabin Hill Drive, Greensburg, PA 15601) for de minimis emission increase of 0.0027 ton PM10 per year resulting from the installation of two evaporative coolers on or about June 18, 2007 at the Mitchell Generating Station located in Union Township, **Washington County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Matthew Williams, New Source Review Chief, (814) 332-6940.

61-00198: Handsome Lake Energy, LLC (173 Cornplanter Lane, Kennerdell, PA 16374) for their facility in Rockland Township, **Venango County**. The de minimis increases are a result of an increase in the gas usage while decreasing the short-term emission factor. The emission factor was verified through initial performance testing in September 2001, and also quarterly testing (with a portable NOx analyzer) each year since the initial tests. The Department of Environmental Protection has started a list of de minimis increases as prescribed in 25 Pa. Code § 127.449(i).

The de minimis increase thresholds are based on increases from a single source during the term of the permit and facility-wide increases during the term of the permit. The current Operating Permit was issued on August 19, 2002 and expires on July 31, 2007. There were no other de minimis increases at the facility during the term of the permit. The de minimis increases and proposed new emission limits are as follows:

<i>Pollutant</i>	<i>Current Limit (tpy)</i>	<i>Proposed Limit (tpy)</i>	<i>Increase (tpy)</i>	<i>De minimis increase threshold (tpy)</i>
CO	60.4	68.2	7.8	4 tpy single source 20 tpy facility-wide
VOC	7.5	8.5	1.0	1 tpy single source 5 tpy facility-wide
SO ₂	2.6	2.9	0.3	1.6 tpy single source 8.0 tpy facility-wide
PM10	10.9	12.3	1.4	0.6 tpy single source 3.0 tpy facility-wide

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. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Permits Actions

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

11020101 and NPDES No. PA0249203, E. P. Bender Coal Co., Inc., P. O. Box 594, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface-auger mine in Reade Township, **Cambria County**, affecting 141.0 acres. Receiving stream: Fallentimber Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 17, 2007. Permit issued July 17, 2007.

32010112 and NPDES No. PA0249084, Amerikohl Mining, Inc., 202 Sunset Drive, Butler, PA 16001, permit renewal for reclamation only of a bituminous surface mine in Burrell Township, **Indiana County**, affecting 80.4 acres. Receiving streams: UNTs to Blacklick Creek; UNTs to Two Lick Creek classified for the following uses: CWF; TSF. There are no potable water supply intakes within 10 miles downstream. Application received June 25, 2007. Permit issued July 19, 2007.

56870101 and NPDES No. PA0597937, Hilltop Mining, Inc., 126 Bronco Drive, Berlin, PA 15530-9210, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 15.8 acres. Receiving streams: UNT to Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 19, 2007. Permit issued July 19, 2007.

Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, (724) 925-5500.

GP12-65050101 and NPDES Permit No. PA0250775, Amerikohl Mining, Inc. (1384 SR 711, Stahlstown, PA 15687). Permit revised to allow construction and operation of a portable coal crusher at an existing bituminous surface mining site located in Derry and Ligonier Townships, **Westmoreland County**, affecting 450 acres. Receiving streams: UNTs to Loyalhanna Creek and Loyalhanna Creek. Application received November 13, 2006. Revision/GP12 issued July 17, 2007.

Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, (814) 797-1191.

33920106 and NPDES Permit No. PA0211273, Beverly Hill Coal Company (P. O. Box 39, Rockton, PA 15856) Renewal of an existing bituminous strip and auger operation in Henderson Township, **Jefferson County** affecting 64.0 acres. This renewal is issued for reclamation only. Receiving streams: UNT to East Branch Mahoning Creek. Application received April 16, 2007. Permit issued July 18, 2007.

33060104 and NPDES Permit No. PA0258229, MSM Coal Co., Inc. (P. O. Box 243, DuBois, PA 15801) Commencement, operation and restoration of a bituminous strip operation in Knox Township, **Jefferson County** affecting 38.9 acres. Receiving streams: UNTs to Five Mile Run. Application received October 30, 2006. Permit issued July 19, 2007.

1361-33060104-E-1, MSM Coal Co., Inc. (P. O. Box 243, DuBois, PA 15801) Application for a stream encroachment to conduct mining within 100 feet of UNT No. 4 to Five Mile Run in Knox Township, **Jefferson County**. Receiving streams: UNTs to Five Mile Run. Application received April 13, 2007. Permit issued July 19, 2007.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.

17060105 and NPDES No. PA0256374, Allegheny Enterprises, Inc. (P. O. Box 333, Curwensville, PA 16833), revision of an existing bituminous surface mine to conduct mining activities within the 100' barrier to SR 4003 in Brady Township, **Clearfield County**, affecting 38.0 acres. Receiving stream: Stump Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 24, 2007. Permit issued July 6, 2007.

17010108 and NPDES No. PA0243108, Swisher Contracting, Inc. (P. O. Box 1223, Clearfield, PA 16830), permit renewal for reclamation only of a bituminous surface mine in Lawrence Township, **Clearfield County**, affecting 76.0 acres. Receiving stream: Orr's Run to the West Branch Susquehanna River. There are no potable

water supply intakes within 10 miles downstream. Application received June 13, 2007. Permit issued June 29, 2007.

Noncoal Permits Actions

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

28060801. Scott's Hauling and Excavating, Inc., 5823 Race Track Road, St. Thomas, PA 17252, commencement, operation and restoration of a small noncoal (industrial minerals) operation in St. Thomas Township, **Franklin County**, affecting 5.0 acres, receiving streams: UNT to Campbell Run. Application received October 27, 2006. Permit issued July 17, 2007.

Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, (724) 925-5500.

30072801. H & H Stone Co., LLC (P. O. Box 66, Blacksburg, WV 26521). Permit for small noncoal (industrial mineral) surface mine, located in Perry Township, **Greene County**, affecting 5 acres. Receiving streams: UNTs to Black's Run and Hackelbender Run. Application received March 16, 2007. Permit issued July 20, 2007.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.

57012802. Insinger Excavating, Inc. (R. R. 4, Box 4207, Dushore, PA 18614-9442). Transfer of an existing shale operation from Jack Insinger/Insinger Excavating to Insinger Excavating, Inc. in Forks Township, **Sullivan County**, affecting 5.0 acres. Receiving stream: Black Creek. Application received July 2, 2007. Permit issued July 5, 2007.

53060803. James L. Ludwig (2689 SR 607, Austin, PA 16720). Commencement, operation and restoration of a small noncoal bluestone operation in Keating Township, **Potter County**, affecting 5.0 acres. Receiving Streams: UNT to West Branch Freeman Run to West Branch Freeman Run. Application received October 24, 2006. Permit issued June 29, 2007.

08010808. Pure Mountain LLC, DBA Pure Mountain Mining, LLC (7 Red Lion Road, Vincentown, NJ 08088). Transfer of an existing flagstone operation from Michael A. Micklas in Windham Township, **Bradford County**, affecting 3.0 acres. Receiving streams: Trout Brook, tributary to Wysox Creek. Application received June 19, 2007. Permit issued June 28, 2007.

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

58070813. Joseph A. Oruska, (P. O. Box 576, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Dimock Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received February 12, 2007. Permit issued July 16, 2007.

35070802. Gregory J. Pierre, (R. R. 1, Box 1306, Gouldboro, PA 18424), commencement, operation and restoration of a quarry operation in Madison Township, **Lackawanna County** affecting 5.0 acres, receiving stream: none. Application received February 28, 2007. Permit issued July 19, 2007.

66060809. Stephen L. Walter, (R. R. 1, Box 39 B, Sugar Run, PA 18846), commencement, operation and restoration of a quarry operation in Windham Township, **Wyoming County** affecting 3.0 acres, receiving stream: none. Application received July 31, 2006. Permit issued July 19, 2007.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (43 P.S. §§ 151-161); and 25 Pa. Code § 211.124 (relating to blasting activity permits). Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Actions

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

21074148. M & J Explosives, Inc., P. O. Box 608, Carlisle, PA 17013-0608, blasting activity permit issued for single dwelling development in Monroe Township, **Cumberland County**. Blasting activity permit end date is July 31, 2008. Permit issued July 9, 2007.

05074101. Dyno Nobel, Inc., 1320 Galiffa Drive, Donora, PA 15033, blasting activity permit issued for pipeline development in Harrison, Juniata and Allegheny Townships, **Bedford and Somerset Counties**. Blasting activity permit end date is December 30, 2008. Permit issued July 9, 2007.

21074150. John W. Gleim, Jr., Inc., 625 Hamilton Street, Carlisle, PA 17013-1925, blasting activity permit issued for utility development in Middlesex Township, **Cumberland County**. Blasting activity permit end date is December 15, 2007. Permit issued July 12, 2007.

28074140. Newville Construction Services, Inc., 408 Mohawk Road, Newville, PA 17241-9424, blasting activity permit issued for commercial development in Chambersburg Borough, **Franklin County**. Blasting activity permit end date is July 30, 2008. Permit issued July 13, 2007.

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

22074114. J. Roy's, Inc., (Box 125, Bowmansville, PA 17507), construction blasting for Spring Creek Development in Swatara and Lower Paxton Townships, **Dauphin County** with an expiration date of July 5, 2008. Permit issued July 16, 2007.

22074004. Abel Construction Co., Inc., (P. O. Box 476, Mountville, PA 17554), construction blasting at Deer Run Commons Phase I in Derry Township, **Dauphin County** with an expiration date of July 18, 2008. Permit issued July 17, 2007.

45074140. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Twin Lake Estates in Smithfield Township, **Monroe County** with an expiration date of June 30, 2008. Permit issued July 17, 2007.

45074141. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Pocono Highland Estates in Pocono Township, **Monroe County** with an expiration date of June 30, 2008. Permit issued July 17, 2007.

45074143. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Route 209 Dairy Queen in Smithfield Township, **Monroe County** with an expiration date of July 31, 2008. Permit issued July 17, 2007.

45074144. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for New Ven-

tures Park in Tobyhanna Township, **Monroe County** with an expiration date of July 31, 2008. Permit issued July 17, 2007.

45074145. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for County Club of the Poconos in Middle Smithfield Township, **Monroe County** with an expiration date of July 31, 2008. Permit issued July 17, 2007.

52074126. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Hemlock Farms Development in Porter, Dingman and Blooming Grove Townships, **Pike County** with an expiration date of June 30, 2008. Permit issued July 17, 2007.

64074108. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Walenpaupack Lake Estates in Paupack Township, **Wayne County** with an expiration date of July 31, 2008. Permit issued July 17, 2007.

39074120. Schlouch, Inc., (P. O. Box 69, Blandon, PA 19510), construction blasting for Olympic Ridge in Lower Macungie Township, **Lehigh County** with an expiration date of July 2, 2008. Permit issued July 18, 2007.

39074121. Silver Valley Drilling & Blasting, Inc., (R. R. 4, Box 4196, Saylorsburg, PA 18353), construction blasting for Greentree Industrial in Lower Macungie Township, **Lehigh County** with an expiration date of July 9, 2008. Permit issued July 18, 2007.

39074122. Newville Construction Services, Inc., (408 Mohawk Road, Newville, PA 17241), construction blasting for Lehigh Valley South Warehouse in Lower Macungie Township, **Lehigh County** with an expiration date of July 30, 2008. Permit issued July 18, 2007.

45074139. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Lake in the Pines in Middle Smithfield Township, **Monroe County** with an expiration date of June 30, 2008. Permit issued July 18, 2007.

45074142. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Penn Estates in Stroud and Pocono Townships, **Monroe County** with an expiration date of July 31, 2008. Permit issued July 18, 2007.

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

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

E40-533A. Wilkes-Barre/Scranton International Airport, 100 Terminal Road, Avoca, PA 18641. Moosic Borough, **Lackawanna County**, United States Army Corps of Engineers Baltimore District.

To amend Permit No. E40-533 to include the placement of fill in approximately 0.069 acre of PEM wetlands situated in Spring Brook (CWF) Watershed for the proposed 225-foot extension of Runway 22 which is necessary to comply with FAA safety regulations. The permittee is required to provide 0.069 acre of replacement wetlands. The project is located at the northern end of the airport southeast of the intersection of SR 0081 and SR 0502 (Avoca, PA Quadrangle N: 16.0 inches; W: 13.7 inches). (Subbasin: 5A)

E64-266. Jack Downton, 6 Downton Drive, Starrucca, PA 18462. Starrucca Borough, **Wayne County**, United States Army Corps of Engineers Baltimore District.

To construct and maintain a steel I-beam bridge, having a 12-foot span and a 4.5-foot approximate underclearance, across a tributary to Shadigee Creek (CWF). The project is located on the south side of T-783 (Fairmount Road) approximately 0.8 mile east of its intersection with Winterdale Road (Starrucca, PA-NY Quadrangle N: 5.8 inches; W: 8.4 inches).

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

E18-419. The Department of Conservation and Natural Resources Sproul State Forest, 15187 Renovo Road, Renovo, PA 17764. Huff Run Walk Bridge,

in Chapman Township, **Clinton County**, ACOE Baltimore District (Renovo East, PA Quadrangle N: 14.5 inches; W: 0.4 inch).

To construct and maintain a 30 ft. single span walk bridge. The walk bridge will consist of three aluminum I-beams with a pressure treated timber deck and gabion basket abutments. The bridge will be located along Garby trail approximately 2,170 ft. from the access point near Hyner Bridge on SR 0120. This project does not propose to permanently impact Huff Run, which is, designated a HQ-CWF stream and does not propose to impact any jurisdictional wetlands. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E32-480. D. L. Resources, Inc., 1066 Hoover Road, Smicksburg, PA 16256. To upgrade a ford crossing in Blacklick Township, **Indiana County**, Pittsburgh ACOE District (Bolivar, PA Quadrangle N: 21.5 inches; W: 15.5 inches, Latitude: 40° 29' 35"; Longitude: 79° 14' 12"). To operate and maintain an existing temporary ford crossing on Muddy Run (CWF) for permanent use, for the purpose of providing access to a natural gas well. The project is located approximately 1.6 miles north of the confluence of Muddy Run and Blacklick Creek.

E65-909. Dominion Exploration & Production, Inc., 1380 Route 286, Highway East, Suite 303, Indiana, PA 15701. To construct a ford crossing in Washington Township, **Westmoreland County**, Pittsburgh ACOE District (Vandergrift, PA Quadrangle N: 7.7 inches; W: 16.0 inches, Latitude: 40° 32' 30.3"; Longitude: 79° 36' 55.1"). To remove the existing temporary pipe culvert and to construct and maintain a ford crossing across Pine Run (WWF) to access a gas well.

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 504, 1101—1102) and under 25 Pa Code Chapter 245, Subchapter C, have been issued by the Bureau of Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
07-51-015	Clean Harbors PPM, LLC 4105 Whitaker Avenue Philadelphia, PA 19124-4239 Attn: Alexander Yonker	Philadelphia	City of Philadelphia	3 ASTs storing mineral oil	30,000 gallons total

SPECIAL NOTICES

Notice of Intent to Use Coal Ash as Structural Fill per 25 Pa. Code § 287.661 (relating to use as structural fill) of the residual waste regulations.

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

The Department of Environmental Protection, per 25 Pa. Code § 287.661(c), is hereby publishing a summary of an intent to use coal ash as structural fill allow for public comment. Per 25 Pa. Code § 287.1 "structural fill" is defined as the "engineered use of coal ash as a base or foundation for a construction activity that is completed promptly after the placement of the coal ash, including the use of coal ash as a backfill material for retaining walls, foundations, ramps or other structures. The term does not include valley fills or the use of solid waste to fill open pits from coal or noncoal mining."

Summary

User of Coal Ash: PPL Generation, LLC

Location of Use: The location of use is at the PPL Martins Creek Industrial Waste Treatment Basin (IWTB), located in Lower Mt. Bethel Township, **Northampton County**.

Description of Use: Approximately 15,000 to 20,000 cubic yards of coal ash will be used as structural fill to support the replaced liner system for the Industrial Waste Treatment Basin, following excavation of any unsuitable

subsoils at the IWTB location. The ash was generated by PPL and previously managed in the Ash Basin No. 1 (ID# 301256).

No intermediate unloading or stockpiling is proposed prior to use as structural fill per 25 Pa. Code § 287.661. The structural fill aspect of this construction project would begin at the end of August 2007, and be completed when the IWTB liner system has been replaced.

Public Comments

Persons wishing to comment on this proposal should submit the comments in writing to the Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711-0790, Attention: William Tomayko, Regional Solid Waste Manager. Comments should include all reasonably available references, factual grounds and supporting materials. The public comment period ends 60 days following the publishing of this notice in the *Pennsylvania Bulletin*.

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, (814) 342-8200.

Notice of Action on First Application of Nonexceptional Value Sewage Sludge under General Permit PAG-8

18078001. Kyler Environmental Services, LTD (1269 Piedmont Road, Somerset, PA 15501), biosolids processing and land mine reclamation in West Keating Township, Clinton County, affecting 612.4 acres. Receiving streams: Loop Run (CWF), Little Birch Island Run (HQ-CWF), Little Bougher Run (CWF), Sugar Camp Run

(HQ-CWF), all to West Branch Susquehanna River (WWF). There are no potable water supply intakes within 10 miles downstream. Application received May 7, 2007. Approved July 9, 2007.

[Pa.B. Doc. No. 07-1398. Filed for public inspection August 3, 2007, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) website at www.depweb.state.pa.us (DEP Keywords: Technical Guidance). The "Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2007.

Ordering Paper Copies of Department Technical Guidance

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

Changes to Technical Guidance Documents

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

Final Technical Guidance

DEP ID: 563-2000-003. Title: Incidental Coal Extraction for Government-Financed Construction Projects or Government-Financed Reclamation Projects. Description: The regulations at 25 Pa. Code § 86.6 (relating to extraction of coal incidental to government-financed construction or government-financed reclamation projects) allow for an exemption from the permitting requirement for the extraction of coal incidental to government-financed construction projects and government-financed reclamation projects under certain circumstances. The Federal coal mining regulations also allow for the exemption at 30 CFR Part 707. This guidance document describes the process to determine if a government-financed construction project or a government-financed reclamation project that will remove coal is eligible for an exemption under the aforementioned regulations. Notice requesting comments on the draft version of this technical guidance document was published at 37 Pa.B. 2142 (May 5, 2007). The Department did not receive public comments on the draft document during the public comment period, which concluded on June 4, 2007. Contact: William S. Allen, Jr., Department of Environmental Protection, Bureau of Mining and Reclamation, P.O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103, wallen@state.pa.us. Effective Date: August 4, 2007.

Draft Technical Guidance—Substantive Revision

DEP ID: 253-0300-100. Title: Pennsylvania's Land Recycling Program Technical Guidance Manual—Section IV General Guidance. Description: The substantive revisions proposed to Pennsylvania's Land Recycling Program Technical Guidance Manual—Section IV General Guidance include the addition of several regulated substances to the "short list" in Table IV-9 for several petroleum products and mineral insulating oils containing PCBs. It is only these regulated substances or "chemicals of concern" identified in the "short list" that need to be tested for to demonstrate attainment under any of the Act 2 standards when there is a release of these petroleum products, uncontaminated by other sources. The addition of new regulated substances to the short list will result in more extensive remediation for certain petroleum products. Written comments: The Department is seeking comments on the substantive revisions to draft technical guidance #253-0300-100. Interested persons may submit written comments on this draft technical guidance document by September 4, 2007. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to David Crownover, Department of Environmental Protection, Office of Community Revitalization and Local Government Support, Voluntary Cleanup and Standards Section, Rachel Carson State Office Building, 10th Floor, P.O. Box 8471, Harrisburg, PA 17105-8471, dcrownover@state.pa.us. Contact: Questions regarding the draft technical guidance document should be directed to David Crownover at (717) 783-7502, dcrownover@state.pa.us. Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1399. Filed for public inspection August 3, 2007, 9:00 a.m.]

Citizens Advisory Council Meeting Change

The date and location of the October 16, 2007, meeting of the Citizens Advisory Council (Council) to the Department of Environmental Protection (Department) has been changed. In lieu of the meeting scheduled for October 16, 2007, Council will now hold public meetings in Bedford, PA, on October 10–11, 2007. The purpose of the meetings is to hear from interested citizens and groups from Bedford, Blair, Franklin, Fulton and Huntingdon Counties on environmental issues facing the region and the work of the Department. The meetings will occur at the Best Western Bedford Inn, 4517 Business 220, Bedford, PA, as follows: Wednesday, October 10, 7 p.m.—9 p.m.; and Thursday, October 11, 9:30 a.m.—12 p.m.

The Council is a nonpartisan group of 18 citizen volunteers appointed by the Governor, Speaker of the House and the President Pro Tempore of the Senate. The Department Secretary also serves as a member. The Council is legislatively charged with reviewing all environmental legislation, regulations and policies affecting the Commonwealth, and for reviewing the Department's work and making recommendations.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Council at (717) 787-4527, or through the

Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Council may accommodate their needs.

For more information about the Council or its upcoming meetings, contact the Council at (717) 787-4527 or visit the Council's website at www.depweb.state.pa.us/cac.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1400. Filed for public inspection August 3, 2007, 9:00 a.m.]

Mining and Reclamation Advisory Board; Meeting Change

The October 25, 2007, meeting of the Mining and Reclamation Advisory Board has been moved to an alternate location. The meeting will now take place at the Department of Environmental Protection's (Department) Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA.

Questions concerning this meeting should be directed to James Charowsky at (717) 787-7007 or jcharowsky@state.pa.us. The agenda and meeting materials for the October 25, 2007, meeting will be available through the Public Participation Center on the Department's website at www.depweb.state.pa.us (DEP Keywords: Public Participation, Participate).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact James Charowsky at the telephone number or email address previously listed or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1401. Filed for public inspection August 3, 2007, 9:00 a.m.]

Small Water Systems Technical Assistance Center Advisory Board; Meeting Cancellation

The Small Water Systems Technical Assistance Center Advisory Board's (Board) regular quarterly Board meeting scheduled for August 16, 2007, at 10 a.m. in Room 105, Rachel Carson State Office Building, Harrisburg, has been cancelled. The next regularly scheduled Board meeting will occur on November 15, 2007, at 10 a.m.

Questions concerning the cancellation of the August 16, 2007, meeting or the next regularly scheduled meeting of the Board may be directed to Ray Braun at (717) 772-2186 or rbraun@state.pa.us.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1402. Filed for public inspection August 3, 2007, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application for Exception to 28 Pa. Code § 123.25(2)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards):

UPMC Presbyterian Shadyside
Bloomsburg Hospital
Penn State Hershey Medical Center
Alle-Kiski Medical Center

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 07-1403. Filed for public inspection August 3, 2007, 9:00 a.m.]

Availability of Draft Preventive Health and Health Services Block Grant Application; for Federal Fiscal Year 2008

The Department of Health (Department) is making copies available of the draft Preventive Health and Health Services Block Grant Application for Federal Fiscal Year 2008 under 42 U.S.C.A. § 300w-4. This application is the Commonwealth's draft request to the United States Department of Health and Human Services for block grant funding to address the Healthy People 2010 Health Status Objectives.

The block grant application (Pennsylvania's funding request to Health and Health Services) describing proposed services, program goals and objectives and activities will be available on or after August 17, 2007, and can be obtained by calling the Bureau of Health Promotion and Risk Reduction at (717) 787-6214. Persons with a disability who require an alternative format of the previously-mentioned application (such as, large print, audio tape, Braille) should also contact the Bureau of Health Promotion and Risk Reduction at (717) 787-6214 (TTD (717) 783-6514).

A public hearing will be conducted by the Department for the purpose of receiving testimony on the previously-mentioned application in accordance with 42 U.S.C.A. § 300w-4. Comments and suggestions from the public should relate to the priorities and program plans included in the application.

The hearing will be held from 10 a.m. until noon, August 17, 2007, in Conference Room 628, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA. Persons wishing to testify are requested to preregister by contacting the Bureau of Health Promotion and Risk Reduction at (717) 787-6214. Registration will be accepted on the day of the hearing. Persons will be allotted a maximum of 15 minutes to testify. Persons who testify should provide the Department with two copies of their testimony at the time of the hearing.

Written comments will be accepted and should be sent to the Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA 17108, and should be received no later than 4 p.m., September 10, 2007.

Persons with disabilities wishing to attend the meeting and requiring an auxiliary aid, service or other accommodation to do so and/or who desire to comment in alternative format (such as, large print, audio tape, Braille) should notify the Bureau of Chronic Diseases and Injury Prevention at (717) 787-6214 or for speech and/or hearing impaired persons at V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 07-1404. Filed for public inspection August 3, 2007, 9:00 a.m.]

Head Injury Program; Accreditation Waiver for Providers of Home- and Community-Based Rehabilitation Services

The Department of Health (Department) gives notice that the Division of Child and Adult Health Services' Head Injury Program (HIP) is accepting requests for waivers of Commission on Accreditation of Rehabilitation Facilities (CARF) accreditation on a case by case basis from providers of home- and community-based rehabilitation services interested in contracting with the Department to provide services to HIP applicants and clients.

Persons with a disability who require an alternative format of this notice, (for example, large print, audiotope, Braille) or for additional information regarding the accreditation waiver or to obtain a copy of the HIP Participating Provider Agreement contact Carolyn S. Cass, Director, Division of Child and Adult Health Services, 7th Floor—East, Health and Welfare Building, Seventh and Forster Street, Harrisburg, PA 17120 or (717) 771-2762 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 07-1405. Filed for public inspection August 3, 2007, 9:00 a.m.]

Immunization Practices for Children in Child Care Group Settings

In accordance with 28 Pa. Code § 27.77(c) (relating to immunization requirements for children in child care group settings), the Department of Health (Department),

Bureau of Communicable Diseases, Division of Immunization, is updating the list of Morbidity and Mortality Weekly Report (MMWR) publications that contain the Advisory Committee on Immunization Practices (ACIP) recommendations that meet the standards of 28 Pa. Code § 27.77(c). Children in child-care group settings as defined by 28 Pa. Code § 27.77(c) are required to be immunized in accordance with the recommendations included in the following publications, as well as those included in previous notices. The Department is providing a summary of the publications for the ease of reference of the public:

July 13, 2007/Vol. 56/No. RR-06

Prevention and Control of Influenza: Recommendations of the Advisory Committee on Immunization Practices (ACIP), 2007

This report updates the 2006 recommendations by ACIP regarding the use of influenza vaccine and antiviral agents. Prevention and control of influenza: recommendations of the ACIP. MMWR 2006;55 [No. RR-10]. The 2007 recommendations include new and updated information. Principal updates and changes include the following: (1) reemphasizing the importance of administering 2 doses of vaccine to all children aged 6 months—8 years if they have not been vaccinated previously at any time with either live, attenuated influenza vaccine (doses separated by ≥ 6 weeks) or trivalent inactivated influenza vaccine (doses separated by ≥ 4 weeks), with single annual doses in subsequent years; (2) recommending that children aged 6 months—8 years who received only 1 dose in their first year of vaccination receive 2 doses the following year, with single annual doses in subsequent years; (3) highlighting a previous recommendation that all persons, including school-aged children, who want to reduce the risk of becoming ill with influenza or of transmitting influenza to others should be vaccinated; (4) emphasizing that immunization providers should offer influenza vaccine and schedule immunization clinics throughout the influenza season; (5) recommending that health-care facilities consider the level of vaccination coverage among HCP to be one measure of a patient safety quality program and implement policies to encourage HCP vaccination (e.g., obtaining signed statements from HCP who decline influenza vaccination); and (6) using the 2007—2008 trivalent vaccine virus strains A/Solomon Islands/3/2006 (H1N1)-like (new for this season), A/Wisconsin/67/2005 (H3N2)-like and B/Malaysia/2506/2004-like antigens. This report and other information are available at CDC's influenza website www.cdc.gov/flu.

June 22, 2007/Vol. 56/No. RR-4

Prevention of Varicella: Recommendations of the Advisory Committee on Immunization Practices (ACIP)

In June 2005 and June 2006, ACIP adopted new recommendations regarding the use of live, attenuated varicella vaccines for prevention of varicella. This report revises, updates and replaces the 1996 and 1999 ACIP statements for prevention of varicella. The new recommendations include the following: (1) implementation of a routine 2-dose varicella vaccination program for children, with the first dose administered at age 12—15 months and the second dose at age 4—6 years; (2) a second dose catch-up varicella vaccination for children, adolescents, and adults who previously had received 1 dose; (3) routine vaccination of all healthy persons aged ≥ 13 years without evidence of immunity; (4) prenatal assessment

and postpartum vaccination; (5) expanding the use of the varicella vaccine for HIV-infected children with age-specific CD4+T lymphocyte percentages of 15%–24% and adolescents and adults with CD4+T lymphocyte counts ≥ 200 cells/ μ L; and (6) establishing middle school, high school and college entry vaccination requirements. ACIP also approved criteria for evidence of immunity to varicella.

May 11, 2007/Vol. 56/No. 18

Notice to Readers: Update on Supply of Vaccines Containing Varicella-Zoster Virus

In February 2007, CDC received notice from Merck & Co., Inc. that because of lower than expected amounts of varicella-zoster virus (VZV) in its recently manufactured bulk vaccine, Merck was prioritizing production of varicella (Varivax®) and zoster vaccines (Zostavax®) over production of MMR-V vaccine (ProQuad®) (1).

In May 2007, CDC received further notice from Merck that current projections of orders indicate ProQuad will be unavailable beginning in July 2007, although timing will depend on market demand. This might cause extended back orders for the next few months. After depletion of the existing supply, ProQuad is not expected to be available for the remainder of 2007. Merck is requesting that customers begin transitioning from ProQuad to M-M-R II® and Varivax at their earliest convenience.

Merck expects to continue to meet demands for Varivax and M-M-R II to fully implement the recommended immunization schedule. This will allow for continued use of varicella vaccine for all age groups, including the routine 2-dose schedule for children aged 12–15 months and 4–6 years, catch-up vaccination with the second dose for children or adolescents who received only 1 dose, and vaccination with 2 doses for other children, adolescents, and adults without evidence of immunity (2–4). For zoster vaccine, the supply of Zostavax is expected to be adequate for routine vaccination of adults aged ≥ 60 years (5). Questions regarding the supply of these Merck products should be addressed to Merck's National Service Center at (800) 637-2590. Updates on vaccine shortages and delays are available from CDC at www.cdc.gov/nip/news/shortages/default.htm.

April 20, 2007/Vol. 56/No. 15

Notice to Readers: National Infant Immunization Week—April 21–28, 2007

The week of April 21–28, 2007, is National Infant Immunization Week (NIIW) and Vaccination Week in the Americas (VWA). During this week, hundreds of communities throughout the United States are expected to participate in NIIW-VWA by sponsoring activities emphasizing the importance of timely infant and childhood vaccination.

Immunization is one of the most effective ways to protect infants and children from potentially serious diseases. Approximately 11,000 infants are born each day in the United States; according to the recommended immunization schedule, each infant requires approximately 27 doses of vaccine (such as, administered in 21 or

22 injections of combination vaccines) before age 2 years for protection from 14 vaccine-preventable diseases.

March 23, 2007/Vol. 56/No. RR-2

Quadrivalent Human Papillomavirus Vaccine: Recommendations of the Advisory Committee on Immunization Practices (ACIP)

These recommendations represent the first statement by ACIP on the use of a quadrivalent human papillomavirus (HPV) vaccine licensed by the United States Food and Drug Administration on June 8, 2006. This report summarizes the epidemiology of HPV and associated diseases, describes the licensed HPV vaccine, and provides recommendations for its use for vaccination among females aged 9–26 years in the United States.

Additional information relating to vaccinations may be obtained from the Department's website at www.dsf.health.state.pa.us/health and from the National Immunization Program of the Centers for Disease Control and Prevention at the following website www.cdc.gov/nip/default.htm.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Department of Health, Heather Stafford, Acting Director, Division of Immunization, Room 1026, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-5681 or for speech and/or hearing impaired persons at V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 07-1406. Filed for public inspection August 3, 2007, 9:00 a.m.]

Infant Hearing Screening Advisory Committee Meeting

The Infant Hearing Screening Advisory Committee, established under the Infant Hearing Education, Assessment, Reporting and Referral Act (11 P.S. §§ 876-1–876-9) will hold a public meeting on Wednesday, September 19, 2007, from 10 a.m. to 3 p.m. in the Health and Welfare Building, 5th Floor—Meeting Room 505, 7th and Forster Streets, Harrisburg, PA 17120.

For additional information or if you are a person with a disability and desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so please contact Arthur A. Florio, Public Health Program Administrator, Newborn Hearing Screening Program, Division of Newborn Disease Prevention and Identification at (717) 783-8143 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 07-1407. Filed for public inspection August 3, 2007, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions).

Laurel View Village
2000 Cambridge Drive
Davidsville, PA 15928
FAC ID 043702

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

Laurel Care Nursing and Rehabilitation Center
6375 Chambersburg Road
Fayetteville, PA 17222
FAC ID 420102

Memorial Hospital, Inc. Skilled Nursing Unit
One Hospital Drive
Towanda, PA 18848
FAC ID 650202

Charles Cole Memorial Hospital, ECF
1001 East Second Street
Coudersport, PA 16915
FAC ID 031802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities).

Golden LivingCenter—Mansion
1040-52 Market Street
Sunbury, PA 17801
FAC ID 130502

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, ra-paexcept@state.pa.us.

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

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

Persons with a disability who require an alternative format of this document or who desire to comment in an alternative format (for example, large print, audiotape, Braille), should contact the Division of Nursing Care Facilities at the address or numbers listed previously or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 07-1408. Filed for public inspection August 3, 2007, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Allegheny County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Director, Bureau of Design, Highway Administration, Department of Transportation (Department) makes the following written finding:

The Department plans to reconstruct Pine Creek Bridge No. 37 in Hampton Township, Allegheny County. The referenced project involves the use of one known Section 2002 resource, namely, North Park. The resource is a publicly owned park and is considered a Section 2002 resource. The effect of this project on the Section 2002 resource will be mitigated by the measures to minimize harm to the resources outlined in the Environmental Documentation for the subject project.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929, and have concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize such effect.

No adverse environmental effect is likely to result from the reconstruction of Pine Creek Bridge No. 37.

BRIAN G. THOMPSON, P. E.,
Acting Director, Bureau of Design

[Pa.B. Doc. No. 07-1409. Filed for public inspection August 3, 2007, 9:00 a.m.]

State Transportation Commission Public Hearings

The State Transportation Commission (Commission) will be conducting public hearings and accepting written testimony as input for the development of the 2009 Transportation Program. Testimony may be project specific, issue-oriented, or both. Written testimony may be submitted to Denise Soisson, Executive Secretary, State Transportation Commission, P. O. Box 3633, Harrisburg, PA 17105-3633, (717) 787-2913, fax (717) 787-5247, dsoisson@state.pa.us

Seven public hearings have been scheduled throughout this Commonwealth to provide the opportunity for oral testimony from the public regarding the 2009 Transportation Program. Dates and locations of the Hearings are as follows:

August 2, 2007	The Casino at Lakemont Park 300 Lakemont Park Boulevard Altoona, PA	12:30 p.m.
August 3, 2007	Holiday Inn 100 Pine Street Williamsport, PA	9 a.m.

August 16, 2007	Delaware Valley Regional Planning Commission 190 North Independence Mall West 8th Floor Philadelphia, PA	8:30 a.m.
August 29, 2007	Hilton Garden Inn 1000 Corporate Drive Canonsburg, PA	8 a.m.
August 30, 2007	Hickory VFW Post 6166 and Normandy Banquet Center 5550 East State Street Hermitage, PA	8:30 a.m.
September 6, 2007	Heritage Hills Conference Center 2700 Mount Rose Avenue York, PA	8:30 a.m.
September 7, 2007	Court Room 1 Carbon County Court of Common Pleas 2-4 Broadway Jim Thorpe, PA	8 a.m.

Persons interested in presenting oral testimony at a Commission sponsored public hearing for the development of the 2009 Transportation Program who would like to reserve a 5-minute time slot on the agenda or needs additional information should contact Denise Soisson at (717) 787-2913 or Martin Sargent at (717) 772-0794.

Information about the Commission public hearings can be found at the Department of Transportation website at www.dot.state.pa.us/Penndot/Bureaus/cpdm/prod/2009_Abstract_prod.nsf/mainFrame?OpenFrameSet.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 07-1410. Filed for public inspection August 3, 2007, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

East Vincent Municipal Authority v. DEP; EHB Doc. No. 2007-182-MG

East Vincent Municipal Authority has appealed the issuance by the Department of Environmental Protection of an NPDES permit to East Vincent Municipal Authority for a facility in East Vincent Township, Chester County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Acting Chairperson

[Pa.B. Doc. No. 07-1411. Filed for public inspection August 3, 2007, 9:00 a.m.]

FISH AND BOAT COMMISSION

Closure of Five Locks Access Area; West Brownsburg Township, Berks County

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 53.4(a) (relating to limiting access to Commission property and other restrictions), has closed the Commission's Five Locks Access Area in West Brownsburg Township, Berks County, to all public use. This restriction is effective when posted at the site and will remain in effect until further notice. It is unlawful for any person to enter or remain upon Commission property during the times it is closed to public use, without the express written consent of the Executive Director or his designee.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

[Pa.B. Doc. No. 07-1412. Filed for public inspection August 3, 2007, 9:00 a.m.]

2007 Addition to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) has approved an addition to the list of Class A Wild Trout Streams as set forth at 37 Pa.B. 2666 (June 9, 2007). Specifically, the Commission added Middle Spring Creek, Section 01, in Cumberland County. Section 01 of Middle Spring Creek extends from its source downstream 1.48 miles to Avon Road (T-303).

Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections for wild trout with no stocking.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

[Pa.B. Doc. No. 07-1413. Filed for public inspection August 3, 2007, 9:00 a.m.]

GOVERNOR'S OFFICE

Catalog of Nonregulatory Documents

Under Executive Order 1996-1, agencies under the jurisdiction of the Governor must catalog and publish nonregulatory documents such as policy statements, guidance manuals, decisions, rules and other written materials that provide compliance related information. The following compilation is the eleventh list of the non-regulatory 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 4, 2007; 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.



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 *Pennsylvania Bulletin* and the entire index is revised yearly in the *Pennsylvania Code*.

AGING

DECISIONS:

Office of Chief Counsel

Contact: Anne H. Kapoor, Assistant Counsel (717) 783-1609

- *Reynolds vs. Department of Aging*, 570 A.2d 1373 (Pa. Commw. 1990).
- *Pennsylvania Department of Aging v. Lindbergh*, 469 A.2d 1012 (Pa.1983).
- *Suburban/Bustleton v. Department of Aging*, 579 A.2d 426 (Pa. Commw. 1990).
- *McGuire v. Department of Aging*, 592 A.2d 830 (Pa. Commw. 1991).
- *Dickey v. Department of Aging*, 615 A.2d 990 (Pa. Commw. 1992).
- *In the Interest of M.B.*, 686 A.2d 87 (Pa. Commw. 1996).
- *Calabro v. Department of Aging*, 689 A.2d 34 (Pa Commw. 1997).
- *Calabro v. Department of Aging*, 698 A.2d 596 (Pa. 1997).
- *Schaffren v. Philadelphia Corporation for Aging*, 1997 U.S. Dist. Lexis 17493 (M. D. Pa., 1997).
- *Scanlon v. Department of Aging*, 739 A.2d 635 (Pa. Commw. 1999).
- *Nixon v. Com. of PA*, 789 A.2d 376 (Pa. Commw. 2001), affirmed by 576 Pa. 385 (Pa. 2003).
- *Peek v. Department of Aging*, 873 A.2d (Pa. Commw. 2005).
- *Silo v. Commonwealth*, 886 A.2d 1193 (Pa. Commw. 2005).
- *Commonwealth v. TAP Pharmaceutical Products, Inc.*, 885 A.2d 1127 (Pa. Commw. 2005).
- *Christian Street Pharmacy v. Department of Aging*—unreported Commonwealth Court Opinion—May 30, 2007.

INTERNAL GUIDELINES:

PHARMACEUTICAL PROGRAM (PACE)

Contact: PACE Compliance Division (717) 787-7313

PACE PROVIDER BULLETINS: 2007

- January 19, 2007—Highmark Blue RX Basic Medicare Part D VOIDED CLAIMS: The enclosed PACE report contains voided claims that will appear on the PACE Remittance Advice of February 2, 2007. The Program is providing this report for those providers wishing to begin their rebilling process as soon as possible and/or to contact their software vendors for rebilling instructions.
- January 26, 2007—PACE Plus Medicare: Listed are the Medicare Part D plans that have partnered with PACE for 2007. Providers will notice three additional plans (identified by an asterisk *). Providers should also take note that some plans have changed their copay as well as their formulary.

- January 26, 2007—Highmark Blue RX Basic Medicare Part D VOIDED CLAIMS: Eighty percent (80%) of providers received Highmark Void reports the week of January 21st. These reports identified voids that would appear on the Remittance Advice dated February 2, 2007.
- February 2, 2007—Highmark Blue RX Basic Medicare Part D VOIDED CLAIMS UPDATE: The Program, in conjunction with Highmark and Medco, continues to review the voided claims that were originally scheduled to appear on the R/A of February 2, 2007.
- February 8, 2007—IMPORTANT INFORMATION for Providers submitting claims to PACE, CRDP and SPBP: Highmark's Medicare Part D BlueRx Prescription Program. The PACE Program is supplying the enclosed list of cardholders enrolled in Highmark's Medicare Part D BlueRx group plan to assist Providers in billing Highmark.
- February 26, 2007—Highmark Blue RX Basic Medicare Part D VOIDED CLAIMS: The enclosed PACE report contains voided claims that will appear on the PACE Remittance Advice of March 16, 2007.
- March 2, 2007—Important Information: PACE will be conducting a PACE provider re-enrollment beginning in March. Preprinted documents containing current provider information accompanied by a new PACE Provider Agreement will be mailed to all PACE providers.
- March 2, 2007—Claim Submission Accuracy: The PACE void project identified numerous claims billed incorrectly to PACE as the primary payer. Providers were either not billing the Medicare Part D plan as the primary payer or were not billing the Medicare Part D plan correctly.
- March 16, 2007—MEDICARE PART D VOIDED CLAIMS: As stated in the February 26 Provider Bulletin sent with the revised Void Report, the voided claims appear on the enclosed Remittance Advice. These claims were voided from the system on January 17 and identified on the original voice report sent January 19, 2007.
- March 23, 2007—NATIONAL PROVIDER IDENTIFIER (NPI): All providers should have or be in the process of acquiring their National Provider Identifier (NPI) number.
- April 6, 2007—PACE PROVIDER RE-ENROLLMENT: PHARMACY NAME: As stated in the instructions, providers must include the PHARMACY NAME in the space provided in the first paragraph of the agreement.
- April 13, 2007—May 23, 2007 Changes: Revised PACE NCPDP v5.1 Specifications pages were mailed to all providers the week of April 9, 2007. These revised specifications were also e-mailed to all known provider software vendors and claims submission networks.
- April 20, 2007—May 23, 2007 Changes Revised: Revised PACE NCPDP v5.1 Specifications pages were mailed to all providers the week of April 9, 2007. These revised specifications were also e-mailed to all known provider software vendors and claims submission networks.
- April 27, 2007—May 23, 2007 Changes Revised: Revised PACE NCPDP v5.1 Specifications pages were mailed to all providers the week of April 9, 2007. These revised specifications were also e-mailed to all known provider software vendors and claims submission networks.
- April 27, 2007—NEW PACE/PACENET CARD: Beginning May 1, 2007, the new PACE card pictured below will be sent to all PACE and PACENET cardholders.

PACE PROVIDER BULLETINS: 2006

- January 13, 2006—State Worker's Insurance Fund (SWIF) Program: This Bulletin is to clarify the recent PACE/PACENET/SWIF communication you may have received regarding the processing of pharmacy claims for workers' compensation injured workers.
- January 20, 2006—Medicare Part D and PACE/PACENET: After January 1, 2006, PACE/PACENET Providers may be presented with both a PACE/PACENET card and a Medicare Part D prescription card.
- January 27, 2006—DATE PRESCRIPTION WRITTEN EDIT: A CD containing the revised PACE Provider Manual and revised NCPDP v5.1 Payer Specifications is currently being prepared for distribution. The revised specifications contain the following fields that will be edited effective February 28, 2006:
- February 17, 2006—MEDICARE PART D PRESCRIPTIONS and OTHER COVERAGE CODES.
- February 24, 2006—MEDICARE PART D PRESCRIPTIONS and PACE/PACENET: CMS has identified 62,000 PACE/PACENET Cardholders currently enrolled in a Medicare Part D Plan. The majority of these cardholders have been enrolled by Highmark.
- March 10, 2006—BILLING MEDICARE PART D CLAIMS: Providers are to bill PACE for Medicare Part D plans following the same procedure used for the various Medicare Discount plans.
- March 24, 2006—MANUFACTURERS' REBATE NON-PARTICIPATION: Bajamar Chemical Company Inc. Labeler Code 44184.
- April 14, 2006—MEDICARE PART D Logic Revisions: Effective Thursday, April 20, 2006, PACE is implementing 2 edits to assure the accuracy of data received from Providers submitting Part D claims to PACE as the secondary payer. Providers should be aware that these edits will also apply to all other Programs under the auspices of the Department of Aging.
- April 21, 2006—Date the Prescription is Written Edit Questions: Effective February 28, 2006, the Date the Prescription is written is compared against the "Date of Service" on original and refilled prescriptions. Original or refill prescriptions whose date of service exceeds 6 months from the date the prescription was written deny with an NCPDP Error M4, PACE Error 724, "Prescription Time Limit Exceeded."

- April 21, 2006—OTHER COVERAGE CODES: Effective immediately, providers are advised that claims submitted to PACE/PACENET with Other Coverage Codes are subject to a desk level audit.
- April 28, 2006—MANUFACTURERS' REBATE NON-PARTICIPATION: NABI (North American Biological Inc) Labeler Code—59730.
- May 5, 2006—SECURITY BLUE AND FREEDOM BLUE PRESCRIPTION PLANS: pace HAS BEEN ADVISED THAT effective January 1, 2006, cardholders having either Security Blue or Freedom Blue health plans as their primary payer AND who have any oral pharmaceutical prescribed that was previously billable to Medicare Part B MUST now use MEDMARK.
- May 12, 2006—June 20, 2006 PACE Payer Specification Revision: Please replace page 8 and 9 of your PACE NCPDP v5.1 PAYER SPECIFICATIONS with the accompanying revision.
- May 12, 2006—June 20, 2006 PACE Payer Specification Revision: Coding crosswalk grid
- May 25, 2006—Claims Review: Beginning Friday, May 26, 2006 PACE will begin reviewing adjudicated claims with an anticipated reimbursement exceeding \$500.
- May 26, 2006—PACE Cardholders enrolled in Medicare Part D Prescription Programs: IMPORTANT INFORMATION FOR PACE PROVIDERS.
- June 9, 2006—Primary Plans With Prior Authorization: Increasing numbers of PACE and PACENET cardholders have Medicare Part D plans. As required by regulation, PACE and PACENET are billed as the secondary payer.
- June 16, 2006—MEDICARE DISCOUNT CARDS and OTHER COVERAGE CODES: The First Health Medicare Discount Card Program (MDP) ended on May 15, 2006. Claims filled on, or before, May 15th may still be submitted to First Health MDP; claims filled after May 15th are not eligible for reimbursement.
- June 30, 2006—NATIONAL PROVIDER IDENTIFIER (NPI): On January 23, 2004, The Centers for Medicare & Medicaid Services (CMS) announced the availability of a new identifier for use in the standard electronic health care transactions.
- June 30, 2006—NABI Reinstatement: NABI (North American Biological Inc.) Labeler Code—59730 has signed a rebate agreement with the PACE Program.
- July 7, 2006—Cosopt & Trusopt: Merck has announced that the 5 ml size of Cosopt and Trusopt is being discontinued. The 10 ml size will become the smallest available container.
- July 7, 2006—PACE Plus Medicare Legislation: PACE Plus Medicare Legislation Highlights.
- July 21, 2006—PRIMARY PAYER REJECT CODES / BIN: Effective Thursday, August 3, 2006, PACE will accept only valid reject codes from the primary payer in Field 472-6E.
- July 21, 2006—Part D Assignment Letters: On Tuesday, July 19, 2006 all PACE and PACENET cardholders not enrolled in a Medicare Part D plan were sent the enclosed letters informing them that the Program was requesting they enroll in a plan chosen for them.
- July 21, 2006—Part D Letters: Two versions of the Medicare Part D Letter are included. One letter is for PACE recipients and the other is for PACENET.
- July 28, 2006—PACE Plus Medicare: The PACE Program is recommending that cardholders using the prescription drug benefit enroll in one of the following plans if they are not currently enrolled in a Medicare Advantage Plan or an employer retiree plan.
- August 18, 2006—Billing the Primary Payer: On September 1, 2006, over 150,000 PACE/PACENET cardholders will be enrolled in the Part D plans listed below.
- August 28, 2006 PACE Plus: Effective Friday September 1st, PACE will update over 150,000 PACE/PACENET cardholder files with Medicare Part D enrollment information from the seven (7) plans listed below. Under the new PACE Plus Medicare Program, many PACE and PACENET cardholders will also be enrolled in Medicare Part D plans.
- September 8, 2006—EFFECTIVE SEPTEMBER 19, 2006, to insure that the correct primary payer is being billed for those cardholders enrolled in one of the Department's seven (7) partner plans, claims containing an OCC of 2, 3, 4, 5 or 7 must contain the valid BIN number of the primary payer in the Other Payer ID field—340-7C. Also discusses procedures OCC 3: "Other coverage exists—claim not covered" and OCC 4: "Other coverage exists-payment not collected" in this regard.
- September 29, 2006—Highmark Blue RX Basic Medicare Part D Transition Billing: Paid claims' history for PACE/PACENET cardholders also enrolled in the Highmark Blue RX Basic Medicare Part D plan reveals many providers are not following Highmark's instructions for resubmitting claims during the transition period.
- October 6, 2006—PACE/PACENET Part D List: Activities surrounding Actual Lists of these cardholders sent to pharmacies.

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—MDP Transitional Assistance (T/A): The 2005 \$600 T/A benefit for Medicare Discount Program (MDP) cardholders began January 1, 2005.

- 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 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.
- 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 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 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 6, 2005—Payer Specifications NCPDP 5.1 Future Edits Reminder (Part 2 of 2): Explanatory Materials for Part 1.
- 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 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—Payer Specifications NCPDP 5.1 Future Edits REMINDER (Part 2 of 2): Explanatory Materials for Part 1.
- 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 20, 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 6, 2004—Manufacturers' Rebate NONPARTICIPATION NOTICE FOR: MYLAN AND UDL Labs. Effective February 9, 2004.
- February 13, 2004—Clarifications: This memo provides examples of the possible situations involved with helping people understand the use of the PACENET \$40 deductible.
- 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 sevelamer 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: 2003

- January 24, 2003—Pace Software Vendor List: Updates list of known software vendors that will be contacted regarding the requirements of the HIPAA 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 Poster: Please post this provider bulletin. It summarizes general guidance for the cardholder regarding the major conditions under which PACE assistance can and cannot be used.
- 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 day's supply, before the Program will consider the refill for reimbursement.
- May 23, 2003—Provider Manual Insert: PACE legislation was amended in 1992 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 1, 2003—Relocation: First Health Services announces its office relocation details. New address becomes effective August 11, 2003.
- August 8, 2003—Pro-DUR Edit Revisions: New drug classes to be added effective August 19, 2003.
- 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 under House Bill 888 become effective January 1, 2004. This bulletin specifies the most notable changes applicable to providers.
- December 26, 2003—New Legislation Cardholder Impact: Further description of changes to PACE/PACENET detailing Income Limit Increases Co-pays, Generics, PACENET Claims Processing and Potential PACE/PACENET Applicants.

PACE PROVIDER BULLETINS: 2002

- January 18, 2002—Important Cardholder Information: It summarizes general guidance for the cardholder regarding the major conditions under which PACE assistance can and cannot be used.
- April 1, 2002—Non-Participating Manufacturers: Manufacturers are required to extend a rebate to PACE for medications purchased through the program. This bulletin lists all labelers that choose not to participate in extending the required rebate to PACE.
- 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—Immuno suppressants: 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 immuno suppressants 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—PACENET Expansion: Notified Providers that effective July 1, 2001, PACENET eligibility income limits have been increased. No change in PACE income limits.
- June 26, 2001—PACENET Expansion: Pharmacy poster with details of program changes.
- 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—GLEEVEC™: 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 13, 2001—Cardholders with July 15, 2001 Ending Eligibility Dates: Notified providers of an extension of eligibility to August 21, 2001.

- 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 Coverage 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®; Hyalgan®; Polygam®; Imovax®; Leukine®; and Aredia® because PACE has been advised that, with the proper diagnosis, physicians may submit these claims to Medicare.
- March 3, 2000—Duplicate Therapy Edit. Notified Providers that effective March 13, 2000 and thereafter, PACE is implementing a Duplicate Therapy Edit for benzodiazepines and miscellaneous sedative hypnotics.
- March 24, 2000—Non-Participating Manufacturers. Notified Providers of manufacturers not participating in the PACE Program.
- March 24, 2000—Propulsid® Boxed Warning Revision. Notified Providers that Janssen Pharmaceutica has notified physicians of important changes to its Boxed Warnings, Drug Interactions and Dosage and Administration sections. Highlights of the changes included: 1) A 12-lead ECG should be obtained before Propulsid® is administered; 2) Propulsid® should not be initiated if the QTs value exceeds 450 milliseconds; and 3) Propulsid® is contraindicated in patients with electrolyte disorders (hypokalemia, hypocalcemia and hypomagnesemia). Serum electrolytes should be assessed in diuretic-treated patients before initiating Propulsid® and periodically thereafter.
- March 24, 2000—Dentist Prescribers. Notified Providers that effective April 3, 2000, and thereafter, claims containing a dentist's license number in the prescriber license number field and submitted for pharmaceuticals other than antibiotics, analgesics, non-steroidals or fluoride preparations will reject with NCPDP Error 88, accompanied by the DUR response “CH.”
- March 24, 2000—Duplicate Therapy Edit. Notified Providers effective April 17, 2000 and thereafter, PACE is augmenting its Duplicate Therapy Edit for Benzodiazepines and Miscellaneous Sedative Hypnotics with the inclusion of Ambien® and Sonata®.
- March 31, 2000—Oral Antidiabetic Agents. Notified Providers effective June 5, 2000 and thereafter PACE will review claims submitted for oral antidiabetic agents for maximum daily dose.
- March 31, 2000—Antirheumatic Drug Therapy. Notified Providers that effective June 5, 2000 and thereafter, PACE will review claims submitted for the antirheumatic drug etanercept (Enbrel®).
- March 31, 2000—COX-2 Inhibitors. Notified Providers that effective June 5, 2000 and thereafter, PACE will review claims submitted for the COX-2 inhibitors (Celebrex®) and rofecoxib (Vioxx®) for maximum daily dose.
- March 31, 2000—Antiplatelet Agent PLETAL®. Notified Providers effective June 5, 2000 and thereafter, PACE will review claims submitted for the antiplatelet agent cilostazol (Pletal®) for maximum daily dose of 200 mg.

- March 31, 2000—Skeletal Muscle Relaxants. Notified Providers effective June 5, 2000 and thereafter, PACE will review claims submitted for skeletal muscle relaxants for both maximum daily dose and duration of therapy.
- March 31, 2000—Rezulin®. Notified Providers that effective March 22, 2000 PACE no longer reimburses for Rezulin®. This action is in response to the Warner Lambert Company's voluntary withdrawal of Rezulin® from the marketplace on Tuesday, March 21, 2000.
- April 7, 2000—Propulsid® Reimbursement. Notified Providers effective April 10, 2000 PACE will deny all claims received for cisapride (Propulsid®). Physicians desiring their patients to continue taking cisapride (Propulsid®) have been advised they may request a Medical Exception. These exception requests will be considered only until the product is withdrawn from the market by Janssen Pharmaceutica effective July 14, 2000.
- April 7, 2000—Dispensing Date. Reminded Providers that claims are to be submitted to PACE on the date they are dispensed. Advised PACE Providers enrolled as Nursing Home Providers as well as those providers servicing nursing homes that effective with dates of service of June 1, 2000 and thereafter, claims submitted with incorrect dates of service will have those claims disallowed.
- May 12, 2000—Mandatory Substitution Dilantin®. Notified Providers effective May 22, 2000, PACE is mandating substitution for Dilantin®.
- May 12, 2000—Generic Refills. Reminder to Providers that Section 22.55(e) of Title 28 (Health and Safety) of the Pennsylvania Code states: "Prescription refills, where permitted by the practitioner, shall be completed using the identical product (same distributor and manufacturer) as dispensed on the original, unless the person presenting the prescription and the practitioner authorize, in advance, a different manufacturer's generic equivalent product. Advance authorization is not required in an emergency, but the physician shall be notified by the pharmacist as soon as possible thereafter."
- May 19, 2000—LOTROXEX®. Notified Providers that in the package insert that accompanies Lotronex®, Glaxo Wellcome Inc. states that "Lotronex® has NOT been shown to work in men with IBS." (Irritable Bowel Syndrome). Effective June 12, 2000, all claims for Lotronex® will be denied with NCPDP Code 70, PACE Code 055 "Drug not covered." At a future date this edit will be converted to a DUR drug—gender denial. In the interim, providers should contact Provider Services to receive a Medical Exception for female cardholders.
- May 19, 2000—Zyvox®. Notified Providers effective June 5, 2000, PACE will deny all claims for Zyvox®. Medical Exceptions for the antibiotic linezolid (Zyvox®) will only be considered upon receipt of the appropriate documentation from the cardholder's physician. Providers should note that no evidence supports Zyvox® for use in the management of antibiotic associated colitis (AAC). No medical exceptions will be approved prior to the receipt of supporting diagnostic and treatment information.
- May 26, 2000—Dispensing Date Update. Notified Providers enrolled as Nursing Home Providers and those who service nursing homes affected by the PACE Provider Bulletin of April 7, 2000, that the implementation date cited in this notification has been delayed 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®, Tegretol® and all sustained-release Theophylline preparations.
- 4/9/99: Betoptic® Solution: Notified PACE Providers that Alcon Laboratories had informed PACE that it had discontinued production of Betoptic® solution in the 2.5 and 5 ml sizes.
- 4/30/99: Propulsid® Drug to Drug Interactions: Notifies providers that effective May 10, 1999, PACE will review history across all providers and reject all prescriptions in the drug classes which are contraindicated for patients using Propulsid®.
- 5/7/99: Drug Utilization Review Program: Notified Providers that effective May 15, 1999, several new and revised maximum daily dose criteria, duration criteria and duplicate criteria will be added to the PACE ProDUR Program.
- 7/2/99: Trovan® (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 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.
- 4/25/98: Mandatory Substitution Diltiazem Extended Release Capsules: Notified Providers effective April 29, 1998, the PACE Program will begin mandating substitution of Dilacor XR and Cardizem SR. This is a result of information received from the FDA granting therapeutic equivalence to capsules manufactured by Mylan Pharmaceuticals, Watson Labs, Andrx and Teva Pharmaceuticals.
- 5/8/98: Early Refill Edit: Notified Providers effective May 19, 1998, the additional classes will be added to the early refill edit: Intranasal Steroids; Topical Corticosteroids—Single Entity; Anti-diabetic Agents—Insulins; Bronchodilators; Conjugated Estrogens; Estrogens—Transdermal Patches; and Opiates. Reimbursement will not be made until 75% of the medication has been used.
- 5/22/98: Drug Utilization Review Program: Notified Providers effective May 26, 1998 several new criteria will be added to the PACE ProDUR Program and applied to all claims submitted on or after this date for the medication Viagra. The criteria added are: maximum daily dose of 50 mg. Claims submitted for greater than 50 mg daily will require a diagnosis and approval through the PACE medical exception process. Duration of therapy will be thirty tablets per month. PACE will only reimburse claims submitted for male cardholders. Claims submitted for female cardholders will be reversed.
- 6/1/98: Drug Utilization Review Program: Notified Providers that Pfizer, Inc. has recently reiterated that patients taking nitrates in any form, including nitroglycerin and long-acting nitrates commonly used for chest pain, should not take Viagra. PACE will reject prescriptions for Viagra and Nitroglycerin at the point-of-sale in order to comply with this guideline for appropriate use.
- 6/12/98: RECALL: Notified Providers that a Voluntary Class I recall has been initiated by Meridian Medical Technologies, manufacturer of both Epipen and Epipen Jr. Auto-Injectors. All PACE cardholders for whom reimbursement was made during this period have been instructed to return their product to their pharmacy for a lot number review.
- 6/12/98: RECALL: POSICOR—Notified Providers that Roche Laboratories Inc. is withdrawing POSICOR from the market effective June 8, 1998. The PACE Program will deny reimbursement for claims submitted with dates of service of June 9, 1998 or thereafter 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 (Aricept®), initial maximum dose 5 mg and a maximum dose of 10 mg.
- 6/26/98: DURACT®: Notified Providers that effective June 22, 1998, Wyeth-Ayerst Laboratories is withdrawing Duract® capsules from the market. Accordingly, any Duract® claim submitted to PACE after June 22, 1998 is being denied.

- 6/26/98: Early Refill Edit Applied to Ophthalmics: Notified Providers that effective July 6, 1998, PACE is applying the early refill edit criteria to ophthalmic preparations requiring that at least 75% of the medication, based on the day's supply submitted on the previous claim, has been used before PACE will consider reimbursement for a prescription refill.
- 12/11/98: Meridia® Drug to Drug Interactions: Notified Providers that in order to comply with the manufacturers' warnings that Meridia® should not be used concomitantly with MAOI's (at least a 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, Mysoline, Quinaglute Duratabs (Quinidine Gluconate), Pronestyl SR, Mexitil, and All Sustained Release Theophylline Preparations.
- 02/14/97: Mandatory Substitution Nitroglycerin Transdermal Patch: Notified Providers that effective February 21, 1997, the PACE Program will be mandating substitution on both Nitro-Dur and Transderm-Nitro.
- 03/01/97: PACENET: Reminder to Providers to encourage their older customers to make application for the new PACENET Program. Bulletin 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 Co-A Reductase Inhibitor: Atorvastatin (Lipitor) 80 mg (maximum); 4) Maximum daily dose and duplicate therapy for the beta blocker: Cavedilol (Coreg) 100 mg (maximum); 5) Maximum initial dose and maximum daily dose for the antidepressant: Mirtazapine (Remeron) 15 mg (initial) 45 (maximum); 6) Maximum dose and duplicate therapy for the calcium channel blocker Nisoldipine (Sular) 60 mg (maximum); and 7) Maximum initial dose and maximum daily dose for the antipsychotic: Clozapine (Clozaril) 25 mg (initial) 100 mg (maximum).
- 8/29/97: Updated listing of Non-Participating Manufacturers.
- 9/12/97: Reinstatement of Common Package Size: Notified Providers effective September 15, 1997, PACE will 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: Edits for the miscellaneous sedative/hypnotics are as follows: Amobarbital (Amytal) 200 mg; Butobarbital (Butisol) 100 mg; Chloral Hydrate 1 gm; Pentobarbital (Nembutal) 100 mg; Ethchlorvynol (Placidyl) 500 mg; Secobarbital (Seconal) 100 mg; Amobarbital/Secobarbital (Tuinal) 50/50 mg.
- 11/21/97: Reminder to PACE Providers to review their Remittance Advice and to pay particular attention to those claims with Message Codes 041 and 918, which address those claims for cardholders with other prescription coverage.
- 11/21/97: Oral Anti-Nausea Medication: Notified Providers effective December 1, 1997, PACE will be reimbursing only 20% of the Average Wholesale Price of oral formulations of Kytril and Zofran. Remaining cost of the drug will have to be submitted to the regional Medicare carrier, United Health Care in Wilkes-Barre for reimbursement.
- 12/26/97: Reminder to PACE Providers that claims submitted for brand name pharmaceuticals having an A-rated generic therapeutic equivalent will be denied unless a medical exception is granted or PACE does not mandate substitution for the product. PACE does not require substitution on these products with A-rated generics Warfarin Sodium (Coumadin); Carbamazepine (Tegretol); Phenytoin (Dilantin); or Furosemide (Lasix).

PACE Provider Bulletins: 1996

- 1/08/96: Prilosec and Prevacid: Notified Providers these drugs would be edited for maximum duration for all claims dispensed on or after January 8, 1996.
- 1/26/96: Non-Participating Manufacturer List.
- 5/24/96: Biaxin Filmtabs (NDC: 00074248660): Notified providers of an error on the formulary file from 1/22/96 to 3/21/96.
- 5/24/96: Solopak Pharmaceuticals: Notified providers that Labeler Codes 39769 and 59747 would be participating in the PACE Program.
- 7/12/96: PACE Cardholders with PEBTF Prescription Coverage: Notified Providers that PACE Cardholders with drug coverage through the Commonwealth's Retired Employees Health Plan had been notified they were being canceled from the PACE Program.
- 8/2/96: Other Insurance Coverage: Reminder to Providers to exercise reasonable diligence in ascertaining the existence of other prescription benefits before billing the PACE Program.
- 10/18/96: Injectable Chemotherapeutics: Reimbursement restrictions (20% of Average Wholesale Price) applied to injectable chemotherapy medications when administered through a home infusion pump or in a physician's office.
- 10/18/96: Vaccine Reimbursement: Notified Providers of a change in the reimbursement of vaccines to be implemented on November 11, 1996 for claims with a date-of-service on or after that date. The change is as follows: Vaccines used to provide immunization against pneumococcal pneumonia and influenza will no longer be reimbursed by the PACE Program. Vaccines used to provide immunization against hepatitis B will be reimbursed at 20% of the Average Wholesale Price.
- 10/18/96: Bronchodilator Drugs: Notified Providers that effective November 11, 1996, PACE will begin reimbursing only 20% of Average Wholesale Price for the following products: Acetylcysteine 10%; Acetylcysteine 20%; Albuterol Sulfate 0.083%; Albuterol Sulfate 0.5%; Cromolyn Sodium; Isoetharine HCl 0.1%; Isoetharine HCl 0.125%; Isoetharine HCl 0.167%; Isoetharine HCl 0.2%; Isoetharine HCl 0.25%; Isoetharine HCl 1.0%; Isoproterenol HCl 0.5%; Isoproterenol HCl 1.0%; Metaproterenol Sulfate 0.4%; Metaproterenol Sulfate 0.6%; and Metaproterenol Sulfate 5.0%.
- 11/21/96: PACE Legislative Changes: Notified Providers of increased income limits (\$14,000 maximum for singles and \$17,200 maximum for married); and Mandatory Substitution of A-Rated Multiple-source products.
- 11/21/96: PACENET Requirements: Notified Providers of income limits for PACENET cardholders (Between \$14,000 and \$16,000 if single; Between \$17,200 and \$19,200 if married); Annual Deductible (\$500 per person) which PACE Providers are expected to enter PACENET Enrollee's out-of-pocket prescription expenses in POCAS; Mandatory Copayments (\$8 per prescription for non-innovator, multiple-source (generic) products; and \$15 per prescription for single-source and innovator multiple-source products); Mandatory Substitution of A-Rated Multiple-source products after deductible is met; and the claims reimbursement formula for PACENET claims would be AWP - 10% + \$3.50 dispensing fee.
- 11/22/96: Third Party Liability: Notified Providers that a PACE cardholder's I.D. card could currently contain two indicators that may affect coverage. The first indicator is a "Y" appearing in the lower right quadrant of the I.D. card meaning the cardholder has informed PACE that they have other third party insurance that is to be billed before

PACE. The second indicator is an "L" appearing in the lower right quadrant of the I.D. card. This "L" means the cardholder has been restricted into receiving their PACE benefits at one specific provider.

- 11/22/96: Lovenox: Notified Providers that effective December 9, 1996, PACE will reimburse claims submitted for Lovenox only when being prescribed for the prevention of deep venous thrombosis, which may lead to a pulmonary embolism following hip or knee replacement surgery or general surgery which includes abdominal, gynecologic, urologic or thoracic. Further, since Lovenox is indicated for short-term treatment (seven to ten days), the Program will apply a duration edit of not greater than 14 days to all incoming claims.
- 11/22/96: Oral Vancomycin: Notified Providers that PACE would be applying a duration of therapy edit of not greater than 14 days for all incoming claims for oral Vancomycin.
- 11/22/96: Bronchodilator Drug Update: Reminder for Providers that reimbursement for the bronchodilator solutions used in either IPPB machines or nebulizers is limited to 20% of the Average Wholesale Price by PACE and suggested that Providers who do not currently have a Medicare provider number contact the National Supplier Clearinghouse in North Carolina to request an application.
- 11/22/96: Non-Participating Manufacturers effective November 27, 1996.
- 12/01/96: Processing PACENET Claims: Provides information to assist pharmacies in the processing of claims for cardholders enrolled in PACENET.
- 12/13/96: Imitrex Tablets: Notified Providers that effective December 30, 1996, all claims for Imitrex will not be reimbursed for a quantity greater than nine or a days' supply less than or equal to 25.
- 12/13/96: Nimotop: Notified Providers that effective December 30, 1996, claims for Nimotop will be denied at the point-of-sale. After determining the diagnosis, providers can contact the POCAS operators and obtain a Medical Exception. Although this medication is approved only for use in subarachnoid hemorrhage, there are several other off-label uses for which reimbursement will be made.
- 12/13/96: Revision: Non-Participating Manufacturer List.
- 12/20/96: Mandatory Generic Substitution: Advises providers to direct cardholder questions about the new mandatory substitution policy to the Cardholder Services toll-free number (1-800-225-7223).

PACE Provider Bulletins: 1995

- 1/6/95: Drug Utilization Review Program: Addition of new criteria for antidepressants, antipsychotics and benzodiazepines.
- 2/17/95: Antidepressants, Antipsychotics and Benzodiazepines: Reminder to Pharmacy to carefully review both the reject codes and accompanying messages.
- 2/24/95: Toradol: Reimbursement restrictions.
- 2/24/95: Minitran: 30-day supply limit.
- 3/95: PACE Drug Utilization Review Criteria.
- 3/3/95: Medicare Update: Extended coverage for prescription drugs used in immunosuppressive therapy to 3 years following hospital discharge for an organ transplant.
- 3/3/95: Maximum Initial Dose for selected antipsychotic, antidepressant or benzodiazepine agents.
- 3/27/95: Non-Sedating Antihistamines and Oral Antifungals Coadministration is Contraindicated. PACE will reject claims for Seldane, Seldane-D, Hismanal, Claritin, Claritin-D, Diflucan, Nizoral and Sporanox.
- 3/95: Third Party Billing Reminder: PACE is payer of last resort, pharmacy must bill other third parties first.
- 5/5/95: Brand Patent Expirations/Generic Substitutions.
- 7/95: CellCept Billing Instructions.
- 7/1/95: Claims Submissions: 90-day limit to file claims for reimbursement.
- 8/1/95: Injectable Chemotherapeutics: Effective 9/1/95 PACE Reimbursement for list of injectable chemotherapeutics limited to 20% of AWP.
- 8/18/95: Non-Participating Manufacturer List.
- 8/18/95: Drug Utilization Review Program: New maximum dose criteria added to the PACE ProDur Program effective 8/28/95—Nefazodone (Serzone) 600 mg/day; Fluvoxamine (Luvox) 50 mg/day (initial) and 300 mg/day (maximum); Lansoprazole (Prevacid) 30 mg/day.
- 9/1/95: Common Package Size Reimbursement Listing.
- 9/1/95: Epoetin Alfa (EPO) Injections: Effective 9/11/95 PACE reimbursing only 20% of AWP for Epogen and Procrit.
- 9/6/95: Early Refill Edit: Additional classes added to the Early Refill Edit.
- 9/22/95: Drug Utilization Review Program: Effective 9/25/95 duplicate therapy edit applied to the following class of drugs: Proton Pump Inhibitors—Prilosec and Prevacid.
- 10/95: PACE POCAS Telecommunications Number: New direct number available to pharmacy providers for Primary Claim Submission: 950-5545.

PACE Provider Bulletins: 1994

- 2/8/94: Reimbursement Criteria for Temazepam (effective 3/1/94).
- 5/23/94: Glyburide: Mandatory Substitution of Micronase and Diabeta.
- 5/94: Prograf Billing Instructions
- 5/94: Ophthalmics: Days Supply Provisions
- 5/94: Betaseron Billing Instructions
- 7/1/94 Ophthalmics: Noted billing discrepancies regarding pharmacies reporting of the days supply.
- 7/23/94: Narrow Therapeutic Index Exemption Listing (Revised)
- 8/94: Incorrect Physician License Numbers: Notice to Pharmacy Providers of Procedures to Disallow Claims Submitted with Wrong Prescriber I.D.
- 8/19/94: Physician/Medical Assistants: PACE Reimbursement of Prescriptions Written by Physician Assistants.
- 9/23/94: Serevent: PACE will no longer reimburse for more than 13 gm of Serevent per prescription.
- 9/26/94: Febatol—No PACE Reimbursement after 12/26/94.
- 9/30/94: Manufacturers' Rebate Update
- 10/3/94: DAW/Product Selection Code (Revised)
- 10/21/94: Oral Contraceptives: Effective 10/30/94 PACE no longer reimburses except through the Medical Exception process.
- 10/21/94: New Maximum Dose Criteria Added to the PACE ProDUR Program: Maximum daily dose and duplicate therapy criteria for NSAIDs (Trilisate; Disalcid; and Cataflam) and maximum daily dose criteria for miscellaneous anti-ulcer preparations (Propulsid and Reglan).
- 11/18/94: Oral Chemotherapeutics: Effective 12/15/94 PACE reimburses only 20% of AWP for Cyclophosphamide 25 mg/oral; Cytosan 50 mg/oral; Etoposide/Vepesid 50 mg/oral; and Melphalan/Alkeran 2 mg/oral.
- 12/2/94: 30-Day Supply Requirement: Humulin and Solganal.

PACE Provider Bulletins: 1993

- 1/1/93: PACE Legislative Changes Effective 1/1/93
 - Dispense as Written (DAW) Codes
 - Mandatory Generic Substitution when an "A" rated generic therapeutically equivalent drug is available.
 - Pricing Information
 - Consultation Fee Discontinued
- 2/28/93: Deadline for PACE Provider Reenrollment and Conversion to 3.2 NCPDP Telecommunications Standard for PACE.
- Telecommunications Standard for Claims Submission.
- 3/1/93: Standard Error Codes
- 3/1/93: Early Refill Edit
- 3/1/93: Halcion Error Code Revisions
- 3/1/93: Processing Requirements: Conversion to NCPDP Version 3.2
- 3/19/93: POCAS System Maintenance on 4/10/93 and 4/11/93.
- 5/14/93: Delay in Provider Reimbursement
- 5/21/93: Change in the ProDUR screening criteria for H2 Receptor Antagonists effective 6/1/93.
- 6/28/93: Implementation of PACE ProDUR Changes:
 - Maximum daily dose for NSAIDs
 - Maximum daily dose for Omeprazole, Sucralfate and Misoprostol.
 - Maximum daily dosage allowed for Famotidine (Pepcid) changed from 80 mg/day to 40 mg/day.
- 6/28/93: Claims Processing Procedures When POCAS Is Not Available.
- 7/1/93: Non-Participating Manufacturers List
- 7/23/93: 30-Day Supply Requirements
- 7/23/93: Narrow Therapeutic Index Exemption Listing (Revised)
- 9/28/93: Manufacturers Rebate Update (Non-Participating Manufacturer List, effective 10/5/93 was attached.)

PACE Provider Bulletins: 1992

- 4/92: Provider Training Seminars (5/11/92 through 7/2/92)
- 5/29/92: Manufacturers' Rebate News: Center Laboratories

- 6/19/92: Manufacturers' Rebate News: Roxane Laboratories, Inc.
 - Astra Pharmaceutical Products
 - Ocumed
 - IPR Pharmaceutical
 - Immunex Corporation
- 8/16/92: PACE Rescue Plan: Implementation of ProDUR; NCPDP Version 3.2 and related Program Changes
- 9/92: Dixon-Shane recoupments/pharmacy credits.
- 11/9/92: PACE Pharmacy Provider Manual
- 12/23/92: Narrow Therapeutic Index Exemption Listing
- 12/92: Generic Substitution on Oral Prescriptions (Included Poster and Informational Flyers).

PACE Provider Bulletins: 1991

- 6/21/91: Co-Pay Change (\$4 to \$6 effective 7/1/91)
- 8/14/91: General Program Issues:
 - Claims Payment
 - Cardholder Eligibility Changes (Income Eligibility Changed to \$13,000 for Single and \$16,200 for Married Couples)
 - Nursing Home Providers
 - Cosmetic Drugs (Effective 10/1/91 claims for Rogaine and Retin-A no longer paid)
 - Paper Claims (Only claims for Compound Drugs or claims whose Quantity is in Excess of 9999 accepted as paper claims)
 - Persantine and Dipyridamole (These two drugs must have an indication on the prescription that it is being used as an adjunct to Coumadin anticoagulants for the prevention of postoperative thromboembolic complications of cardiac valve replacement in order to be allowed payment by (PACE).
 - Audit Issues (Telephone Prescriptions and Brand Medically Necessary Requirements).
- 8/21/91: Final Instructions Concerning the PACE On-line Claims Adjudication System (POCAS).
- 9/27/91: Billing Instructions
- Cosmetic Drugs
- Exception Claim Processing
- POCAS, post payment review
- Nursing Home Claims

DIVISION OF CONSUMER PROTECTION

Contact: Division Chief (717) 783-8975

Current Aging Program Directives

Provided 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
- 94-01-04 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
- 01-01-02 AAA Utilization of Federal Funds in Provision of Caregiver Services
- 01-01-10 Assistive Technology/Risk Reduction Home Modification Program
- 02-01-11 Updated Area Plan Assurances—Attachment A—Attachment B
- 03-01-03 OPTIONS Cost Sharing—2007 Options Cost Sharing Fee Scale
- 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
- #05-01-01, Chapter 3—APD Update (Note: New Chapter 3 listed .)
- 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
- Functional Needs Measurement Tool Financial Resources Chart 2007
- Family Caregiver Support Program Reimbursement Benefits Chart 2007
- 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
- 04-01-05 FY 2004-2005 Program and Financial Reporting Requirements
- 05-01-07 PDA Contract Procurement Requirements for Area Agencies on Aging
- 05-01-10 Indirect Cost Policy for Department of Aging Contracts
- 05-01-11 Area Agency on Aging Program Income Policies
- 05-01-12 FY 2005-2006 Financial Reporting Requirements (FRR) Memo for APD #05-01-12
- 05-01-14 Guidelines for Environmental Modifications
- 06-01-03 PDA Waiver Program Care Plan Review Process Memo to APD #06-01-03 Care Plan Review Completion of the Care Plan Review Template Care Plan Review Spread Sheet
- 06-01-04 AAA Program Requirements, Planning Allocations and Aging Services Block Grant Format for the FY 2006-2007
- 06-01-06 Implementation Of Community Choice Rollout Procedures
- 06-01-07 FY 2006-007 Annual Program Reporting Requirements
- 06-01-08 Guidelines and Approval Process for Authorization of Environmental Modifications and Adaptions in the PDA Waiver Program
- 06-01-09 Area Agency on Aging Program Requirements, Planning Allocations and Reporting Requirements for the PDA Waiver Program Agreement for FY 2006-07
- 06-01-10 Area Agency on Aging (AAA) Program Requirements, Planning Allocations for the Tobacco/Bridge Agreement for FY 2006-07
- 06-01-11 FY 2006-2007 Financial Reporting Requirements (FRR)
- 06-01-12 Attendant Care Program Rate Change
- 06-01-13 Family Caregiver Support Program (FCSP)
- 06-01-14 AAA Cost Settlement Process
- 07-01-01 Final Chapter One: Assessments Home & Community Based Services (HCBS) Manual
- 07-01-02 2006-2007 Aging Block Grant Amendment: Final Funding Allocations
- 07-01-03 Area Agency on Aging (AAA) Program Requirements, Final Planning Allocations, and Reporting Requirements for the PDA Waiver and Nursing Home Transition Programs Agreement for FY 2006-07
- 07-01-04 Electronic Transfer of Client Specific Information
- Program Area 02—“Home Delivered Meals”**
- See APD #06-03-01
- Program Area 03—“Congregate Meals”**
- 06-03-01 Policies and Standards for the Department of Aging-Funded Nutrition Service Programs
 - Attachment V, Breakfast Meal Template, Five-Day Excel Version
 - Attachment V, Breakfast Meal Template, Seven-Day Excel Version
 - Attachment VI, Lunch/Dinner Meal Template, Five-Day Excel Version
 - Attachment VI, Lunch/Dinner meal Template, Seven-Day Excel Version

Program Area 04—“Socialization/Recreation/Education/Health Promotion”

- 96-04-01 Senior Community Center and Satellite Center Policies and Standards (Revised Language for Aging Program Directive #96-04-01, Senior Community Center and Satellite Center Policies and Standards)
- 98-04-01 PrimeTime Health Program

Program Area 05—“Employment Services”

- 06-05-02 Senior Community Service Employment program (SCSEP) Final Funding Allocations
- 06-05-03 FY 2006-07 Title V Allocation and Slot Level and Fiscal, Program and Reporting Requirements
- 06-05-04 FY 2006-07 Amended Title V Slot Levels Due To Minimum Wage Increase and AAA SCSEP Performance Goals
- 06-05-05 Senior Community Service Employment Program (SCSEP): FY 2006-07 Final Funding Allocations
- 07-05-01 Senior Community Service Employment Program (SCSEP): Eligibility Determination, Assessment, Individual Employment Plan (IEP), and IEP Related Termination Requirements and Forms
- 07-05-02 Fiscal Year (FY) 2007-08 Title V Allocation, Slot Level, Fiscal, Program and Reporting Requirements

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

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 Chapter I of APD #03-01-06.

Program Area 23—“Care Management”

- See APD #03-01-06. (Chapter 2)

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
- See APD #05-01-01

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
- 06-25-01 2007—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
- 06-29-01 Memorandum of Understanding (MOU) Between Pennsylvania Department of Aging, Office of Community Services & Advocacy (OCSA) and Pennsylvania Department of Public Welfare, Office of Mental Health and Substance Abuse Services (OMHSAS)
- 06-29-02 Memorandum of Understanding (MOU) Between Pennsylvania Department of Aging, Office of Community Services & Advocacy (OCSA) and Pennsylvania Department of Health, Office of Quality Assurance for the Use of the Survey Agency Information System (SAIS)
- 06-29-03 Minimum Performance Standards For The APPRISE Telecenters

AGRICULTURE

POLICY STATEMENTS:

Bureau of Administrative Services

- Right-to-Know Procedures—Public Access to Information

Contact: Michael Mesaris (717-787-5674)

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 Food Distribution

- Allowable Uses of State Food Purchase Program Capital Asset Program (CAP) Monies

Contact: Sandy Hopple (717-772-2693)

Bureau of Market Development

- Guidelines: PA Agriculture Product Promotion Matching Grant Program

Contact: Pam Dailey (717-783-1450)

- Instructions for Completion of Application for Fairs Capital Improvement Matching Funds Grant

Contact: Eric Cowden (717-346-4202)

- Guidelines: Agricultural and Rural Youth Grant Program Direct and Matching Grants

Contact: Eric Cowden (717-346-4202)

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

- Farmers Market Nutrition Program—Farmer/Vendor Procedure Manual

- Woman, Infants and Children (“WIC”) Clinic Procedure Manual
- Self Declaration of Need: Income Poverty Guidelines for TEFAP

Contact: 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 (717-787-4315)

- Ice Manufacturing Plants Consumer Confidence Program Guidelines
- Reduced Oxygen Packaging (ROP) Policy and Procedures for Meat, Poultry, Fish & Seafood
- Open Air Markets Requirements for Food Protection within a Retail Food Facility
- Guidance and Requirements for Home Food Processors
- Checklist for Mobile Food Facilities in PA
- Checklist for Temporary Food Facilities Operating with Permanent Licenses in PA
- Checklist for Retail Food Facilities Operating with Temporary Licenses in PA

Contact: Sheri L. Morris (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: John K. Dillabaugh (717-787-6772)

Pennsylvania State Conservation Commission

- Best Management Practices Manual for Pennsylvania Livestock and Poultry Operations

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: Douglas M. Wolfgang (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 (717-787-4315)

- 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)

Bureau of Market Development

- Agricultural Fair Program State Premium Guideline Book

Contact: Eric Cowden (717-346-4202)

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)

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: Sheri L. Morris (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: 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.

2007

- 04/13/07 Letter provides guidance on nontraditional mortgage product risks.
- 02/01/07 The Pennsylvania Department of Banking joins with the Federal Deposit Insurance Corporation in urging you to consider ways that your institution might choose to participate in the IRS' Volunteer Income Tax Assistance (VITA) program.
- 01/12/07 The Secretary's Letter announces the December 16, 2006 publication in the *Pennsylvania Bulletin* of a Statement of Policy which defines dishonest, fraudulent, illegal, unfair, unethical, negligent and incompetent conduct under Sections 313(a)(5) and (14) of the MBBCEPA.
- 01/10/07 Letter announces that Pennsylvania State banking institutions and Pennsylvania National Banks are hereby permitted to observe Monday, November 12, 2007, as an optional legal holiday in recognition of Veteran's Day.

2006

- 10/04/06 2007 Bank Holidays
- 06/28/06 Secretary's Memo to State-Chartered Banking and Trust Institutions, Savings Associations and Credit Unions; National Banks and Federal Thrifts regarding the Rise in Reports of Fraudulent Cashier's Checks.
- 06/01/06 Secretary's Memo to State-Chartered Banking and Trust Institutions, Savings Associations and Credit Unions regarding the Influenza Pandemic Preparedness.

2005

- 10/14/05 2006 Bank Holiday Schedule
- 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.
- 8/22/03 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.
- 8/11/03 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.
- 7/25/03 The Secretary's Letter discusses the terms and conditions of deferred payment programs that may be offered to buyers as part of installment sales contracts originated by licensees.

- 6/25/03 The Secretary's Letter is intended to clarify the Department's position regarding the terms and conditions of deferred payment programs that may be offered to buyers as part of installment sales contracts originated by licensees under the MVSFA.
- 6/11/03 The Secretary's Letter that requests licensees and registrants under the Check Cashier 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 Cashier Licensing Act.
- 5/8/03 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.
- 5/2/03 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 Cashier 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 casher location.
- 5/2/03 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 Cashier 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 casher location.
- 4/1/03 The Secretary's Letter discusses State-charted banks engaging in payday lending activities.
- 3/26/03 The Secretary's Letter discusses the Streamlined Call Report filing requirements.
- 2002**
- 9/23/02 The Secretary's Letter discusses that the Act 55 of 2001 definition of "Covered Loan" changes effective October 1, 2002; and that "Median Family Income" statistical estimates necessary for lenders to calculate (a) repayment ability of potential obligor under Section 512(b), and (b) whether negative amortization terms may be imposed on a potential obligor under Section 511(c), are now stated in the convenient chart attached to the letter.
- 6/3/02 Secretary's letter discusses the Pilot Program for Residential Real Estate and Small Business Loans.
- 3/15/02 Secretary's Letter announces that by virtue of publication in the March 2, 2002 *Pennsylvania Bulletin* (Vol. 32, No. 9), the Mortgage Bankers and Brokers and Consumer Equity Protection Act ("MBBCEPA") Continuing Education Regulation (the "Regulation") is now in effect for all licensees under the MBBCEPA. Therefore, all licensees must be in compliance with the requirements contained in the Regulation by June 30, 2003, in order to renew a license.
- 2001**
- 12/21/01 This letter is to set forth in writing the Pennsylvania Department of Banking 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.
- 10/19/01 Secretary's Letter regarding President Bush's Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit or Support Terrorism.
- 8/17/01 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.
- 1/4/01 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.
- 2000**
- 11/29/00 Governor Ridge signed into law as Act 89 of 2000, the Bank Parity Bill, HB 2533 of 2000 (P. N. 4073).
- 3-30-00 Pennsylvania State-chartered banks, bank and trust companies and savings banks may establish and operate messenger service branches.
- 3-23-00 Loans to Directors and Section 1414.
- 1-18-00 Department's General Position on Internet Banking.
- 1999**
- 8-23-99 Holidays for 2000.
- 5-26-99 Letter interprets section 1414 of the Banking Code of 1965 as permitting Pennsylvania State-chartered banks, bank and trust companies, and savings banks to charge interest on loans to their executive officers to the same extent as permitted under Federal Reserve "Regulation O."
- 5-12-99 Permissible Bank Holidays for 2000.
- 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—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**
- 8-27-97 Holidays for 1998.
- 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 (Department) 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 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 Monday, 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.
- 9-29-89 Letter lists legal bank holidays for 1990.
- 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.
- 11-2-88 Letter announces survey to be conducted by the Department regarding low-cost deposit accounts availability at banks and savings and loan associations.
- 10-17-88 Letter lists legal bank holidays for 1989.
- 9-30-88 Letter mailed to State-chartered banking institutions asking for a Report of Condition and Report of Income as of the close of business 9-30-88.

- 7-15-88 Letter to lenders asking them to act with forbearance toward farmers who may have been experiencing financial difficulties due to poor weather conditions.
- 6-30-88 Letter announces increase in assessments.
- 6-27-88 Letter to CEOs of bank and trust companies discusses the review of assessment fees for trust companies and trust departments. Letter asks institutions to complete a Report of Trust Assets.
- 6-3-88 Letter announces legislative amendments to sections 112, 166 & 117 of the Banking Code of 1965.
- 5-31-88 Letter to realtors discusses Senate Bill 7 of 1988, the Mortgage Bankers and Brokers Act.
- 4-6-88 Letter discusses the liquidation of TMIC Insurance Company and the need for some financial institutions to obtain alternate coverage.

1987

- 12-11-87 Letter to bank and savings and loan association CEOs—re: provisions of the Uniform Commercial Code regarding full-day hours during the holidays.
- 11-4-87 Letter lists fixed and optional bank holidays for 1988.
- 8-28-87 Letter permit closing of institutions for Constitution Day celebration in Philadelphia, September 17, 1987.
- 6-24-87 Letter discusses requirements under Section 403 of the Banking Code of 1965 relating to report of condition & report of income.
- 3-23-87 Letter addressed to CEOs of all PA State-chartered banking institutions discusses Sections 1407(a) and 1407(c) of the Banking Code of 1965, which revises the minimum requirements for Directors' audits performed by CPAs.
- 2-5-87 Letter discusses permissibility of purchase or establishment of discount brokerage office subsidiaries under sections 311(b), 502(d) and 203(d) of the Banking Code of 1965.
- 1-16-87 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.
- 1-6-87 Letter discusses permissibility of investment on mutual funds under the provision of the Banking Code of 1965, 7 P. S. § 307.

1986

- 11-6-86 Letter contains a list of fixed and optional bank holidays for 1987.
- 9-30-86 Letter requests Report of Condition and Income as of September 30, 1986.
- 8-21-86 Letter discusses ownership of stock by State-chartered institutions of out-of-state bank holding companies and 7 P. S. §§ 116, 311.
- 6-26-86 Letter requests Report of Condition and Income as of the close of business June 30, 1986.
- 3-17-86 Letter announces CSBS Computer Audit & Control Conference for bankers.

1985

- 12-20-85 Letter requests report of condition and income for 4th Quarter of 1985.
- 12-16-85 Letter announces Martin Luther King, Jr.'s Birthday as a fixed holiday.
- 11-4-85 Letter lists all fixed and optional bank holidays for 1986.
- 9-25-85 Letter requests report of condition and income as of the close of business—9/30/85.
- 6-14-85 Letter announces upcoming examination of all corporations licensed under Pennsylvania's Secondary Mortgage Loan Act.
- 5-31-85 Letter discusses brokered loan fraud.
- 5-16-85 Letter announces "Day with the Secretary" program.
- 4-29-85 Letter discusses requirements for directors' audits pursuant to 7 P. S. § 1407(a) and the relevant regulations.
- 4-2-85 Letter announces CSBS Computer Audit & Control Conference for bankers.
- 1-30-85 Letter announces substantive amendments to 7 P. S. § 408, House Bill No. 2453, Act No. 1984-217.

1984

- 12-20-84 Letter announces staff changes in the banking bureau of the Department.
- 12-12-84 Letter discusses requirement of § 1407 of the Banking Code of 1965 regarding audit requirements.
- 11-28-84 Letter discusses increasing fees and charges for traditional financial services.
- 10-19-84 Letter announces banking legal holidays for 1985.
- 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.
- 7-26-84 Letter discusses Senate Bill 1304, Act No. 128 of 1984, Senate Bill 1305, Act No. 129 of 1984 and amendments to § 302, § 303, § 401 of the Banking Code of 1965.

- 7-26-84 Letter discusses Senate Bill No. 1304, Act No. 128 of 1984 which amended sections 203, 306, 308, 310, 311, 404, 405, 505, 805, 908, 1415, 1609, 1910, 2002 of the Banking Code of 1965.
- 7-26-84 Letter discusses Senate Bill No. 1080, Act No. 125 of 1984 which amended sections 311, 404, 514, 610, 802, 1217, 1405, 1609, 1801 and 1809 of the Banking Code of 1965.
- 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.
- 2-2-83 Letter discusses Garn-St. Germain Depository Institution Act of 1982 overriding substantially equal payments requirements of Section 310 of the Banking Code of 1965.
- 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.
- 11-1-82 Letter lists legal bank holidays for 1983.
- 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.
- 6-4-82 Letter discusses House Bill No. 1739, Act No. 79 of 1982, which amended sections 202, 308, 311, 319, 320, 407, 504, 506, 610, 702, 703, 1414, 2004 and 1609 of the Banking Code of 1965.
- 6-4-82 Letter discusses House Bill No. 1889, Act No. 44 of 1982, which amended sections 113, 114, 115, 903, 904 and 905 of the Banking Code of 1965.
- 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

- 11-20-81 Letter lists legal bank holidays for 1982.
- 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.
- 5-29-80 Letter discusses Act No. 51 of 1980, amending various provisions of the Banking Code of 1965 (P. L. 847, No. 346).
- 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 discusses Saturday Banking Hours.

POLICY STATEMENTS

- 10 Pa. Code §§ 13.61—13.68—Exception to Definition of "Branch"
- 10 Pa. Code § 21.61—Insurance and Annuities (Act 40 of 1997 was enacted after issuance of this Statement of Policy)
- 10 Pa. Code § 41.3a—Calculation of Consumer Discount Company Act default charges—Statement of Policy
- 10 Pa. Code Chapter 81—Check Cashers—Statement of Policy
- 10 Pa. Code § 13.51—Simplification and Availability of Bank Credit—Statement of Policy
- 10 Pa. Code Chapter 48—First Mortgage Loan Business Practices—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, Nondepository 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

Nondepository 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 previous 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 will continue to issue interpretive letters on a case by case basis when appropriate regarding new issues raised by persons requesting such interpretive information.

BOARD OF PARDONS

Factors Considered by the Board of Pardons**In Evaluating Pardon/Commutation Requests**

Many individuals call, write or email the Board of Pardons seeking information about what factors the Board deems most important in considering pardon/commutation requests. Some wish to use this information to help them decide whether to apply for clemency. Others seek the information to assist them in completing their applications after they have decided to apply.

Neither the Pennsylvania Constitution nor the laws or regulations governing the Board establish minimum eligibility requirements in order to apply for executive clemency. Also, the law does not establish a specific list of factors that the Board must consider in evaluating applications. As a result, each of the five Board members is free to rely upon the information that he/she feels is most important both in deciding to grant a public hearing and in deciding to recommend clemency to the Governor.

The Board believes that it will be helpful to clemency applicants and the public generally to provide a list of some of the factors that have been considered by the Board in the past in evaluating clemency applications. This list is by no means exclusive, and is not applied by every Board member in every case. Satisfaction of the criteria identified below does not entitle the applicant to clemency, nor does failure to satisfy the criteria automatically result in rejection of the application. Rather, the Board evaluates every application on a case-by-case basis to determine whether clemency is appropriate.

Factors Considered in Pardon Applications

1. How much time has elapsed since the commission of the crime(s)? Obviously, this factor, coupled with being crime free after the offense, is one of the best indicators of whether the applicant has been successfully rehabilitated. Further, the more serious, or numerous, the crime(s), the greater the period of successful rehabilitation that the applicant should be able to demonstrate.
2. Has the applicant complied with all court requirements? The applicant should be able to demonstrate successful completion of all court-imposed requirements such as probation, parole, and payment of all fines and costs. If unsure of the latter, applicants should check with the County Clerk of Courts, and get receipts for any recent payments.
3. Has the applicant made positive changes to his/her life since the offense(s)? Successful rehabilitation may also be demonstrated by positive changes since the offense(s) in applicant's career, education, family or through community or volunteer service, particularly in areas that relate to the offense(s).
4. What is the specific need for clemency? The applicant should identify a specific need for clemency, e.g., a particular job that applicant cannot get, or some particular activity that he/she cannot participate in without clemency, as opposed to the more general answers of "employment purposes" or "to put this behind me" that applicants frequently use.
5. What is the impact on the victim(s) of the offense(s)? The Board's regulations require that victims or next of kin be notified and given the opportunity to appear at the hearing or make a confidential submission in writing. Applicants should be aware that victims or next of kin may be present and, in any event, will have their viewpoint considered by the Board.

Factors Considered in Commutation of Sentence Applications

1. Does the applicant still have appeals pending in any court? The Board views clemency as an extraordinary remedy that should ordinarily be resorted to only after all legal remedies have been exhausted.
2. Is the applicant eligible for parole or will he/she be eligible within a reasonable period of time? In most cases, parole is the more appropriate avenue for release by applicants eligible for parole.
3. Has an appropriate period of incarceration been served based on the circumstances of the offense?
4. Has the applicant maintained an appropriate conduct record for consideration of clemency? The Board looks to the number of both serious and minor misconducts as a reliable indicator of the rehabilitation of the applicant.
5. Has the applicant had a successful work record and/or availed himself/herself of the programming opportunities for self-improvement that are available through the correctional facility? Again, the Board views these factors as reliable indicators of the rehabilitation of the applicant.
6. What is the impact on the victim(s) of the offense(s)? The Board's regulations require that victims or next of kin be notified and given the opportunity to appear at the hearing or make a confidential submission in writing. Applicants should be aware that victims or next of kin may be present and, in any event, will have their viewpoint considered by the Board.

Approved for distribution by the Pennsylvania Board of Pardons

Dated: November 28, 2005

COMMUNITY & 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)

Operations Center

Community Revitalization Program
Richard Guinan (717-787-7402)

II. GUIDANCE MANUALS:**Business Assistance Office**

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

2005-06 Annual Report for 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 in Pennsylvania
Councils of Governments, 2006 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
Annual Audit and Financial Report
Chart of Accounts
County Annual Financial Report
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 in Pennsylvania
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 Services in Pennsylvania
Risk Manager's Insurance Guide
Solicitor's Handbook
Tax Collector's Manual
Taxation Manual
Township Commissioner's Handbook
Township Supervisor's Manual

Planning Series

Municipalities Planning Code

No. 1—Local Land Use Controls In Pennsylvania

No. 2—The Planning Commission

No. 3—The Comprehensive Plan

No. 4—Zoning

No. 5—Technical Information on Floodplain Management

No. 6—The Zoning Hearing Board

No. 7—Special Exceptions, Conditional Uses and Variances

No. 8—Subdivision and Land Development

No. 9—The Zoning Officer

No. 10—Reducing Land Use Barriers to Affordable Housing

Growing Smarter Toolkit: Catalog of Financial and Technical Resources

Planning for Agriculture

Neil Kinsey (1-888-223-6837)

State Planning Board's 2006 Report

Sean Sanderson (1-888-223-6837)

Center for Community Development

CDBG Grantee Monitoring Systems

CDBG Grantee Performance Evaluation Report Handbook

Civil Rights Manual

Economic Development Handbook

Environmental Review Guide

Housing Rehabilitation Guide

Labor Standards Handbook

Donna Enrico (717-720-7402)

New Users Integrated Disbursement and Information System (IDIS) Manual

Lauren Atwell (717-720-7403)

Procedures for Closeout of Contracts

Procurement/Contract Guide

Sample Construction Contract Documents

Donna Enrico (717-720-7402)

Section 108 Standards for Financial Underwriting

Lauren Atwell (717-720-7407)

Special Assessments Guide

Donna Enrico (717-720-7402)

Travel, Film, and Economic Development Marketing Office

Heritage Grant Program Guidelines

Regional Marketing Initiative

Tourist Promotion Agency Matching Fund Program Manual

Richard Bonds (717-705-6759)

Creativity in Focus Film Production Grant Program

Jane Saul (215-965-4603)

III. DECISIONS:

None.

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

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
Keystone Opportunity Zone
Brian Eckert (717-787-7120)

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
Cathy Onyeaka (717-783-5046)

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 & 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
Dan Fitzpatrick (1-888-223-6837)
Land Use Planning and Technical Assistance Program
Fred Reddig (1-888-223-6837)
Local Government Capital Project Loan Program
Colton Webber (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
Sandy Wolfe (1-888-223-6837)
Taxpayer Relief Act Transition Grant Program
Harry Krot (1-888-223-6837)

Center for Community Development

Community Development Block Grant Program—Guidelines and Application Kit
Emergency Shelter Grant Program—Guidelines and Application Kit
Growing Greener II
Housing and Redevelopment Assistance
HOME Investment Partnerships Program—Guidelines and Application Kit
New Communities Program (Elm Street, Main Street, Enterprise Zone)

PA Accessible Housing Program
Section 108 (of the Housing & Community Dev. Act) Loan Guarantee Program
Ed Geiger (717-787-5327)

Center for Community Empowerment

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
Jamie Reed (717-787-1984)
Neighborhood Assistance Program
Neighborhood Assistance Comprehensive Service Program (not accepting new applications)
Neighborhood Assistance Enterprise Zone Tax Credit Program
Neighborhood Partnership Program
Jamie Reed (717-787-1984)
Supported Engagement Program (instructions for application)
Weatherization Program
Weatherization Program Directives
Jamie Reed (717-787-1984)

Office of International Business Development

Export 2000 Block Grant
Market Access Grant
Scott Conrad (717-787-7190)

Technology Investment Office

Agile Manufacturing
Ben Franklin Technology Partners
Bill Cook (717-720-1393)
Bona Fide Request Program
Broadband Outreach and Aggregation Fund
Business Attraction and Retention Program
Luc Miron (717-346-7742)
Commonwealth Financing Authority
New PA Venture Investment Program
New PA Venture Guarantee Program
John Sider (717-720-7447)
Keystone Innovation Zone Program
Keystone Innovation Grants
Sheri Collins (717-346-7046)
Life Sciences Greenhouse Program
Lauren Lenfest (717-720-1359)
Pennsylvania Infrastructure Technology Alliance (PITA)
Bill Cook (717-720-1393)
Pennsylvania Industrial Resource Center Program
Tom Palisin (717-787-4147)
Pennsylvania Technical Assistance Program (PennTAP)
Pittsburgh SuperComputing Center
Powdered Metals Initiative
Research and Development Tax Credit Program
Bill Cook (717-787-4147)
Technology Fund Investment
John Sider (717-720-7447)
Technology Collaborative
Bill Cook (717-720-1393)
Technology Development Grant
Sue Suleski (717-705-6755)
University Research Grant
Kelly Wylam (717-214-5330)
Workforce Leadership Grants
Sue Suleski (717-705-6755)

Strategic Planning and Operations Office

Community Conservation and Employment Program
Emergency Responders Program
Local Municipal Resources & Development Program
Urban Development Program
Richard Guinan (717-787-7402)

Travel, Film, and Economic Development Marketing Office
Targeted Investment Grant Program
Teri MacBride (717-214-5317)

V. OTHER

Office of Community Development
Consolidated Plan
Ed Geiger (717-787-5327)

CONSERVATION AND NATURAL RESOURCES

POLICY STATEMENTS:

Bureau of Forestry

State Forest Natural Areas

Contact: Dan Devlin (717-787-2105)

Transfer or Exchange of State Forest Land

Contact: Dan Devlin (717-787-2105)

Bureau of State Parks

State Park User Fees

Contact: David Barrett (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: Matt Beaver (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: Matt Beaver (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: David Barrett (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 183 E-Fund Guidelines
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: Russ Alves (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: Jennifer Rockey (717-346-9399)
- Charter School Application (on PDE Website)
- Cyber Charter School Application (on PDE Website)
- Pennsylvania Charter School Annual Report (on PDE Website)
- Competitive Charter School Federal Grant Program (on PDE Website)
- Competitive PA Charter School Planning Grants—Guidelines and Application Forms (on PDE Website)
- Cyber Charter Schools Review (On PDE Website)
Contact: Gregg Spadafore (717-783-5416)

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: Linda Benedetto (717-783-9252)

- Certification and Staffing Policies and Guidelines Regarding Education Certification and Staffing Requirements for Public Schools

Contact: Linda Benedetto (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 a 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: Barbara Seifert (717-772-4508)

- Memorandum to Pennsylvania teacher preparing colleges and universities announcing six new Praxis series assessments for beginning teachers effective November 1, 1997 and the qualifying scores for these assessments.
- Memorandum to teacher preparing colleges and universities providing instruction and policies for the use of new application forms for professional educator certification.
- 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.
- Memorandum: Important Notice Regarding Title II, Section 207 of the Higher Education Act of 1998.
- Professional Educator 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—05 (August 25, 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: Linda Benedetto (717-783-9252)

- Specific Program Guidelines for State Approval of Professional Educators (January 2001)

Contact: Linda Benedetto (717-783-9252)

Bureau of Adult Basic and Literacy Education

- Application Procedures and Program Guidelines—Program Year 2007-08—Pennsylvania Act 143 of 1986, The Workforce Investment Act of 1998, Title II (Adult Education and Family Literacy Act), Federal Even Start Family Literacy Program (Title I, Part B of Improving Americas Schools Act)
- Policy Guidance A.100, Definition of Bureau of ABLE Policy
- Policy Guidance A.110, Bureau Policy, Indicators of Program Quality and Program Evaluation
- Policy Guidance B.100, Adult Education (Including PA Literacy Corps), Family Literacy and State Leadership (PY 200763-0874)
- Policy Guidance B.100a, Department of Education Grant Procedures Manual
- Policy Guidance C.100, Adult Education Performance Standards
- Policy Guidance C.110, Family Literacy Performance Standards
- Policy Guidance C.120, Data Quality Standards
- Policy Guidance C.130, Verification and Reporting of Data
- Policy Guidance C.135, Core Outcomes Methodology
- Policy Guidance C.140, Instruction Manual for eData System
- Policy Guidance C.141, Glossary for eData System
- Policy Guidance C.200, Residency Requirements for Issuance of the Commonwealth Secondary School Diploma through GED Testing
- Policy Guidance C.310, Even Start Independent Local Evaluations
- Policy Guidance C.320, Workplace Education Reporting
- Policy Guidance C.330, Early Childhood Assessment

- Policy Guidance C.700, Non-Employee Travel, Lodging and Subsistence
 - Policy Guidance C.800, Nonimmigrant Foreign Students with F-1 Visa
 - Policy Guidance C.900, Safety and Security
 - Policy Guidance D.100, Adult Learner Assessment
 - Policy Guidance D.120, Special Populations Agency Accountability Plans
 - Policy Guidance D.130, Distance Learning
 - Policy Guidance D.140, Adult Diploma Program (ADP) [formerly High School Diploma Program for Adults (HSDP)]
 - Policy Guidance E.100, Program Improvement Teams
 - Policy Guidance E.120, Program Monitoring
 - Policy Guidance E.130, Adult Education Onsite Evaluation Field Guide
 - Policy Guidance E.140, Family Literacy Onsite Evaluation Field Guide
 - Policy Guidance E.150, Performance Funding
 - Policy Guidance F.110, PDE Online Training
 - Policy Guidance F.120, Fees for Professional Development Activities and non-Bureau-Funded Agencies
 - Policy Guidance G.100, Adult Education and Workforce Investment Boards
 - Policy Guidance H.100, Residency Requirements for Issuance of the Commonwealth Secondary School Diploma through GED Testing
 - Policy Guidance, H.200, GED Testing for Institutionalized Youth
 - Policy Guidance H.300, Verification of GED Test Candidate Identity and Pennsylvania Residency
 - Policy Guidance H.400, Foreign Language Versions of the GED Tests and Credentials
- Contact: Donald Paquette (717-787-6344)

Office of Postsecondary and Higher Education

- Education for Corporations Interested in Receiving Authority to Offer Academic Programs in Pennsylvania Leading to Collegiate Level Degrees
- Contact: Paula Fleck (717-772-3623)

Bureau of Postsecondary Services

- Private Licensed School Memoranda—Student Complaint Questionnaire
 - Private Licensed School Memoranda—Board Policy on the Use of the Term Tuition “Savings”
 - Private Licensed School Memoranda—Final Rulemaking—Chapter 73 Regulations
 - Private Licensed School Memoranda—Scholarships
 - Private Licensed School Memoranda—Revised Board Policy on the Use of the Term Tuition “Savings”
 - Private Licensed School Memoranda—Revised Scholarships Policy
 - Private Licensed School Memoranda—Certificates of Preliminary Education and Correspondence High School Programs
 - Private Licensed School Memoranda—Return of Title IV Funds—Definition of Withdrawal Date
 - Private Licensed School Memoranda—Board; Calendar; Act 174; Procedures
 - Private Licensed School Memoranda—Bonds, Statement of Reasonable Service and Business Ethics, Multi-branch Training Schools
 - Private Licensed School Memoranda—Applications for Approval of New Programs
 - Private Licensed School Memoranda—Review Form for New Program
 - Private Licensed School Memoranda—Student Information Publications
 - Private Licensed School Memoranda—License and User Fees
 - Private Licensed School Memoranda—Clock Hour/Lesson/Semester Credit/Quarter Credit
 - Private Licensed School Memoranda—Statement Concerning Transfer of Credit Hours
 - Private Licensed School Memoranda—Act 174 of 1986 and Chapter 73 Regulations
 - Private Licensed School Memoranda—Tuition Change Report—Description and Instructions
 - Private Licensed School Memoranda—Contract Bond Form
 - Private Licensed School Memoranda—Board-Approved Private Surety Fund
 - Private Licensed School Memoranda—Termination; Leave of Absence
 - Private Licensed School Memoranda—Financial Reporting—Annual Reporting Rescinded; Biennial Reporting Reinstated
 - Private Licensed School Memoranda—Revised Qualification Form for Instructional Staff
 - Private Licensed School Memoranda—Allowable Administrative Fee and Refunds of \$25.00 or Less
 - 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
 - Private Licensed Schools Memoranda—Limit of 3 Applications
- 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

- Pennsylvania State Plan for the Administration of the Carl D. Perkins Career and Technical Education Improvement Act of 2006
 - BEC 22 Pa. Code § 339.22 Program Content, Minimum Instructional Hours in Approved Career and Technical Education Programs
- Contact: Lee Burket (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: Harry Sherman (717-783-6595)
- Procedures for Establishing a Private Driver Training School
- Contact: Harry Sherman (717-783-4382)
- Act 48 of 1999 Appeals Process Statement of Policy
- Contact: Ed Vollbrecht (717-787-8913)
- Pennsylvania Governor's Schools of Excellence Policy Manual (2003 Internal Guidance)
- Contact: Angela Kirby-Wehr (717-783-1024)

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): Inclusive Practices Mini-Grant Program Application (January 6, 2006) materials are available on-line at www.pde.state.pa.us/.
 - Memorandum to Local Education Agencies (Penn*Link): Special education contingency funds application submission requirement (January 30, 2006)
- Contact: Richard Moss (717) 783-6882
- Memorandum to Local Education Agencies (Penn*Link): 2006 writing assessment for students enrolled in the PASA (February 17, 2006)
- Contact: Thomas Seben (717) 783-6135
- Memorandum to Local Education Agencies (Penn*Link): Contingency fund Update (February 24, 2006)
- Contact: Richard Moss (717) 783-6882
- Memorandum to Local Education Agencies (Penn*Link): PASA news (FEBRUARY 28, 2006) Information Please go to www.pasaassessment.org/
 - Memorandum to Local Education Agencies (Penn*Link): Individuals with Disabilities Education Act regulations that exceed Federal requirements (March 29, 2006)
- Contact: John J. Tommasini (717) 783-6134
- Memorandum to Local Education Agencies (Penn*Link): New Individualized Education Program (IEP) form (March 30, 2006) Information may be found at www.pattan.net
 - Memorandum to Local Education Agencies (Penn*Link): Revised deadline date for 2006 cut-off date for new PDE-4010 application for educational assignment to approved private school (April 10, 2006)
- Contact: Richard Brown (717) 783-6906
- Memorandum to Local Education Agencies (Penn*Link): Special education—special education students at home follow-up reports (April 11, 2006)
- Contact: Charles Haley (717) 783-6925
- Memorandum to Local Education Agencies (Penn*Link): Post school outcome survey and data collection process (April 21, 2006)
- Contact: Ellen Romett (412) 826-2336
Michael Stoehr (412) 826-2336
- Memorandum to Local Education Agencies (Penn*Link): House Bill 1618 signed-students with disabilities to participate in graduation (May 2, 2006)
- Contact: John J. Tommasini (717) 783-6134
- Memorandum to Local Education Agencies (Penn*Link): Inclusion mini grants (May 12, 2006)
- Contact: Jeannine Brinkley (412) 394-5700
- Memorandum to Local Education Agencies (Penn*Link): 2007 PSSA accommodations booklet (June 12, 2006)
- Contact: Shula Nedley (717) 705-6359
Thomas Seben (717) 783-6135
- Memorandum to Local Education Agencies (Penn*Link): 2006-07 special education compliance monitoring schedule (June 15, 2006)
- Contact: Thomas Reich (717) 783-6917
- Memorandum to Local Education Agencies (Penn*Link): IDEA 2004 child find duties for students enrolled by parents in private schools (July 13, 2006)
- Contact: Patricia Hozella (717) 783-5768
- Memorandum to Local Education Agencies (Penn*Link): Special education and PennData reporting 2006-07 (August 4, 2006)
- Contact: Jodi Rissinger (717) 783-6911
- Memorandum to Local Education Agencies (Penn*Link): Copies of idea implementing regulations (August 21, 2006)
- Contact: Patricia Hozella (717) 783-5768
- Memorandum to Local Education Agencies (Penn*Link): Performance grant opportunities (August 21, 2006)
- Contact: John J. Tommasini (717) 783-6134

- Memorandum to Local Education Agencies (Penn*Link): Special education contingency funds applications (September 5, 2006)
Contact: Richard Moss (717) 783-6882
- Memorandum to Local Education Agencies (Penn*Link): OSEP meeting on idea regulations (September 5, 2006)
Contact: John J. Tommasini (717) 783-6134
- Memorandum to Local Education Agencies (Penn*Link): NASDSE publication for students who are deaf or hard of hearing (September 5, 2006)
Contact: Shatarupa Podder (717) 772-2646
- Memorandum to Local Education Agencies (Penn*Link): Community meeting on IDEA October 17, 2006 (September 28, 2006)
- Memorandum to Local Education Agencies (Penn*Link): IDEA videoconference October 25, 2006 (October 13, 2006)
- Memorandum to Local Education Agencies (Penn*Link): Free Appropriate Public Education for students needing educational sign language interpreters (October 19, 2006)
Contact: Fran J. Warkowski (717) 541-4960
- Memorandum to Local Education Agencies (Penn*Link): Disaggregated educational placement data for first grade students who have IEPs (November 6, 2006)
Contact: Jodi Rissinger (717) 783-6911
- Memorandum to Local Education Agencies (Penn*Link): No approved list or specific endorsements of reading programs from department of education (November 9, 2006)
Contact: John J. Tommasini (717) 783-6134
- Memorandum to Local Education Agencies (Penn*Link): Accessible instructional materials and the National Instructional Materials Accessibility Standard (NIMAS)—State and local responsibilities (November 15, 2006)
Contact: Terry Dawson (717) 783-6895
Cathy Nadberazny (717) 541-4960
- Memorandum to Local Education Agencies (Penn*Link): Regulatory process begins for chapters 14, 16 and 711 (November 15, 2006)
Contact: Linda O. Rhen (717) 705-5014
- Memorandum to Local Education Agencies (Penn*Link): Special education contingency fund (November 22, 2006)
Contact: Richard Moss (717) 783-6882
- Memorandum to Local Education Agencies (Penn*Link): 2005-06 Special Education Data Report online review period (December 1, 2006)
Contact: Jodi Rissinger (717) 783-6911
- Memorandum to Local Education Agencies (Penn*Link): Revised Special Education Plan Trainings (December 5, 2006)
Contact: Thomas Seben (717) 783-6135
- Memorandum to Local Education Agencies (Penn*Link): Reporting of Expenditures Relating to Exceptional Students (December 1, 2006)
Contact: Donald Dolbin (717) 783-6879
- Memorandum to Local Education Agencies (Penn*Link): Message from the Director of the PA Bureau of Special Education (December 21, 2006)
Contact: John J. Tommasini (717) 783-6134

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 Economic Development Programs
Contact: Deb Glosek (717-787-5993)

GUIDANCE MANUALS:

Bureau of Special Education

- Special Education Mediation Services
Contact: Kerry Smith (717-541-4960)
- Education of Students with Hearing Loss
Contact: Shatarupa Podder (717-772-2646)
- Special Education Complaint Investigation Manual
Contact: Masako Farrell, Acting Division Chief, (717-783-6885)
- School District Special Education Plan Guidelines
Contact: Thomas Seben (717-783-6135)
- Intermediate Unit Special Education Plan Guidelines
Contact: Richard Moss (717-783-6882)
- Education of Mentally Gifted Students
Contact: Barbara Thrush (717-783-1024)
- Disabilities Education Act—Part B Program Guidelines for Local Education Agency Applications
Contact: Richard Moss (717-783-6882)
- Credential of Competency for Special Education Paraeducators
Contact: Virginia Kobb (717-787-8603)
- Early Intervention Guidelines
Contact: Maureen Cronin (717-783-7213)
- Special Education Contingency Fund Guidelines
Contact: Richard Moss (717-783-6882)

- Early Intervention Special Education Plan Guidelines

Contact: Maureen Cronin (717-783-7213)

- Individuals with Disabilities Education Act—Part B (IDEA-B), IDEA-B, Section 611, Special Education State Grant

Contact: Richard Moss (717-783-6882)

Donald Dolbin (717-783-6879)

- Individuals with Disabilities Education Act—Part B (IDEA-B), IDEA-B, Section 619—Special Education—Preschool Grants

Contact: Todd Klunk (717-346-9327)

- State Early Intervention Program

Contact: Maureen Cronin (717-783-7213)

- Certificate of Competency Early Intervention Standards for Licensed Private Providers

Contact: Maureen Cronin (717-783-7213)

Bureau of Educational Technology

- Secondary Career and Technical Education Information System Instruction Manual for Student Data Submission, 2006-2007

Contact: Steve Simchock (717-787-2644)

- Adult Career and Technical Education Instruction Manual, 2006-2007

Contact: Ronald Hoerner (717-787-2644)

- Private and Nonpublic Enrollment Instruction Manual, 2006-2007

Contact: Joanne Bobek (717-787-2644)

- Postsecondary Career and Technical Education Instruction Manual, 2005-2006

Contact: Ron Hoerner (717-787-2644)

- Electronic Dropout/Graduate Report (EDGR): Graduate Instructions for School Year 2006-2007

Contact: Joanne Bobek (717-787-2644)

- Electronic Dropout/Graduate Report (EDGR): Dropout Instructions for School Year 2006-2007

Contact: Michele Hiester (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: Mary Spila (717-783-3884)

Bureau of Library Development

- Guidelines for Negotiating Agreements, 2003—Guidance for District Library Centers in Negotiating Service Agreements With Local Libraries

- Guidelines for Statewide Library Card System, 1999 rev.—Rules for Public Libraries Participating in the Statewide Library Card System

- A Handbook for Public Library Trustees, Fifth Edition, 2003—Guidance for People Serving as Trustees for Pennsylvania Public Libraries

- Continuing Education Guidelines for Public Library Staff, 2005—Guidance for Determining What Kinds of Continuing Education are Acceptable for Meeting the Continuing Education Requirements in The Library Code.

- Library Services and Technology Act Five-Year Plan 2003-2007, 2002—Focused Program for the Improvement of Library Services for the People of Pennsylvania through Federal LSTA Funds.

- Pennsylvania Guidelines for School Library Information Programs, 2005—Suggestions for Implementing Quality Library Programs in Pennsylvania.

- Measuring Up To Standards Findings: The Impact of School Library Programs and Information Literacy in Pennsylvania Schools.

- The Pennsylvania School Library Information Specialist TOOLKIT for Implementing Information Literacy in Schools—Defines information literacy standards integrated into curricular areas.

- The Pennsylvania School Library Information Specialist TOOLKIT for Implementing Information Literacy in Schools Supplement 2003

Contact: Jim Hollinger (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: Jennifer Rockey (717-346-9399)

- Guidelines and Application for the Alternative Education for Disruptive Youth Program

- Guidelines and Application for Private Alternative Education Institutions

Contact: Drew Schuckman (717-705-6908)

- Services for Nonpublic School Students Program Guidelines

Contact: Kelly Hudson (717-783-6840)

Renee Shade

- Guidelines for Student Assistance Program Implementation (Guidelines for Secondary Student Assistance Program Teams), September 1991

- Commonwealth Student Assistance Program Training System Handbook: Guidelines, Monitoring Procedures, Standards and Core Competencies, and Related Information, August 2005

Contact: Russ Alves (717-783-6777)

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)

Bureau of Teacher Certification and Preparation

- Pennsylvania Teacher Intern Certification Handbook and Institutional Listing (Revised, 1998)

Contact: Linda Benedetto (717-783-9252)

- Programs Approved for Teacher Education in Pennsylvania Colleges and Universities

- Education Testing Service Praxis Series Registration Bulletin

Contact: Linda Benedetto (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: Barbara Seifert (717-772-4508)

- Guidelines for the Preparation of Self-Study Materials for Certification in Pennsylvania

Contact: Linda Benedetto (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: Barbara Seifert (717-772-4508)

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)

- Eligible Partnerships Application Guidelines

Contact: Linda J. Benedetto (717-772-3623)

Deputy Secretary's Office of Postsecondary and Higher Education

- Chart of Activities for a Group Wishing to Establish a Domestic Nonprofit/For-Profit Degree-Granting Institution in Pennsylvania or a Foreign Nonprofit/For-Profit Degree-Granting Corporation Wishing to Operate in Pennsylvania

Contact: Paula Fleck (717-772-3623)

Bureau of Career and Technical Education

- Cooperative Education Guidelines for Administration

Contact: Arletha Harris (717-787-8804)

- Application for Approval of the Nurse Aide Training Program Submission Guidelines

Contact: Sheri Weidman (717-772-0814)

- Implementing a Statewide System of Core Performance Measures and Standards for Vocational—Technical Education in Pennsylvania

- A Guide to Student Occupational Competency Testing in Pennsylvania

- Pennsylvania Student Occupational Competency Testing

Contact: Paul Munyofu (717-783-6623)

- Tech Prep Secondary and Postsecondary Guidelines 2000-2006

- Tech Prep Works

- Tech Prep Works for Schools

- Tech Prep Works for Students
Contact: Susan Will (717-787-8804)
- Managing Local Plans: A Guide to Accountability for the Carl D. Perkins Vocational and Applied Technology Act of 1990, P. L. 101-392
- Managing Local Plans Part II Technical Assistance Manual for Perkins One-Stop Partners in Pennsylvania Career Link Centers
- Secondary & Postsecondary Perkins Local Plan Guidelines 2000-2006
Contact: Monique Williams (717-346-3188)
- Secondary Vocational-Technical Education Program Approval Application Procedure
Contact: Forrest Keiser (717-787-8804)
- 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: Jerilynn Millvan (717-772-4851)
- Self-Study Guidelines—Accreditation System of Institutions for Adult Education
- Administration Guidelines for the Accreditation System of Institutions for Adult Education
Contact: Lenny Sweeney (717-772-0814)
- The Occupational Competency Assessment Program Brochure
Contact: Jay Brown (717-783-6991)
- 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 (717-783-6956)
- Industry-Recognized Certifications for Career and Technical Education Programs: A Resource Guide for Pennsylvania's Career and Technology Centers
Contact: Beth Marshall (717-772-0814)
- Pennsylvania Area Career and Technical Education Schools 2002 Report
Contact: Ron Hoerner (717-783-6751)
- 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: James Gronski (717-783-6972)
- Secondary School Reform
Contact: Vincent Safran (717-772-4968)

Bureau of Teaching and Learning Support Services

- Chapter 4 Strategic Planning Guidelines, May 2002
Contact: Dolores Cobb-Jones (717-783-4307)
- Act 48 Professional Education Plan Guidelines, April 2000, amended May 2002
Contact: Becky McHugh (717-783-9260)
- Act 48 Approved Provider Guidelines, April 2000, amended November 2002
Contact: Robert Staver (717-783-6583)
- Act 48 Professional Education Records Management Version 2—Approved Provider Reporting Process
Contact: Lois Novak (717-783-7755)
- PDE Policy on Free Access to PDE Online Professional Development, April 2002, amended August 2004
Contact: Becky McHugh (717-772-3817)
- PDE Strategic Planning Midpoint Review Instructions, April 2003
Contact: Dolores Cobb-Jones (717-783-4307)
- 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) [For instructions on how to get to Gifted website]
Angela Kirby-Wehr (717-783-1024)
- Induction Plan Guidelines, May 2002
Contact: Becky McHugh (717-783-9260)

- Parent Guide to Special Education for the Gifted
Contact: Vacant (717-783-1024)
- Pennsylvania Department of Education Gifted Guidelines 2004
Contact: Vacant (717-783-1024)
- Basic Education Circular: Special Education for Gifted Students—22 Pa. Code Chapter 16
Contact: Vacant (717-783-1024)
- Gifted Education Program Self-Assessment Instrument
Contact: Vacant (717-783-1024)
- Online Theory Drive Education Policy
Contact: Harry Sherman (717-783-6595)
- Pennsylvania Literacy Framework
Contact: Tamara Truskey (717-787-3499)
- 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)
- 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)

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)
- Pennsylvania Community Colleges Capital Funding Framework—2007-08
- Application for State Assistance for Construction of Community College Facilities
- Space Approval Formula for Community Colleges
- Procedures for Funding Engineering Schools Equipment Grant Program
Contact: Deb Glosek (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) 2006-2007 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) 2006-2007 Administrative and Fiscal Guidelines for Approved Private Schools
- Individuals with Disabilities Education Act Part B (IDEIA-B) 2006-2007 Administrative and Fiscal Guidelines for Institutions of Higher Education and other Nonpublic School Entities
- Procedures for Commonwealth Reimbursement of the Special Education Cost of Wards of the State
- Out-of-State Special Education Placements Approval and Reimbursement (jointly with the Bureau of Special Education [John Tommasini])
Contact: Ralph Girolamo (717-783-6535)

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: Mary Cornman (717-346-3354)

- **Writing Assessment Handbook**

Contact: Ray Young (717-783-6633)

- **Reading Assessment Handbook**

Contact: Ray Young (717-783-6633)

- **Mathematics Assessment Handbook**

Contact: Ray Young (717-783-6633)

- **Pennsylvania Accountability Workbook**

Contact: Shula Nedley (717-705-2343)

- **Accommodations Guidelines for Students with IEPs, Students with 504 Plans, English Language Learners, and all Students**

Contact: Diane Simaska (717-346-8064)

- **AYP Score and Participation Attribution Map**

Contact: John Weiss (717-214-4394)

- **PSSA Test Security Procedures**

Contact: Jack Hoerner (717-787-4865)

Division of Federal Programs

- **Pennsylvania Reading First Implementation Checklist**

Contact: Jane Daschbach (717-787-7815)

DECISIONS:

State Charter School Appeal Board

- Vitalistic Therapeutic Center Charter School (Bethlehem Area SD) CAB # 1999-6
- William Bradford Academy Charter School (Keystone Oaks SD) CAB # 1999-8
- Wonderland Charter School (State College Area SD) CAB # 1999-3
- Sugar Valley Rural Charter School (Keystone Central SD) CAB # 1999-4
- Phoenix Academy Charter School (Phoenixville Area SD) CAB # 1999-10
- Hills Academy Charter School (Penn Hills SD) CAB # 1999-12
- Collegium Charter School (West Chester Area SD) CAB # 1999-9
- Vitalistic Therapeutic Center Charter School (Allentown City SD) CAB # 1999-5
- Shenango Valley Regional Charter School (Hermitage and Sharon City SD) CAB # 1999-11
- Ronald G. Brown Charter School (Harrisburg City SD) CAB # 1999-1
- Edith & Eloise Academy (Steel Valley and Pittsburgh School Districts) CAB # 1999-13
- Creative Educational Concepts Charter School (Chester Upland SD) CAB # 1999-15
- Souderton Charter School Collaborative (Souderton Area SD) CAB # 1999-2
- Bucks County Montessori Charter School (Pennsbury SD) CAB # 1999-7
- Environmental Charter School (Palisades SD) CAB # 1999-14
- W.E.B. Dubois Charter School (Philadelphia SD) CAB # 2000-10
- William Bradford Academic Charter School (Philadelphia SD) CAB # 2000-1
- Dimensions of Learning Academic Charter School (Philadelphia SD) CAB # 2000-7
- Rising Sun Academy Charter School (Philadelphia SD) CAB # 2000-4
- Leadership Learning Partners Charter School (Philadelphia SD) CAB # 2000-8
- Delaware Valley High Charter School (Philadelphia SD) CAB # 2000-5
- Lincoln-Edison Charter School (York SD) CAB # 2000-11
- Independence Charter School (Philadelphia SD) CAB # 2000-2
- Kemetec 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 Regional Charter School (Saucon Valley SD) CAB # 2000-13
- Vitalistic Therapeutic Center Charter School (Bethlehem Area SD) CAB # 2000-15
- Dr. Lorraine K. Monroe 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 (Pennsbury SD) CAB # 2001-3
- Ricci J. Hausley Charter School (Philadelphia SD) CAB # 2001-4
- Thurgood Marshall Charter School (Wilkesburg 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
- Graystone Academy Charter School (Coatesville Area School District) CAB #2002-1
- Infinity Charter School (Central Dauphin School District) CAB #2002-4
- Einstein Academy Charter School (Morrisville 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 (Morrisville 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 (Pennsbury School District) CAB #2003-04
 - 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 # 2004-03
 - Sugar Valley Rural Charter School (Keystone Central SD) CAB # 2004-04
 - Pocono Mountain Math Science & Technology Charter School (Pocono Mountain SD) CAB # 2004-05
 - Propel Charter School-East (Penn Hills SD) CAB #2005-01
 - Propel Charter School-East (Woodland Hills SD) CAB # 2005-02
 - Lincoln Charter School (SD of the City of York) CAB # 2005-03
 - Lehigh Valley Academy Regional C.S. (Bethlehem ASD) CAB # 2005-04
 - Arts & 3 R's Inc. (Wyoming Valley West SD) CAB #2005-05
 - Lehigh Valley Academy Regional C.S. (Saucon Valley SD) CAB # 2005-06
 - Vitalistic Therapeutic C.S. (Bethlehem SD) CAB # 2005-07
 - Ronald H. Brown Charter School (Harrisburg City School District) CAB 2005-08
 - Voyager Charter School (Garnet Valley School District) CAB 2005-09
 - City College Prep Charter School (Pittsburgh School District) CAB 2006-01
 - Career Connections Charter Middle School (Pittsburgh School District) CAB 2006-03
 - Propel Montour (Montour School District) CAB 2006-04
 - Family Choice (Towanda, Wyalusing & Northeast Bradford) CAB 2006-05
 - Propel Charter School Duquesne (Duquesne School District) CAB 2006-06
- 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
- *Joseph G. Cesari v. North Schuylkill School District*, Teacher Tenure Appeal No. 2-96
- *Deborah N. Collins v. Bethlehem Area Vocational-Technical School*, Teacher Tenure Appeal No. 3-96
- *Renee Czubowicz-Drouse v. Mid Valley School District*, Teacher Tenure Appeal No. 6-95
- *Margaret M. McMackin v. Pittsburgh School District*, Teacher Tenure Appeal No. 8-95
- *Wayne Sousa v. Palisades School District*, Teacher Tenure Appeal No. 10-95
- *James D. Holt v. Muncy Area School District and Board of Directors*, Teacher Tenure Appeal No. 12-94
- *Roland H. Holvey v. Northumberland County Area Vocational-Technical School*, Teacher Tenure Appeal No. 13-94
- *Sally Bollinger v. Curwensville Area School District and Board of School Directors*, Teacher Tenure Appeal No. 9-94
- *William Dopko, et al. v. Riverside Board of School Directors*, Teacher Tenure Appeal No. 2-94
- *Callie Anderson, et al. v. Board of Education of the School District of Philadelphia*, Teacher Tenure Appeal No. 16-94
- *Patricia Peiffer v. Lake-Lehman School District*, Teacher Tenure Appeal No. 9-93
- *Mary Ellen Mela v. Morrisville School District*, Teacher Tenure Appeal No. 5-95
- *Angela Martino v. Philadelphia City School District*, Teacher Tenure Appeal No. 7-95
- *Shawn-Kimberly Kocher v. Salisbury School District*, Teacher Tenure Appeal No. 5-97
- *Dale Kessler v. Line Mountain School District*, Teacher Tenure Appeal No. 11-94
- *Thomas Katruska v. Bethlehem-Center School District*, Teacher Tenure Appeal No. 4-97
- *Jane L. Shaffer v. Riverview Intermediate Unit*, Teacher Tenure Appeal No. 6-97
- *John Reber and Thomas L. McDevitt v. Reading School District*, Teacher Tenure Appeal No. 12-95
- *Mark Berman, et al v. Philadelphia School District*, Teacher Tenure Appeal No. 3-97
- *Jay Mastro v. City of Pittsburgh School Board*, Teacher Tenure Appeal No. 1-98
- *Carol Ann Russo v. Easton Area School District*, Teacher Tenure Appeal No. 4-98
- *Mary Anne Norris v. Penns Valley Area District*, Teacher Tenure Appeal No. 2-98
- *Alice Hirsch v. Montour School District*, Teacher Tenure Appeal No. 2-97
- *Karen Korman v. Penns Valley Area School District*, Teacher Tenure Appeal No. 1-99
- *Kevin Santry v. Philadelphia School District*, Teacher Tenure Appeal No. 2-99
- *Stephen Moiles v. Marple Newtown School District*, Teacher Tenure Appeal No. 1-00
- *James B. Dickinson, Jr. v. Gettysburg Area School District*, Teacher Tenure Appeal No. 3-98
- *Dale Clymer v. Berks County Intermediate Unit*, Teacher Tenure Appeal No. 2-00
- *Nancy J. Zelno v. Lincoln Intermediate Unit*, Teacher Tenure Appeal No. 3-00
- *Colleen Sheptock v. Muncy School District*, Teacher Tenure Appeal No. 4-00
- *Priscilla Barto v. Williamsport Area School District*, Teacher Tenure Appeal No. 3-99
- *Margaret McMackin 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
- *Kenna Williams 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
- *Jacquelyn N'Jai v. Pittsburgh School District*, Teacher Tenure Appeal No. 5-01
- *William Brunson v. Coatesville Area School District*, No. 1-02
- *Thomas Hajduz v. Peters Twp. School District*, No.1-03

- *Dr. Linda Portlock v. Harrisburg Area School District*, No. 2-02
 - *Edwin Hasson v. Glendale School District*, No. 5-03
 - *Joanne Henshaw v. Boyertown Area School District*, No. 7-03
 - *Shirley Curl v. Solanco School District*, No. 1-04
 - *Peter Igoe v. Dunmore School District*, No. 3-03
 - *Cecil E. Clugston v. Franklin County Career and Technology Center*, No. 4-03
 - *Eleanor Jones v. School District of Pittsburgh*, No. 3-04
 - *Donald Becker v. York County School of Technology*, No. 4-04
 - *Dr. Brenda G. Turner v. Wilkinsburg School District*, No. 5-04
 - *Faith Kline v. Loyalsock Township School District*, No. 1-05
 - *Bradley Flickinger v. Lebanon School District*, No. 2-05
 - *Dr. Adrienne Lancaster v. Carlynton School District*, No. 3-05
 - *Albert J. Papada v. Pine Grove Area School District*, No. 4-05
 - *Shirley Curl v. Solanco School District*, No. 1-04A
 - *Carol J. Belas v. Juniata School District*, No. 2-04
 - *Cassandra Richardson Kemp, Richard Mascari, Lorraine Eberhardt Tyler & Margaret Brown v. City of Pittsburgh Public Schools*, No. 1-06
 - *Gene Lawrence Rizzo v. Apollo-Ridge School District*, No. 2-06
- 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 Kabakjian, Certification Appeal #01-05
- Mark Mannella, Certification Appeal #01-06
- Timothy Kalajainen, Certification Appeal #01-07
- Andrew Igbineveka, Certification Appeal #01-08
- Frances Santiago, Certification Appeal #01-09
- Ronald Duska, Certification Appeal #01-10
- Kim Cuff, Certification Appeal #01-11
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- Shirley Dickinson, Certification Appeal #01-14
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 - Jennifer Speirs Certification Appeal #04-07
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 - David Hayden Certification Appeal #06-34
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 - Patrick Leyland Certification Appeal #06-38
 - William Kochinsky Certification Appeal #07-15
 - Brandy Paul Certification Appeal #07-20
 - Amy Grams Certification Appeal #07-22
 - Sherry Washington Certification Appeal #07-48
- Contact: Carolyn Angelo (717- 787-6576)

School Certification Audit Decisions

- Berwick Area School District Certification Audit #98-49
- Montour School District Certification Audit #98-47
- Keystone Central School District Certification Audit #98-42
- St. Marys Area School District Certification Audit #98-36
- Millcreek Township School District Certification Audit #98-46
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- West Shore School District Certification Audit #98-38
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Contact: Linda J. Benedetto (717-783-9252)

Certification Audit Appeals

- Lancaster School District

Contact: Amy Foerster (717-787-5500)

Teacher Decertification Decisions

- *Commonwealth of Pennsylvania v. Benjamin Lucciola*, DI-87-07
- *Commonwealth of Pennsylvania v. Malachi Robinson*, 1996-3

Contact: M. Patricia Fullerton (717-787-5500)

- *Commonwealth of Pennsylvania v. Bobby Wilson*

Contact: Joseph Miller (717-787-5500)

Food and Nutrition Appeals

- William Penn School District
- Auntie Sherry's Christian Child Care
- Heaven's Angels Day Care
- Little Paradise Day Care Center
- Little People Day Care School, Inc.

Contact: Karen Feuchtenberger (717-787-5500)

- Lower Kensington Environmental Center Youth Services, Child Care Food Program 1995-1
- Tots Yearn to Learn, Inc.

- Cassoria Learning Centers, Inc.

Contact: Ernest Helling (717-787-5500)

- Blessed Hope S.D.C. Church

Contact: Ann St. Ledger (717-787-5500)

- *Educational Management Services of Harrisburg v. Department of Education.*

- *Educational Management Services of Harrisburg v. Department of Education.*

Contact: Robert Tomaine (717-787-5500)

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- Contact: Carolyn Angelo (717-787-6576)

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- Contact: Patricia Landis (717-783-8228)

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- Joan C., #1404
- E.F., #1405
- B.C., #1406
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- S.K., #1410
- M.K., #1411
- M.H., #1412
- Vincent D., #1413
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- C.M., #1430
- R.A., #1431
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- J.H.,# 1824

Contact: Kerry Smith, PaTTAN-Hbg., ODR, (717) 541-4960

• 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)

Act 48 Appeal Decisions

- Adams, Paula
- Albensi, Denise
- Allyn, Brenda
- Angle, Bonnie
- Apice, Margaret
- Arena, Samuel
- Azeff, Deborah

- Battaglia, Lisa
- Beccaloni, Gerald
- Biehl, Bonita
- Borbidge, Cheryl
- Bowden, Linda
- Bowe, Deborah
- Brooks, Ida
- Brown, Mary
- Buchs, Jennifer
- Burrell, Gilbretta
- Cappella, Michael
- Carey, Diane
- Carpenter, Judith
- Case, Lucille
- Casper, Vanessa
- Chevalier, Louise
- Chicko, Wanda
- Clark, Debora
- Clifford, Donna Lynn
- Coffy, Ellis
- Collier, Markiya
- Colvin, Marie
- Compton, Pamela
- Connor, Catherine
- Connors, Maureen
- Corey, Trista
- Covelli, Joseph
- Cox, Jennifer
- Cramer, Harriet
- Cummins, James
- Curry, Sandr
- Cutchall, Millicent
- Dankulich, Marguerite
- Daugerdas, Blanca
- Davenport, Margaret
- Davis, Shellie
- Day, Margaret
- DeGennaro, Donna
- DelVecchio, Imelda
- DeMarino, James
- Deni, Anthony
- DePermentier, Bonnie
- Derosa, Alex
- DiChristofaro, Patricia
- Dietrich, Kelly
- DiLauro, Patricia
- DiMatteo, Cynthia
- Dobbs, Michael
- Dorm, Alfredia
- Dougherty, John
- Douglass, Nancy
- Drumm, Jennifer
- Dudek, Melissa
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- Dudzik, Alex
- Duffy, Julie
- Durko, Kathryn
- Dwyer, Amy
- Eaby, Dace
- Eichler, Dorothy
- Ellis, Harriet
- Evanisko, Tamara
- Fattal, Laura
- Fellerath, Margaret
- Finamore, Laura
- Finn, Noreen
- Flemming, Hope
- Flickinger, Carol
- Fosbrink, Richard
- Frawley, Jennifer

- Frazier, Robert
- Fretts, Donald
- Frey, Melissa
- Friel, Patricia
- Fromm, Judith
- Fuscaldo, Patricia
- Gaffney, Daniel
- Fatto, Rex
- Gentile, Richard
- Germont-Risser, Denise
- Gerry, Nancy
- Gonzalez, Luis
- Goodman, Eileen
- Graff, Diane
- Grazis, Carolyn
- Greenly, Lynne
- Griffin, Leanna
- Grignol, Eric
- Haddad, Chestine
- Hall, James
- Haney, Lisa
- Harchelroad, Jean
- Havers, Cynthia
- Hayes, Mary Carla
- Hazel, Karen
- Heimbach, Ricky
- Heitzenrater, Jon
- Henderson, Marjorie
- Jendrey, Judith
- Herb, Betsy
- Hertzler, Cynthia
- Hertzog, D. Jay
- Heywood, Marlong
- Hines, Sherri
- Hinton, Sylvia
- Hoffer, Craig
- Hogue, Meta
- Holinowsky, Monica
- Hollich, George
- Horn, Kathleen
- Horvath, Linda
- Hough, John
- Howitt-Battles, Nancy
- Huxoll, Amy
- Huyett, Rodney
- Iacovel, Kimberly
- Ingraham, Linda
- Jackson III, William
- Johns, Jr., William
- Jolly, Anju
- Jones, Helen
- Jones, Nicole
- Kelly, Michael
- Kent, Kelly
- Kibsey, Richard
- Kimmins, Bernard
- Kinsner, Kathy
- Kirby, Carol
- Kirton, Juanita
- Klepser, Patricia
- Kline, Janet
- Knight, Danita
- Korba, Donna
- Kotch, Joanne
- Lance, Linda
- Laus, Celeste
- Lemonovich, William
- Leo, Charles
- Libassi, Paul
- Liller, Jobelle

- Lindsay, Cynthia
- Loch, Susan
- Locher, Stephen
- Loeffler, Linda
- Love, James
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- Lutfy, Pamela
- Lutz, Joan
- Mackerchar, Pearl
- Maloney, Cathryn
- Mapes, Susan
- Marcikonis, Mary
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- Matrunick, David
- Mayo, William
- McCrone, Ann Marie
- McCuen, Sara
- McCullough, Dennis
- McDonald, Karen
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- McKeown, Theresa
- McLaughlin, Harold
- Meckes, Linda
- Medetsky, Tova
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- Metz, Cynthia
- Mickelberg, Judith
- Miller, Ava
- Miller, Pamela
- Miller, Steven
- Mingin, Wesley
- Moman, Sherry
- Monek, Gloria
- Montgomery, Lois
- Moore III, Lawrence
- Morris, Mary Beth
- Muir, Marjorie
- Muldoon, Ann Marie
- Muller, Betty
- Murray, Heather
- Muscatello, Janet
- Myer, Barbara
- Nelson, Jr., Marion
- Newby, Jane
- Newcombe, Ellen
- Newman, Dolores
- Noble, Maryellen
- Nyikos, Katalin
- Obert, Sherry
- O'Boyle, Minetta
- O'Connor, Martin
- Ostrosky, Ronald
- Outlaw, Veronica
- Owens, Douglas
- Palmer, Caden
- Papale, Marian
- Patterson, Christine
- Pelleschi, Dugene
- Pensiero, Tra
- Pfeifferberger, Eleanor
- Pollet, Susan
- Polonoli, Deborah
- Pomaibo, Carmon
- Pontzer, Cristina
- Price, P. Robin
- Prigg, Brenda
- Pugh, Jennifer

- Quann, Monica
- Quann, Thomas
- Quinn, William
- Qunin, Donna
- Rademacher, Kathleen
- Ramage, Charlene
- Rannels, Carol
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- Reitz, Rebecca
- Ritter, Kurt
- Rivera, Rosary
- Robinson, Carletta
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- Rosen, Ronald
- Rosenberg, Jennifer
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- Rubeis, Eileen
- Ruffini, Michael
- Sabol, Angela
- Sadoff, Maxine
- Salvia, Elise
- Sanios, Joyan
- Santiago, Deborah
- Savakinas, David
- Schlegel, Jennifer
- Schultz, Sandra
- Scott, Deborah
- Scrivo, Coleen
- Shepski, Lorie
- Shields, Molly
- Simon, Bruce
- Simpson, Stuart
- Sink, Jean
- Sinkuc, Valerie
- Slick, Cristy
- Smiles, Michelle
- Smiley, Judith
- Smith, William
- Snyder, Andrea
- Solomon, Susan
- Steltz, Marion
- Stephens, Matthew
- Stewart, Susan
- Stockbower, Anne Marie
- Stoner, Robert
- Strickler, Erin
- Taylor, Cheryl
- Tepe, Connie
- Ternowchek, Jeanne
- Terrace, Robert
- Terrizzi-Meyers, Jacqueline
- Tesla-Berry, Sandra
- Thomas-Shah, Zenobia
- Timbario, Phyllis
- Torchia Thomas
- Toto, Mary
- Trelli, Joseph
- Trusky, Eileen
- Ulivitch, Melanie
- Walker, Merry
- Walker, Richard
- Walls, Edward
- Waruszewski, Mary
- Watson, Elizabeth
- Weidler, Daniel
- Welch, Edward
- Whitby, Cecelia
- Wilhide, Ty
- Williams, Evelyn
- Williams, Marianne

- Williamson, Deborah
- Winkler, Paul
- Wise, Damaris
- Wise, Elizabeth
- Witherup, Thomas
- Wolf, Patricia
- Wright, Wilbert
- Wynne, Kimberly
- Young, Deborah
- Young, Timothy
- Yudt, Diane
- Yuknalis, John
- Zdilla, Lawrence

Contact: Karen Seivard (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/Higher 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*
- *Hazleton Area School District v. Department of Education*
- *Sleighton School v. Department of Education*
- *Lehigh Carbon Community College v. Office of Postsecondary Education, FY 00-01, 01-02*
Contact: Ernest Helling (717-787-5500)
- *Preeminence, Inc. v. Department of Education*
Contact: Robert Tomaine (717) 787-5500
- *Schuylkill Intermediate Unit v. Bureau of Special Education*
Contact: Abigail Tierney (717) 787-5500
- *West Mifflin School District v. Department of Education*
Contact: Kristy Ziegler (717) 787-5500
- *Potomac College, Application for Certificate of Authority*
Contact: Paula Fleck (717-772-3623)
- *Montgomery County Community College v. Department of Education*
- *Wyoming Valley West School District v. Department of Education, Bureau of Curriculum and Academic Services, Division of Federal Programs*
- *In Re: Commonwealth Connections Academy Charter School Cyber Charter School Application—2002*
- *In Re: Pennsylvania Leadership Charter School Cyber Charter School Application—2002*
- *In Re: Pennsylvania Distance & Electronic Learning Academy Charter School Cyber Charter School Application—2002*
- *In Re: Achievement House Charter School Cyber Charter School Application—(2002)*
- *In Re: Millennium Cyber Charter School Cyber Charter School Application—(2002)*
- *In Re: Commonwealth Connections Academy Charter School Revised Application —(2003)*
- *In Re: Pennsylvania Leadership Charter School Revised Application—(2003)*
- *In Re: Achievement House Charter School Cyber Charter School Resubmission Application—(2004)*
- *In Re: Achievement House Charter School Cyber Charter School Second Resubmission Application—(2004)*
- *In Re: Commonwealth Connections Academy Charter School Cyber Charter School Second Resubmission Application—(2003)*
- *In Re: Pennsylvania Distance Learning Charter School Cyber Charter School Resubmission Application—(2003)*
- *In Re: Pennsylvania Distance Learning Charter School Cyber Charter School Second Resubmission Application—(2004)*
- *In Re: Pennsylvania Leadership Charter School Cyber Charter School Second Resubmission Application—(2003)*
- *In Re: Pennsylvania Leadership Charter School Cyber Charter School Third Resubmission Application—(2003)*
- *In Re: Anchorage Cyber Charter School Cyber Charter School Application—(2004)*
- *In Re: Pennsylvania Hinterland Mobil Cyber Charter School Cyber Charter School Application—(2003)*
- *In Re: SusQ Cyber Charter School Cyber Charter School Renewal Application—(2003)*
Contact: Karen Feuchtenberger (717-787-5500)
- *Jeanette School District*
- *Kennett Consolidated School District*
- *Reading School District*
Contact: Ann St. Ledger (717-787-5500)
- *North Hills School District v. Department of Education*
Contact: Amy Foerster (717-787-5500)
- *Palisades School District v. The Lehigh Valley Charter High School*
Contact: Karen Feuchtenberger (717-787-5500)
- *Schuylkill Intermediate Unit 29 v. Bureau of Special Education*
Contact: Amy Foerster (717-787-5500)
- *Anchorage Cyber Charter School Application (2006)*
Contact: Karen Feuchtenberger (717-787-5500)

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)

INTERNAL GUIDELINES:**Bureau of Special Education**

- Compliance Monitoring System
- Contact: Thomas Reich (717-783-6917)
- Procedures for Compliance Management
- Contact: Masako Farrell (717-783-6885)
- Gifted Compliance Monitoring System
- Contact: Richard Brown (717-783-6906)
- Early Intervention Compliance Monitoring
- Contact: Maureen Cronin (717-783-7213)

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: Carmen Medina (717-783-6466)
- 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: Carmen Medina (717-783-6466)
- Safe Schools Grant Application Guidelines
- Contact: Myrna Delgado (717-772-2813)
- Successful Students' Partnership Dropout Prevention Program Funding Application Guideline
 - Education Mentoring Grant Application Guidelines
- Contact: Carmen Medina (717-783-6466)
- Safe and Drug-Free Schools and Communities Act; 2006-07 eGrant Application Guidelines; June 2006
- 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: Barbara Seifert (717-772-4508)
- 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
 - Eligible Partnerships Application Guidelines
- Contact: Linda J. Benedetto (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: Sheri Weidman (717-772-0814)
- Federal Carl Perkins Vocational and Technical Education Local Performance Review/Report
- Contact: Monique Williams (717-772-4177)
- Pennsylvania Department of Education Methods of Administration for Complying with Civil Rights Guidelines in Vocational Education
- Contact: Jerilynn Millvan (717-772-4851)
- 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: Frank DiNatale (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

- Act 101 Regulations and Guidelines
- Contact: Bill Augustine (717-783-4393)

Bureau of Assessment and Accountability

- Education Empowerment Act—SEA Procedural Manual
Contact: Sally Chamberlain (717-705-0863)
- Mandate Waiver Program Procedural Manual
Contact: Mary Cornman (717-346-3354)
- Procedures for Appealing AYP Determinations (On PDE Website)
Contact: Dana Klouser (717-705-3771)

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 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)
 - 2004 Mandate Waiver Applications Received and Action Taken (On PDE Website)
 - 2005 Mandate Waiver Applications Received and Action Taken (On PDE Website)
 - 2006 Mandate Waiver Applications Received and Action Taken (On PDE Website)
 - 2007 Mandate Waiver Applications Received and Action Taken (On PDE Website)
- Contact: Mary Cornman (717-346-3354)

Bureau of Community and Student Services

- Cyber Charter School Application Decisions (On PDE Website)
Contact: Gregg Spadafore (717-705-2881)
Karen Feuchtenberger (717-787-5500)

Bureau of Teacher Certification and Preparation

- Certification Testing Booklets
Contact: Linda Benedetto (717-787-3470)

Office of Postsecondary and Higher Education

- Professional Standards and Practices Commission—Pa. Code Title 22—Chapter 233 Bylaws—Statement of Policy, Annual Report, Professional Educator Discipline Act 24 P. S. §§ 2070.1—2070.18
Contact: Carolyn Angelo (717-787-6576)
- Postsecondary and Higher Education Operating Institutions of Higher Education in Pennsylvania Legally Authorized to Grant Degrees
Contact: Paula Fleck (717-772-3623)

Bureau of Teacher and Learning Support Services

- Pennsylvania Literacy Framework
Contact: Tamara Truskey (717-787-3499)

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: Gregg Spadafore (717-705-2881)

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—2 | Testing Program and Protocol for State Emergency Voice Alerting Network (SEVAN) |
| D2002—3 | Radiological Instructor Classification System and Code of Professionalism |

- D2002—4 Emergency Equipment Materials and Supplies
- 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
- 2002**
- 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)
- C2002—5 Requirements for Preparation of Annual County Report on Hazardous Material Emergency Response Preparedness—Reporting Year 2002
- C2002—6 Hazardous Materials Emergency Preparedness (HMEP) Planning and Training Grant Guidance
- 2001**
- C2001—5 Requirements for Preparation of Annual County Report on Hazardous Material Emergency Response Preparedness *Reporting Year 2001* (BOP)
- C2001—6 Hazardous Materials Emergency Preparedness (HMEP) Planning and Training Grant Guidance—(BOA)
- 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—4 Guidance for Enforcement of the Hazardous Material Emergency Planning and Response Act (Act 1990-165) (BOP)
- C2000—6 Planning Guidance For Mass Fatalities Incidents (BOP)
- C2000—8 Radiation Transportation Emergency Response Fund (RTERF) Grant Guidance (BOA)
- C2000—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)
- 1993**
- C93—1 Guidance for Appropriate Emergency Response to Spills or Leaks from Vehicle Fuel Tanks or Heating System Fuel Supply Tanks or Lines (SFCO)
- Directives**
- 2001**
- D2001—1 Expenditure of Act 165-Generated Revenues at The County Level (BOP)
- D2001—2 Preparation, Review, and Maintenance of SARA Title III Off-Site Response Plans and the State SARA Facility Database. (BOP)
- D2001—3 Certified Hazardous Material Response Teams In Pennsylvania (BOP)
- 2000**
- D2000—1 Official Enrollment Of Emergency Management Volunteers (EO)
- D2000—2 Training and Test Authorization Requests (EO)
- D2000—3 Compensation for Accidental Injury (EO)
- D2000—4 Testing Program and Protocol for State Emergency Voice Alerting Network (SEVAN) (BOOT)
- D2000—5 Act 1990-165 Facility and Vehicle Inspections (BOP)

D2000—6 PA Emergency Incident Reporting System (PEIRS) (BOOT)

D2000—7 Emergency Equipment, Materials and Supplies (BOA)

1995

D95—2 Instructor Classification System and Code of Professionalism (SFCO)

1991

D91—3 Firefighter's Memorial Flag (SFCO)

D91—4 Guidelines for the Operation of a Fire Service Certification Advisory Committee (SFCO)

1990

D90—3 Emergency Management Training and Education (BOOT)

ENVIRONMENTAL HEARING BOARD

GUIDANCE MATERIALS:

Filing Instructions and appeal form that are provided to the public on request. Electronic Filing Instructions are located on the Board's website at <http://ehb.courtapps.com>.

Internal Operating Procedures published in the *Pennsylvania Bulletin* on May 20, 2000 at 30 Pa. Bulletin 2541.

Practice and Procedure Manual (2006-2007).

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 <http://ehb.courtapps.com>.

Contact: William T. Phillipy (717) 787-3483

ENVIRONMENTAL PROTECTION

The following is a current list of the Department of Environmental Protection's (Department) draft and final technical guidance documents. The Department encourages the use of the internet to view and download technical guidance documents. These documents are available on the Department's website at <http://www.depweb.state.pa.us> (DEP Keywords: Technical Guidance). Persons who have questions or comments about a particular document should contact Michele Tate at (717) 783-8727 or by e-mail at mtate@state.pa.us. The Department will continue to revise its technical guidance documents, as necessary.

Title	Identification Number
Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances in DEP Review of Permits for Facilities and Infrastructure (Draft)	012-0200-001
Policy for Consideration of Comprehensive Plans and Zoning Ordinances in DEP Review of Grants and Funding for Facilities and Infrastructure (Draft)	012-0200-002
Public Access to Information Policy	012-0200-003
Policy for Applications for Technical or Financial Assistance Proposals Consistent with Multi-Municipal Planning Under Acts 67 and 68	012-0200-004
DEP Mediation Confidentiality	012-0501-001
Environmental Justice Public Participation Policy	012-0501-002
Implementation of the History Code	012-0700-001
Agricultural Land Preservation Policy	012-0700-002
Confidential Security Information (Interim Final)	012-0800-001
Policy for Development, Approval and Distribution of Regulations (Draft)	012-0820-001
Policy to Encourage Voluntary Compliance by Means of Environmental Compliance Audits and Implementation of Compliance Management Systems	012-0840-001
Policy for Development, Approval and Distribution of Technical Guidance	012-0900-001
Policy on Public Participation in the Permit Application Review Process	012-0900-003
Regional Public Outreach Staff	012-0900-006
Public Participation in the Development of Regulations and Technical Guidance	012-1920-001
Advisory Committee Guidelines	012-1920-002
Policy on Meeting the Requirements of the 1996 Amendments Engineer, Land Surveyor and Geologist Registration Law	012-2000-001
Policy for the Acceptance of Community Environmental Projects in Conjunction with Assessment of Civil Penalty	012-4180-001

2007 Environmental Education Grants Program Manual and Forms	012-5500-001
Environmental Education Grants—Elective Program	012-5500-002
DEP Locational Data Policy	013-0830-003
Loan of DEP Personal Computers to Local Public Procurement Units	013-0830-004
Suggested Formats for the Required Electronic Deliverable Attachments	013-0830-005
Formats for Required Electronic Deliverable CAD Attachments	013-0830-006
Formats for Required Electronic Deliverable GIS Attachments	013-0830-007
GeoSpatial Digital Data Submission Guideline	013-0830-008
Policy for Implementing the DEP Money-Back Guarantee Permit Review Program	013-2000-001
DEP Policy on Professional Work Assignments and Duties Conducted by Licensed Professional Engineers, Professional Land Surveyors and Professional Geologists	150-0200-001
Operator Certification Program Guidelines	150-0200-002
Critical Elements for Certification of Drinking Water Laboratories for Chemistry	150-2302-001
Critical Elements for Certification of Drinking Water Laboratories for Microbiology	150-2302-002
Procedures for the Approval and Accreditation of Laboratories in the Commonwealth of Pennsylvania Utilizing the NELAC Standard	150-2302-004
Procedures for the Approval and Accreditation of Drinking Water Laboratories in the Commonwealth of Pennsylvania	150-2302-005
Critical Elements for Certification of Drinking Water Laboratories for Radiochemistry	150-2303-003
Final Guidance Document on Radioactivity Monitoring at Solid Waste Processing and Disposal Facilities	250-3100-001
Quality Assurance Program	250-3100-401
Execution of Release Forms by Waste Management Field Inspectors	250-3120-320
Purge Water from Groundwater Sampling	250-3130-763
Citing Inspection Violations	250-4000-001
Enforcement Actions	250-4000-002
Violations Requiring an Extended Time Period to Correct	250-4000-003
Program Implementation Guidance	250-4000-004
Notices of Violation (NOVs)	250-4110-001
Calculation of Civil Penalties	250-4180-302
Risk Assessment Guidelines for Facilities Burning Hazardous Waste	251-0300-402
Exclusionary Siting Criteria Guidance Documents for Hazardous Waste Treatment and Disposal Facilities	251-2000-704
Revisions to Exclusionary Siting Criteria Document	251-2000-705
Time Frame for Application of Hazardous Waste Exclusionary Siting Criteria	251-2000-706
Hazardous Site Cleanup Act (Act 108), Section 309 Pre-Application Meetings	251-2100-203
Policy and Procedure for Municipal Waste Facilities Equivalency Approvals	251-2100-727
Policy and Procedure for Hazardous Waste Management Permit by Rule	251-2149-713
Policy and Procedure for the Administration of the Household Hazardous Waste Collection Programs	251-2200-502
Guidance for the Application of Section 269a.(46)—Transportation Standards, Phase II Hazardous Waste Siting Criteria	251-2200-503
Minimum Standards for the Establishment of Recycling and Household Hazardous Waste Programs Required by Act 101-1988	251-2200-515
Performing Hazardous Waste Facility Inspections	251-3120-001
Reimbursement to Host County for Hazardous Review	251-5500-758
Section 902 Recycling Grant Applications that must Comply with Act 57	252-5500-100
Review of Residual and Hazardous Waste Source Reduction Strategies	252-6600-516
Land Recycling Program Technical Guidance Manual—Section IV.A.4—Vapor Intrusion into Buildings from Groundwater and Soil Under the Act 2 Statewide Health Standard	253-0300-100
Closure Requirements for Underground Storage Tank Systems	253-4500-601

Applicable or Relevant and Appropriate Requirements (ARARs) for Cleanup Response and Remedial Actions in Pennsylvania	253-4500-606
Revised Final Guidance for Using Hazardous Sites Cleanup Act Funds for Emergency Response	253-4500-608
Policy and Procedure for Mitigating Remedies under the Orphan Sites Program	253-4500-613
Issuance of Technical Evaluation Grants Under Act 108	253-5500-612
Off-Site Audit Manual for Hazardous Sites Cleanup Program	253-5700-621
Community Relations Activities for the State Hazardous Sites Cleanup Program and the Federal Superfund Program	253-5700-632
Preparation of the Analysis of Alternatives and Proposed Response Document under HSCA	253-5700-634
End of Project Report; Interim Policy and Procedure	253-5800-610
Change Orders For Hazardous Sites Cleanup Program Contract Management	253-5800-618
Subcontractor Approval Process in HSCA Contracts	253-5800-625
Final Guidance for Using Hazardous Sites Cleanup Fund Monies for Emergency Response Actions	253-5800-638
Use of Waste from Land Clearing, Grubbing and Excavation (LCGE) and the Use of Concrete or Other Clean Fill Materials Containing Protruding Rebar or Other Metal as Clean Fill	254-2000-715
Local Municipality Involvement Process	254-2100-100
Environmental Assessment Process, Phase I Review	254-2100-101
Municipal Waste Facility Review—Traffic Analysis	254-2100-102
Process For Evaluating Daily Volume	254-2100-103
Areas Where Municipal Waste Landfills (MWLF) are Prohibited	254-2153-721
Leak Detection Tests for Installed Liners	254-2153-723
Pumping Requirements for Construction/Demolition Landfills in Non-Coal Mines	254-2157-717
Liners for Construction/Demolition (C/D) Landfills	254-2157-718
Issue of Emergency Municipal Waste Transfer Approval	254-2158-745
Management of Municipal Ash Waste from Resource Recovery Facility	254-2160-762
Clarification on the Identification of an Infectious Waste Generator	254-2167-702
Clarification on the Commingling of Infectious and Chemotherapeutic Waste	254-2167-703
Procedures for Container/Vehicle Decontamination and Small Spill Clean-up	254-2167-708
Clarification of Requirements Related to Storage Bags	254-2167-709
Clarification of the Permit-By-Rule Provision for Mixed Waste with Residual Waste	254-2167-712
Clarification on the Temporary Storage and In-Transit Provisions during Transportation or Transfer	254-2167-725
Infectious Waste Definition: Clarification of Human and Animal Blood and Other Body Fluid Waste	254-2167-726
Guidelines for the Development of County Municipal Waste Management Plan Revisions	254-2212-504
Act 90 Waste Transportation Safety Program (WTSP) Placarded Authorizations (Interim Final)	254-2412-002
Performing Municipal and Residual Waste Facility Inspections	254-3120-001
Best Management Practices for the Management of Waste from Land Clearing, Grubbing, and Excavation (LCGE)	254-5400-001
The Food Processing Residual Management Manual	254-5400-100
Best Practices for Environmental Protection in the Mushroom Farm Community	254-5401-001
Guidelines for Yard Waste Composting Facilities	254-5403-100
Guidelines for the Development and Implementation of Preparedness, Prevention and Contingency Plans for Generators and Burners of Waste Oil	254-5900-001
Guidelines for the Storage Tank Cleanup Program	255-4000-001
Outdoor Shooting Range Guidance	255-5400-001
Stationary/Non-Stationary Tanks	257-0900-006

Exemption from Registration Fees for Volunteer Fire Companies or Voluntary Emergency Medical Services (EMS) Organizations	257-0900-009
Storage Tank Modification and Maintenance Issues	257-0900-011
Storage Tank Cleaning Activities	257-0900-012
Applicability of Chapter 245.453—Assessing the Site at Closure or Change-In-Service—To Underground Storage Tank (UST) Systems Closed Prior to the Effective Date of the Federal Regulations	257-0900-014
Implementation of Act 16	257-0900-015
Implementation of Act 34	257-0900-016
Requirements for Registration of AST's and USTs	257-0900-017
Summary of the Technical Requirements for Aboveground Storage Tanks, Chapter 245, Subchapter F	257-0900-018
Summary of the Simplified Program for Small Aboveground Storage Tanks, Chapter 245, Subchapter G	257-0900-019
Summary of the Technical Standards for Underground Storage Tanks, Chapter 245, Subchapter E	257-0900-020
UST/AST System Variances	257-0900-021
Verification of Emergency Containment Structures for Aboveground Storage Tanks	257-0900-022
Final Rulemaking: Chapter 245, Subchapters A and B (Storage Tanks Certification Program)	257-2300-001
ASNT Level II Certification	257-2318-001
PE Certification for Aboveground Storage Tanks (ASTs)	257-2318-002
Upgrade Requirements Triggered by Substantial Modification of Underground Storage Tanks (USTs)	257-2318-003
Summary of the Permitting of Underground and Aboveground Storage Tank Systems and Facilities, Chapter 245, Subchapter C	257-2318-004
Policy for Implementing the General Operating Permit Strategy for Aboveground Storage Tanks	257-2318-005
Policy for Existing Field—Constructed Hazardous Substance Underground Storage Tanks at Facilities Regulated under the Safe Drinking Water Act	257-2320-001
Evaluation of Underground Storage Tank Liners	257-3120-001
Storage Tank Program Internal Policy on Inspections and On-Site Visits	257-3120-002
Guidelines for Conducting Underground Storage Tank (UST) Facility Operations Inspections (FOI)	257-3120-003
Permeability of Secondary Containment and Emergency Containment	257-3300-002
Penalty Assessment Matrix	257-4180-001
Storage Tank Program Compliance Assistance Strategy	257-4180-002
Strategy for Addressing the 1998 Federal and State Deadline for Upgrading Existing Underground Storage Tanks	257-4180-003
Closure Requirements for Aboveground Storage Tank Systems	257-4200-001
Residual Waste and Special Handling Waste Streams	258-2000-764
General Permitting Procedure	258-2000-765
Guidance on the Chemical Analysis for Form 26R	258-2000-767
Management of Fill	258-2182-773
Guidance Document for the Pennsylvania Clean Vehicles (PCV) Program (Draft)	270-0810-005
Employer Trip Reduction Policy	271-5000-001
Interstate Ozone Transport Reduction Subchapter A	271-5000-002
Compliance Assurance Policy for Cement Kilns with CEMS	273-4000-001
Compliance Assurance Policy for Hospital Waste Incinerators	273-4000-002
Compliance Assurance Policy for Municipal Waste Incinerators, including Revisions	273-4000-003
Technical Guidance Document	273-4000-004
Enforcement Policy—CEMS and Coal Sampling/Analysis Systems	273-4000-005
Interim Compliance Strategy on RACT for NOx Sources with CEMS	273-4000-007

Policy for Sampling and Determination of Compliance	273-4000-008
Air Pollution Control Act Compliance History Review and Civil Penalty Assessment Procedures	273-4100-005
Guidelines for Identifying, Tracking and Resolving Violations for Air Quality	273-4110-001
DEP/EPA Asbestos Demolition/Renovation Civil Penalty Policy	273-4130-001
Guidance for Application of Regional Civil Assessment Procedure	273-4130-003
Compliance Docket Procedure	273-4130-004
Stage II Penalty Assessment Guidance	273-4130-005
Stage I Penalty Assessment Guidance	273-4130-006
Stage II Enforcement Strategy	273-4130-007
Compliance Strategy for Mushroom Composting Operations	273-5401-001
Continuous Source Monitoring Manual, Revision No. 8	274-0300-001
Source Testing Manual (Revision 3.3)	274-0300-002
Continuous Emission Monitoring Systems Inspection Manual	274-0300-003
Applicability Determination for Continuous Source Monitoring Manual Revision No. 8	274-0300-005
Policy for Stage II Vapor Recovery Testing Requirements	274-3100-001
Interim Procedures Pertaining to Continuous Source Monitoring Systems Quarterly Data Reports	274-3100-002
Air Quality Operating Permit Protocol	275-2101-001
Air Quality Operating Permit Permitting Procedures	275-2101-002
Air Quality Permit Exemptions	275-2101-003
Air Quality Operating Permit—Modification/Re-activation	275-2101-004
Delegation Conditions and Policy Performance Test Waivers	275-2101-005
Air Quality Operating Permit Requirements	275-2101-006
Best Available Technology and Other Permitting Criteria	275-2101-007
Hazardous Waste Incineration	275-2101-008
Waste Derives Liquid Fuel (WDLF) Policies	275-2101-009
Air Toxics Policies	275-2101-010
Public Notification	275-2101-011
Prevention of Significant Deterioration	275-2101-014
Volatile Organic Compounds	275-2101-015
Continuous Source Monitors	275-2101-016
Alternative Analysis Required for Proposed Major New or Modified Facilities (Draft)	275-2101-017
Policy and Procedure Summary, Radiation Control Division	291-0400-001
Monitoring and Reporting Methodology for Individuals Occupationally Exposed to Medical X-rays While Wearing Protective Apparel (Draft)	291-3350-001
Bureau of Radiation Compliance and Enforcement Policy	291-4100-001
Medical X-ray Procedures Operator Training Guide (Draft)	291-4200-001
Nuclear Power Generating Station Incident Manual	292-0400-002
Conducting Radiological Performance Assessments for LLRW Disposal	293-0400-001
Requirements for Low-Level Radioactive Waste Minimization	293-2400-003
Radon Certification Policy	294-2309-001
Pennsylvania Radon Mitigation Standards	294-2309-002
Pennsylvania Radon Certification Guide	294-2309-003
Schematics: Radon Mitigation Installation for New Construction	294-2309-004
Radon Reduction Techniques for Existing Detached Houses	294-2309-005
Application of Radon Reduction Methods	294-2309-006
Using Engineered Structures to Provide Enhanced Containment	294-2400-002
Interagency Agreement with Susquehanna River Basin Commission	310-0600-002
Land Acquisition Policies	310-2139-002

Criteria and Fees for Dam Safety Limited Power Permits	310-2140-001
Annual Dam Inspection Report Policy	310-3120-001
Category 3 Dam Inspection Program	310-3140-002
Compliance Assistance and Enforcement Manual	310-4000-001
Water Quality Toxics Management Strategy	361-0100-003
Manure Management for Environmental Protection	361-0300-001
Field Application of Manure	361-0300-002
Administrative Manual for the Special Projects Funding Program of the Pennsylvania Chesapeake Bay Program (Draft)	361-5500-001
Administrative Manual for the Pennsylvania Chesapeake Bay Program	361-5500-004
Domestic Wastewater Facilities Manual	362-0300-001
Small Flow Treatment Facilities Manual	362-0300-002
Sewage Facilities Planning: A Guide for Preparing Act 537 Update Revisions	362-0300-003
Industrial Wastewater Management	362-0300-004
Alternate Systems Guidance	362-0300-007
Reuse of Treated Wastewater Guidance Manual	362-0300-009
Technical Guidance for the Development and Specification of Effluent Limitations and Other Permit Conditions in NPDES Permits	362-0400-001
NPDES Program Implementation and Memorandum of Understanding Between the Bureau of Mining and Reclamation (BMR) and Water Quality Protection (BWQP)	362-0600-001
NPDES Program Implementation and Memorandum of Understanding Between the Bureau of Oil and Gas Management (BOGM) and Water Quality Protection (BWQP)	362-0600-002
Locational Data Policy for the Wastewater Management Program	362-0830-001
Permitting Policy and Procedure Manual	362-2000-001
Policy for Permitting Surface Water Diversions	362-2000-003
Subsurface Disposal of Car Wash Waste	362-2000-005
Conducting Technical Reviews of Water Quality Management Permit Wastewater Treatment Facilities	362-2000-007
Policy for Conducting Technical Reviews of Minor NPDES Renewal Applications	362-2000-008
Manual for Land Application of Treated Sewage and Industrial Wastewater	362-2000-009
Technology-based Control Requirements for Water Treatment Plant Wastes	362-2183-003
Technical Guidance for Development of NPDES Permit Requirements—Steam Electric Industry	362-2183-004
Guidelines for Agricultural Utilization of Sewage Sludge	362-2192-003
Guidelines for Identifying, Tracking and Resolving Violations for the Land Application of Biosolids	362-2192-004
Review and Coordination of Chapter 94 Reports and Act 537 Planning	362-2206-001
Policy Establishing New Program Direction for Act 537 Comprehensive Planning	362-2206-007
Impact of the Use of Subsurface Disposal Systems on Groundwater Nitrate Nitrogen Levels	362-2207-004
Administration of Fee Collection for Planning Module Reviews	362-2207-008
Municipal Guidance—Reconstructive Planning	362-2208-002
Technical Decision Making and the Use of Conventional Technology, Alternate Technology, Experimental Technology, and Best Technical Guidance (BTG) in Onlot Sewage System Repair Situations	362-2208-003
Calculation of Contingent Penalties for Effluent Violations	362-4000-001
Field Manual for Compliance Orders	362-4000-002
Act 537 Program Guidance; Local Agency/Municipality Evaluation and Compliance Activity	362-4000-003
Act 537 Program Guidance; Sewage Enforcement Officer Evaluation and Compliance Activity	362-4000-004
Act 537 Program Guidance; Enforcement-Identifying, Tracking, and Resolving of Sewage Facilities Act Violations	362-4000-005

Guidelines for Identifying, Tracking and Resolving Violations for Water Quality	362-4000-006
Guidance for Civil Penalties Calculations for Effluent Violations	362-4180-001
Civil Penalty Assessment Procedure for Pollution Incidents	362-4180-002
Guidance for Calculation of Civil Penalties for Willfulness	362-4180-003
Act 537 Program Guidance; Calculating Civil Penalty Assessment Amounts	362-4180-004
Act 537 Program Guidance; Civil Penalty Assessment Processing	362-4180-005
PA Sewage Facilities Act 537, Enforcement Reimbursement	362-5512-001
Act 537, Sewage Facilities Planning Grants	362-5512-002
Recognition of Selected Cost Items Associated with "Inflow and Infiltration Studies" (I&I) as Planning Considered for Sewage Facilities Planning Grants	362-5512-003
Recognition of Cost Items Associated with Concurrent Act 537 and Combined Sewer Overflow Long Term Control Plan (LTCP) Planning (Draft)	362-5512-004
Delegation of Authority for Chapters 105 and 106	363-0200-002
Pennsylvania Wetland Replacement Project	363-0200-003
Design Criteria—Wetlands Replacement/Monitoring	363-0300-001
Pennsylvania Stormwater Best Management Practices Manual	363-0300-002
Pennsylvania Model Stormwater Management Ordinance (Draft)	363-0300-003
Chapter 105 Program Manual (In Development)	363-0400-001
Delegation of Chapter 105 Functions to County Conservation Districts	363-0600-001
Interagency agreement with Susquehanna River Basin Commission	363-0600-002
Agreement with Army Corps of Engineers	363-0600-003
Delegation of Chapter 105 Functions to Field Ops/Oil and Gas	363-2100-002
Erosion and Sediment Pollution Control Program Manual	363-2134-008
Underground Utility Line Construction	363-2134-012
Permit Guidelines for Phased NPDES Stormwater Discharges Associated with Construction Activity Permits, Chapter 102, and Chapter 105	363-2134-013
Criteria for Fees for Waterways Management Limited Power Permits	363-2140-001
Chapter 105 General Permits—SUMMARY	363-2141-001
Certification for Corps Nationwide Permits	363-2316-001
Guidelines for Determining Bonds	363-2505-001
Standards and Guidelines for Identifying, Tracking, and Resolving Violations for: Erosion and Sediment Control Program, National Pollutant Discharge Elimination System (NPDES) Stormwater Construction Program, Dam Safety Program, Waterways Management Program, and Wetlands Protection Program (Draft)	363-4000-002
Standards and Guidelines for Identifying, Tracking, and Resolving Violations of the Stormwater Management Act	363-4000-003
Standards and Guidelines for Identifying, Tracking, and Resolving Violations for Operators of Municipal Separate Storm Sewer Systems (MS4s)	363-4000-004
Experimental Onlot Wastewater Technology Verification Program	381-2208-001
Guidance for Reviewing Capital Grants for Construction	381-5500-001
Memorandum of Understanding Between the Department of Environmental Protection (DEP) and the Pennsylvania Infrastructure Investment Authority (PENNVEST)	381-5511-012
Guidance on the Utilization of Disadvantaged Business Enterprise (DBE) Firms for Participation under the Clean Water and Drinking Water State Revolving Fund Loan Programs	381-5511-014
Guidelines for the Uniform Environmental Review Process	381-5511-111
Handbook for PennVest WasteWater Projects	381-5511-113
Ground Source Heat Pump Manual	383-0300-001
Lead and Copper—A Working Guide to the Lead and Copper Rule	383-0300-107
Health Effects and Risk Management Guidance	383-0400-104
Safe Drinking Water Program Compliance Strategy	383-0400-110
Pennsylvania's Capability Enhancement Program	383-0400-114

Principles for Groundwater Pollution Prevention and Remediation	383-0800-001
Summary of Key Requirements for Community Water Systems	383-0810-101
Summary of Key Requirements for Total Coliform Rule	383-0810-102
Summary of Key Requirements for the Phase II and Phase V Wellhead Protection Rules	383-0810-105
Summary of Key Requirements for Surface Water Filtration (Draft)	383-0810-106
Summary of Key Requirements for Lead and Copper Rule	383-0810-107
Summary of Key Requirements for Transient Noncommunity Water Systems	383-0810-201
Summary of Key Requirements for Bottled Water Systems	383-0810-203
Summary of Key Requirements for Surface Water Identification Protocol	383-0810-206
Summary of Key Requirements for Nontransient Noncommunity Water Systems	383-0810-301
Summary of Key Requirements for Vended Water Systems	383-0810-303
Summary of Key Requirements for Consecutive Water Systems	383-0810-401
Quality Management Plan for the Bureau of Water Supply and Wastewater Management	383-0830-001
PA Comprehensive State Groundwater Protection Program	383-2000-030
Construction and Operation Permits Guidance	383-2000-108
Pilot Plant Filtration Studies for Surface Water Sources	383-2000-208
DEP Permit Guide to Public Water Systems	383-2100-108
Treatment of Groundwater Under the Direct Influence of Surface Water (GUDI) Sources at Noncommunity Water Systems and Small Community Water Systems	383-2100-109
DEP Approval Guide for Noncommunity Water Systems	383-2100-208
Proposal to Add or Remove Fluoridation Treatment by a Community Water System	383-2125-001
Public Water Supply Manual—Part II Community System Design Standards	383-2125-108
Guidance for Using the Modified Minor Permit Amendment for Repainting the Interior of a Potable Water Storage Tank	383-2125-109
Development of a Replacement Source for a Community Water System	383-2125-110
Permitting of Vended Water Systems Guidance	383-2126-103
Permitting of Retail Water Facilities Guidance	383-2126-203
Public Water Supply Manual, Part III—Design Standards for Bottled Water, Bulk Water Hauling, Water Vending Machines and Retail Water Facilities (Draft)	383-2126-303
Permitting of Bulk Water Hauling Systems Guidance	383-2127-103
Public Water Supply Manual, Part IV—Noncommunity System Design Standards	383-2128-108
Guidance for Evaluating Alternate Recycle Return Locations Proposed Under the Filter Backwash Recycling Rule	383-2129-002
Consumer Confidence Report Handbook	383-2129-003
Screening Criteria on Water Quality—Quantity Impacts for Drinking Water Permits	383-2131-001
Guidance for the Review and Approval of an Existing Well Water Source for Use at a Public Water System	383-2200-108
Pennsylvania's Interim Program for Operator Certification	383-2300-001
Training Provider Manual for the Pennsylvania Water and Wastewater System Operator Training Program	383-2300-002
Groundwater Monitoring Guidance Manual	383-3000-001
Safe Drinking Water Program Field-Related Compliance	383-3000-101
Total Coliform Rule Guidance	383-3000-102
Corrosion Control Treatment—Basic Feasibility Study	383-3000-307
Public Water Supply Manual—Part VII, Cross-Connection Control/Backflow Prevention	383-3100-111
Public Water Supply Manual—Part V, Operations and Maintenance (Sections I and II)	383-3110-111
Public Water Supply Manual—Part V, Operations and Maintenance (Appendix)	383-3110-211
Guidance for Filter Plant Performance Evaluations	383-3120-106
Guidance for Giardia Sampling and Response	383-3130-106
New Source Sampling Requirements for Surface Water Sources	383-3130-108

New Source Sampling Requirements for Groundwater Sources for Community and Nontransient Noncommunity Water Systems	383-3130-208
Transient Noncommunity Water Systems: New Source Sampling Requirements for Groundwater Sources	383-3130-308
Pennsylvania's Groundwater Quality Monitoring Network: Ambient and Fixed Station Network (FSN) Monitoring Programs	383-3200-009
Quality Assurance Work Plan for Groundwater Quality Monitoring Stations	383-3200-016
Laboratory Reporting Instructions for Total and Fecal Coliform Bacteria in the Public Water Distribution Systems	383-3301-102
Laboratory Reporting Guide for Bottled Water and Vended Water Systems, Retail Water Facilities, and Bulk Water Hauling Systems	383-3301-103
Laboratory Reporting Instructions for Chemical Contaminants in Drinking Water Distribution Systems	383-3301-105
Turbidity Reporting Instructions for Public Water Systems Using Filtered Surface Water or Groundwater Under the Direct Influence of Surface Water (GUDI) Sources	383-3301-106
Laboratory Reporting Instructions for Lead and Copper Under the Lead and Copper Rule (Draft)	383-3301-107
Laboratory Reporting Instructions for Radiological Contaminants in Drinking Water Distribution Systems	383-3301-205
Filter Rule Reporting Instructions for Public Water Supply Systems Using Unfiltered Surface Water Sources	383-3301-206
Laboratory Reporting Instructions for Total Trihalomethanes (TTHMs) in Public Drinking Water Systems	383-3301-305
Laboratory Reporting Instructions for Disinfectant Residuals, Disinfection Byproducts and Precursors (Draft)	383-3301-306
Pennsylvania Drinking Water Information System (PADWIS) Inventory Users Manual	383-3310-109
PADWIS Inventory Reports by PWSID	383-3310-209
Pennsylvania Drinking Water Information System (PADWIS) Laboratory Sample User's Manual	383-3310-309
PADWIS Violation and Enforcement User's Manual (Draft)	383-3310-409
PADWIS Reporting	383-3310-609
Vulnerability Assessment Summary	383-3500-105
Guidance for Surface Water Identification Protocol	383-3500-106
Surface Water Identification Protocol-Noncommunity Water Systems	383-3500-112
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Implementation Guidance for Temperature Criteria	391-2000-017
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Implementation Guidance for Application of Section 93.5 (e)	391-2000-019
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Metering of Withdrawals Under Orders of Confirmation	392-2130-006
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Permit Life	392-2130-008
Policy for Recognizing Succession to Water Rights as a Result of Changes of Ownership	392-2130-012
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Policy for Authorizing Emergency Response Expenditure	400-5900-102
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Gasoline Fume Emergency Criteria	400-5900-112
Chlorine Safety Procedures	400-5900-113
Hazardous Material and Hazardous Atmosphere Safety Policy	400-5900-114
Confined Space Safety	400-5900-115
Policy for Electrofishing Personnel and Equipment Safety	400-5900-116
Standard Operating Procedures for the Acceptance, Collection, Transport, Storage and Disposition of Elemental Mercury by DEP Staff	400-5900-117
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Pennsylvania's Plan for Addressing Problem Abandoned Wells and Orphaned Wells	550-0800-001
Administrative Policy and Procedure Manual	550-2000-001
Oil and Gas Wastewater Permitting Manual	550-2100-002
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Policy for NPDES Permits for Stormwater Discharges Associated with Construction Activities at Oil and Gas Wells	550-2100-008
Oil and Gas Location Guidance	550-2100-009
Interim Guidance for Attachments to Electronic Submissions—Oil and Gas Program	550-2500-001
Guidelines to be Used to Evaluate Underground Gas Storage Operators' Request to Increase Underground Gas Storage Pressure (Draft)	550-2500-002
Guidelines for Submitting Oil and Gas Well Bonds	550-2501-101
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Enforcement Actions by DEP's Oil and Gas Management Program	550-4000-001
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Insurance Sales Guidance	561-5300-101
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Blasting Activity Permits and Permits-by-Rule	562-2100-001
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Municipal Mining Licenses, Permits and Bonds	562-2100-704
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Sealing Bituminous Underground Mine Openings	562-2112-316
Sealing Anthracitic Underground Mine Openings	562-2112-317
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Blasting Complaint Protocol	562-2112-504
Blaster's License Suspension and Revocation Procedure	562-2402-501
Insurance Requirements and Water Supply Replacement Assurance	562-2500-702
Surety Reclamation of Bond Forfeiture Sites	562-2504-312
Coal and Industrial Mineral Mining Inspections (Draft)	562-3000-102
Field Evaluations of Pit Size Variances	562-3000-105
Applicant Violator System (AVS) Inspections	562-3000-110
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Increased Operation and Maintenance Costs of Replacement Water Supplies (on All Coal and Surface Noncoal Sites)	562-4000-102
Compliance/Enforcement Procedures	562-4100-301
Alternative Enforcement	562-4100-307
Explosives Program Compliance and Enforcement Procedures	562-4100-311
Bond Forfeiture	562-4170-308
Noncoal Civil Penalty Assessments	562-4180-101
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Civil Penalty Collections	562-4180-311
Surface Mine Accident Investigations	562-5900-001
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Surface Water Protection—Underground Bituminous Coal Mining Operations	563-2000-655
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Permitting Pre-existing Pollutational Discharges Under Subchapter F or 25 Pa. Code Chapter 87, Subchapter G of 25 Pa. Code Chapter 88	563-2112-611
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Anthracite Mine Operator's Emergency Bond Loan (A.E.B.L.) Program	563-2504-405
Bonding Direct-Submittal of Bonds	563-2504-407
Phased Deposit of Collateral Coal and Noncoal Mining	563-2504-409
Processing Completion Reports	563-2504-411
Evaluating Postmining Discharge	563-2504-412
Bonding, Anthracite Underground Mines	563-2504-451
Qualifying, Processing, and Tracking Financial Guarantees and Bond Credits	563-2504-501
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Section 316(h): Use of Electronic Methane Detectors in Lieu of Approved Flame Safety Lamps	580-2200-003
Procedures for Processing Requests to Adopt New Items or Methods Under Sec. 702 and 1402	580-2200-004
Guidelines for Use of Internal Combustion Motors in Underground Mines Other than Coal	580-2200-008
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Underground Storage of Explosives	580-2200-010
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Section 247—Guidelines to Approve Ventillation Plans for Abandoned and Unused Mine Areas	580-2219-002
Section 253(b)—Guidelines for Approving Roof Bolts as Primary Support	580-2219-003
Section 224(b)—Alternate Method of Test Drilling	580-2219-004
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Bureau of Deep Mine Safety Compliance and Enforcement Procedures	580-3000-002
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Underground Mine Accident and Production/ Man Hour Reporting	580-3300-001
Technology Management Process	700-0200-001
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Deputy Secretary for Property Management (Contact: Todd Garrison 783-5028)

Use of the Public Areas of the Capitol Complex, 4 Pa. Code §§ 86.1—86.6.

Bureau of Minority and Women Business Opportunities (Contact: Kathy Waters-Perez 783-3119)

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GUIDANCE MANUALS

Bureau of Construction (Contact: Dan Weinzierl 787-6984)

Administrative Procedures (1999), (update in progress).

Bureau of Engineering and Architecture (Contact: Gary Taylor 787-6200)

Bureau of Engineering and Architecture Procedure Manual (Update in Progress).

Bureau of Minority and Women Business Opportunities (Contact: Kathy Waters-Perez 783-3119)

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Bureau of Professional Selections and Administrative Services (Contact: Gary Lee 787-4479)

Instructions to Bidders (Update in Progress).

Bureau of Real Estate (Contact: Joanne Phillips 787-0274)

M260.1 Manual for Space Utilization (3/11/04).

Bureau of Supplies and Surplus Operations (Contact: Kenneth J. Hess 787-5940)

Surplus Property Distribution Report Systems Users Manual (4/28/04)

Warehouse and Distribution Division Policies and Procedures Manual (August 15, 2006)

Bureau of Vehicle Management (Contact: Pamela Shady 783-3088)

Automotive Services Facilities (June 21, 2006).

Bureau of Motor Vehicle-101 Manual

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INTERNAL GUIDELINES

Bureau of Facilities Management

Facilities Strategic Energy Plan (August 24, 2004) (Contact: Bruce Stultz 705-8519)

Bureau of Financial and Management Services (Contact: Terri Heimbach 772-0372)

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Bureau of Human Resources (Contact: Connie A. Tennis 787-6846)

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Bureau of Police and Safety (Contact: Richard Shaffer 787-9013)

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Office of Equal Opportunity (Contact: Melissa Jackson 787-9995)

Policy Statement: Equal Employment Opportunity (4/16/07).*

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*Permanently posted on all bulletin boards

Press Secretary (Contact: Edward Myslewicz 787-3197)

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MANAGEMENT DIRECTIVES AND ADMINISTRATIVE CIRCULARS**Bureau of Facilities Management** (Contact: Linda Young 787-3893)

M.D. 625.8 Contracting for Bargaining Unit Work (2/25/94).

M.D. 720.5 Personal Electrical Devices in Commonwealth-Owned or Leased Building (6/7/06).

M.D. 720.3 Emergency Evacuation Plans at Commonwealth Facilities (12/3/04).

A.C. 05-23 Live Christmas Trees and Decorations (11/20/06).

Bureau of Financial and Management Services (Contact: Vicky Chichi 787-5051)

M.D. 220.3 Mail Delivery Between Harrisburg and the Pittsburgh and Philadelphia State Office Buildings (1/10/06).

M.D. 240.7 Submission of Changes to the Commonwealth Telephone Directory (4/6/06).

Bureau of Police and Safety (Contact: Richard Shaffer 787-9013)

M.D.205.2 Powers and Duties of Policing Forces (2/9/77).

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Bureau of Publications and Paperwork Management (Contact: Audrey Marrocco 787-8884)

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Bureau of Procurement (Contact: Nicholas Kaczmarek 787-5862)

M.D. 215.9 Contractor Responsibility Program (4/16/99).

M.D. 620.1 Coal Sampling and Reporting (10/4/05).

M215.3 Field Procurement Handbook

Commonwealth Agency Recycling Office (Contact: John Rarig 772-2300)

M.D. 205.22 Implementation of Act 1988-101, Municipal Waste Planning and Waste Reduction Act (8/7/89). (Update in progress).

Commonwealth Media Services (Contact: Kirstin Snow 787-9777)

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Bureau of Risk and Insurance Management (Contact: Kenneth Love 787-2492)

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M.D. 630.2 Reporting of Employee Liability Claims (4/28/98).

M.D.720.4 Safety and Loss Prevention Program (10/2/87).

Bureau of Minority and Women Business Opportunities (Contact: Kathy Waters-Perez 783-3119)

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Bureau of Professional Selections and Administrative Services (Contact: Gary Lee 787-4479)

M.D. 625.9 Payment of Contractors and Design Professionals for Agency Funded Construction Projects Undertaken by the Department of General Services (3/9/01).

Bureau of Real Estate (Contact: Joanne Phillips 787-0274)

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M.D. 615.15 Vehicle Parking License Agreements (10/26/06).

Bureau of Supplies and Surplus Operations (Contact: Kenneth J. Hess 787-5940)

A.C. 06-13 Availability—Commonwealth Telephone Directory (7/18/06) (Update in progress).

Bureau of Vehicle Management (Contact: Pamela Shady 783-3088)

M.D. 615.1 Temporary Assignment of Commonwealth Automotive Fleet Vehicles (1/6/06).

M.D. 615.2 Motor Vehicle Liability Insurance and Accident Reporting (6/17/96).

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M.D. 615.13 Emission Control Test Program—Commonwealth Automotive Fleet Vehicles (9/26/97).

EXTERNAL GUIDELINES

Bureau of Construction (Contact: Dan Weinzierl 787-6984)
Construction Contract and General Conditions (1999) (Update in progress).

Construction Forms—Available on DGS Website

<i>Name</i>	<i>Description</i>
aps99.pdf	1999 Administrative Procedures
COCONT1.pdf	Request For Change Order Continuation Sheet
coform1.pdf	Request For Change Order
coversht.pdf	Change Order Packet Cover Sheet
fadaily1.pdf	Force Account Daily Work Record
fasubmit.pdf	Force Account Records Submittal
fxcoform.pdf	Request For Fax Change Order
gencond.pdf	Contract Bond and General Conditions of Contract
GSC171830Instructions.doc	Instructions for Contract Breakdown & Invoicing Forms
gsc16.pdf	GSC-16 Prevailing Minimum Wage Certificate
gsc_18_audit_workbook-contractor_invoicing.xls	Contract Breakdown & Invoicing Forms (GSC 17, 18, & 30)
gsc23.pdf	GSC-23 Request For Approval of Materials and/or Subcontractors
gsc26.pdf	GSC-26 Concrete Mix Computations
gsc22-33.pdf	GSC-22/33 Laboratory Sample or Field Test Identification
gsc24.pdf	GSC-24 Payroll Affidavit Contractors Affidavit Statement of Surety Company
gsc35.pdf	GSC-35 Integrated Progress Schedule
gsc34.pdf	GSC-34 Invoice and Billing for Professionals and Testing Laboratories
gsc46.pdf	GSC-46 Certificate of Occupancy/ Utilization
gsc47.pdf	GSC-47 Certificate of Final Completion and Final Payment
gsc43.pdf	GSC-43 Stored Materials
gsc5.pdf	GSC-5 Request for Extension of Time Change Order
rev_form_16_0804.rtf	rev_form_16_0804.rtf
rfirev1.pdf	Request For Information
scopeltr.pdf	Professional's Scope Letter
st1.pdf	ST-1 Steel Origin Certification: Prime Contractor
st2.pdf	ST-2 Steel Origin Certification: Non-Identifiable, Non-Structural Steel
st3.pdf	ST-3 75% U.S. Manufacture Certification
st4.pdf	ST-4 Not Domestically Manufactured: Prime Contractor

Bureau of Engineering and Architecture (Contact: Gary Taylor 787-6200)
Professional Agreement and General Conditions to that Agreement (Edition of 1999) (Revised 4/18/2001).
General Requirements Specifications Section (1999).
Correctional Institutions—Supplemental Provisions—Section 01110 (Microsoft Word)
Professional Selections—Form 150-ASP (1999)

Bureau of Facilities Management (Contact: Lori Sherlock 783-9100)
Application for Use of Public Areas of Capitol Complex

Bureau of Minority and Women Business Opportunities (Contact: Kathy Waters-Perez 783-3119)
Application and Instruction Guide for Certification as a Minority/Women Business Enterprise (9/04).
Specialized Certification Application (12/04).
Specialized Certification Application Recertification.
Standard Certification Application Recertification.
Disadvantaged Business Program. (3/04)
Commonwealth Construction Contracts.
Finding State Bids on the Internet (11/04).
Ensuring Timely Payments (11/03).
Statewide Contracts (11/04).
Finding PA State Certified Minority-Owned and Women-Owned Businesses.
State Purchasing Requirements Regarding MBE's and WBE's (2/17/04).
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State Government Resources for Small Businesses (8/04).
Small Business Development Center (SBDCs). (12/04)
Procurement Technical Assistance Centers (PTACs). (11/03)
Doing Business with the Commonwealth of PA (2006).

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: Nicholas Kaczmarek 787-5862)
Cooperative Purchasing Program (COSTARS).

Bureau of Risk and Insurance Management (Contact: Kenneth Love 787-2492)
Line of Duty Death and Disability Benefits for Emergency and Law Enforcement Personnel.

Deputy Secretary for Public Works (Contact: Joseph Resta 787-7095)
Best Value Contracting.
Request for Proposals (7/12/05).
RFP Guidelines (7/12/05).

Executive Office (Contact: Sean Pressmann 783-8874)
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Press Secretary (Contact: Edward Myslewicz 787-3197)
GSP 4-12—Notice to Requesters of Public Records under Right-to-Know Law (5/15/06).

HEALTH

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: Claudine Battisti (717) 787-1783

Bureau of Health Promotion and Risk Reduction

- 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)
 - Position Statement on Sun Safety (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

- Prevention National Outcome Measures Data Collection (NOMS) (6/07)
 - 2007 Prevention Needs Assessment (5/07)
 - 2-Day Performance Based Prevention System (PBPS) and Program/MDS Service Codes Training Requirements (3/07)
 - Postponement of Performance Based Prevention System (PBPS) Program Planning Data Entry for Fiscal Year 2008/09 (3/07)
 - Performance Based Prevention System (PBPS) Data Entry (3/07)
 - Implementing Evidence Based Programs with Fidelity (3/07)
 - BDAP Training System Protocols—Revision of Policy Bulletin No. 4-06 (11/06)
 - Adolescent Halfway House Contracting (10/06)
 - Listing Contracts in SPMR Database (9/06)
 - BDAP Training System Protocols (6/06)
 - Buprenorphine Reporting (6/06)
 - Charitable Choice Notice (2/06)
 - (Prevention) Contractual Changes to Sections III and V of the Prevention Manual (12/05)
 - Tuberculosis Screening Questions Revised (12/05)
 - Treatment Needs Assessment and Treatment Plan (7/05)
 - Waiver Procedure (7/05)
 - Approved Training for Web Based Performance Prevention System (5/05)
 - Performance Based Prevention System (PBPS) Mandatory Training Timeline (5/05)
 - Case Management Core Competency Training (2/05)
 - Recurring Prevention Services for Fiscal Years 2005/06 and 2006/07 (1/05)
 - Student Assistance Program/Best Practices Guidelines for Single County Authorities (1/05)
 - Substance Abuse Prevention Core Measures (11/04)
 - SCA PBPS Quarterly Review Worksheet (8/04)
 - Student Assistance Program Revised Reporting System and Reports (7/04)
 - Contract Requirements for Ambulatory Services (11/02)
 - SCA Provider Monitoring Tool (10/02)
 - Reporting of Communicable Diseases (10/02)
- Contact: Hector Gonzales (717) 783-8200

GUIDANCE MANUALS

Bureau of Community Health Systems

- Public Bathing Place Manual, Part II General Purpose Recreational Bathing Beaches February 2002
- Contact: Chris Sanderson (717) 787-8092
- Guidelines for Documentation & Maintenance of School Health Records (1988)
 - Request for Reimbursement and Report of School Health Services Instruction Manual (2006)
 - 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 (2004)
 - 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)

- Procedures for the Vision Screening Program for Pennsylvania's School-Age Population (2002)
 - Guidelines for School Dental Health Program (2005)
 - Guidelines for Care: Children Assisted by Medical Technology in Education Settings (1989)
 - Indoor Air Quality Guidelines for Pennsylvania Schools (2002)
- 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 Facility Guidelines
 - Staffing Requirements for Drug and Alcohol Activities Guidelines
 - Protocol for Sharing Drug & 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)
 - Subchapter H. Standards for Partial Hospitalization Activities
 - Subchapter I. Standards for Outpatient Activities
 - Subchapter K. Standards for Inpatient Hospital Drug and Alcohol Activities Offered in Free-Standing Psychiatric Hospitals
 - Chapter 711. Health Care Facilities treatment facilities
 - 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)
 - Subchapter H. Standards for Partial Hospitalization Activities
 - Subchapter I. Standards for Outpatient Activities
 - Chapter 715. Standards for Approval of Narcotic Treatment Program
 - Chapter 715. Standards for Approval of Narcotic Treatment Program—Modified by Exception
 - Letter dated May 2004 concerning availability of Chapter 715 Modified Narcotic Addiction Treatment Regulations and Guidelines for the Development of Standard Operating Procedures
- Contact: Cheryl D. Williams (717) 783-8675

Bureau of Epidemiology

- Guidelines on Bloodborne Pathogens for the Public Sector
- Contact: Judy Gostin (717) 787-1708
- Guidelines on Ice Skating Rink Resurfacing Machine and Indoor Air Quality Issues
- Contact: Cynthia Goodman (717) 787-1708

Health Alert Network Communications: Health Alerts

- Health Alert #70—Probable Cyanide Intoxication in Heroin Users (1/30/05)
 - Health Alert #71—Recommendations for Prevention and Control of Influenza in Long Term Care Facilities (2/15/05)
 - Health Alert #72—Urgent Information Regarding Influenza in CAP Proficiency Testing Survey VR1-A 2005 (4/12/05)
 - Health Alert #73—Legionella in American Legion Convention Attendees, King of Prussia, Pennsylvania (8/10/05)
 - Health Alert #74-2006—Inhalation Anthrax in Pennsylvania (2/22/06)
 - Health Alert #75-2006—Possible Outbreak of Opioid Overdoses, Camden, New Jersey, April 2006 (4/21/06)
 - Health Alert #76-2006—Measles Cases Associated with Travel to Orlando, Florida (5/24/06)
- Contact: Ram Nambiar (717) 346-3861

Health Alert Network Communications: Health Advisories

- Health Advisory #1—Important Label Changes Regarding Bicillin L-A and Bicillin C-R and the Treatment of Syphilis (1/13/05)
- Health Advisory #2—Varicella as a Reportable Disease in Pennsylvania (1/18/05)
- Health Advisory #3—Revised Interim Guidance for Late-Season Influenza Vaccination (1/28/05)
- Health Advisory #4—Avian Influenza A (H5N1) in Humans and Poultry in Vietnam (2/9/05)
- CDC Health Advisory 3/15/05—Possible Anthrax Exposure in Department of Defense Mail Facility
- Health Advisory #5—Nationwide Emergence of Lymphogranuloma venereum (LGV) Cases (2/23/05)
- Health Advisory #6—Winter Weather Advisory (2/27/05)
- CDC Health Advisory 3/18/05—Serratia marcescens Blood Stream Infections Associated with Contaminated Magnesium Sulfate Solutions
- CDC Health Advisory 3/21/05—Advisory of Possible Terrorism: Persons Posing as Hospital Surveyors, February-March 2005
- Health Advisory #7—West Nile Virus Information—2005 Season (4/12/05)

- Health Advisory #8—Updated Information Regarding Potentially Hazardous Material Contained in CAP 2005 and 2004 Proficiency Testing Surveys (4/16/05)
- Health Advisory #9—Request for Cases: Community-Onset and Peripartum *Clostridium difficile*-Associated Disease (5/24/05)
- Health Advisory #10—Shigella Associated with Swimming at Beltzville State Park (7/14/05)
- Health Advisory #11—First Human Cases of West Nile Virus in Pennsylvania—2005 Season (8/4/05)
- Health Advisory #12—Testing for Syphilis—Counties in Which the Rate of Syphilis is at or Above the Level at Which Special Precautions Should Be Taken (8/11/05)
- Health Advisory #13—LCMV in Pet Rodents—Pennsylvania (8/17/05)
- Health Advisory #15—Hurricane Katrina: Information for Health Care Professionals (9/2/05)
- CDC Health Advisory 9/5/05—Guidelines for the Management of Acute Diarrhea
- CDC Health Advisory 9/5/05—Interim Immunization Recommendations for Individuals Displaced By Hurricane Katrina
- CDC Health Advisory 9/7/05—Cases of *Vibrio Vulnificus* Identified Among Hurricane Katrina Evacuees
- CDC Health Advisory 9/8/05—Medical Intake Form for Hurricane Katrina Evacuees
- CDC Health Advisory 9/9/05—Medical Surveillance Form for Hurricane Katrina Evacuees
- Health Advisory #16—Influenza Vaccine Supply & Recommendations for Prioritization During the 2005—06 Influenza Season (9/16/05)
- Health Advisory #17—Eastern Equine Encephalitis Virus Information—2005 Season (9/16/05)
- Health Advisory #18—Influenza Activity in Pennsylvania 2005—2006 Season (9/23/05)
- CDC Health Advisory 9/28/05—Instructions for Identifying and Protecting Displaced Children
- Health Advisory #19—FDA and CDC Issue Alert on Menactra Meningococcal Vaccine and Guillain-Barre Syndrome (10/1/05)
- Health Advisory #20—Presence of Low Levels of *Francisella tularensis* in the Washington D.C. Area (10/1/05)
- CDC Health Advisory 10/12/05—Confirmation of Human Rabies Infection in Mississippi
- Health Advisory #21—Poliovirus Infections in Four Unvaccinated Children—Minnesota (10/20/05)
- Health Advisory #22—Pertussis Case Contacts (12/6/05)
- Health Advisory #23—Pennsylvania Department of Health Recommends Changes in the Treatment of Uncomplicated Gonorrhea in Bucks, Chester, Delaware, and Montgomery Counties (12/20/05)
- Health Advisory #24—Additional Specimen Collection Requested for Influenza-Associated Pediatric Deaths (12/21/05)
- Health Advisory #1-2006—Recommendation Against the Use of Amantadine and Rimantadine for the Treatment or Prophylaxis of Influenza in the United States During the 2005—06 Influenza Season (1/15/06)
- Health Advisory #2-2006—Recommendation for the Control of Norovirus Outbreaks in Long Term Care, Health Care, and Daycare Facilities (2/27/06)
- Health Advisory #3-2006—Recent Cases of Fungal Keratitis Among Contact Lens Users in Pennsylvania, New Jersey and New York State (3/16/06)
- Health Advisory #4-2006—Revised Varicella Recommendations from the Centers for Disease Control and Prevention (3/27/06)
- Health Advisory #5-2006—Human Tissue for Transplantation Recovered by Biomedical Tissue Services Improperly Screened for Infectious Diseases (3/29/05)
- Health Advisory #6-2006—FDA Approves a Second Drug for the Prevention of Influenza A and B in Adults and Children (3/31/06)
- Health Advisory #7-2006—Multi-State Mumps Outbreak Information from the Centers for Disease Control and Prevention (4/18/06)
- Health Advisory #8-2006—West Nile Virus Information—2006 Season (4/27/06)
- Health Advisory #9-2006—Limited Supply of Meningococcal Conjugate Vaccine, Recommendation to Defer Vaccination of Persons Aged 11-12 Years (5/22/06)
- Health Advisory #10-2006—Updated Interim Guidance for Laboratory Testing of Persons With Suspected Infection with Avian Influenza (H5N1) Virus in the United States (6/8/06)

Contact: Ram Nambiar (717) 346-3861

Health Alert Network Communications: Health Updates

- Health Update #01-05—Updated Information on Contaminated Heroin (2/7/05)
- CDC Health Update 3/16/05—Update on Possible Anthrax Exposure in Department of Defense Mail Facility
- CDC Health Update 5/3/05—Update: Destruction of Influenza A (H2N2) Proficiency Testing Samples; Interim Guidance for Biosafety Level 3—Enhanced Biocontainment for Work with Human Influenza A (H2N2) Viruses
- Health Update #1-2006—Updated Information on Possible Outbreak of Opioid Overdoses (4/25/06)
- Health Update #2-2006—Pennsylvania Mumps Update and Update: Multi-State Outbreak of Mumps, United States, January 1-May 2, 2006, from the Centers for Disease Control and Prevention (5/22/06)

Contact: Ram Nambiar (717) 346-3861

West Nile Virus

- 2003 Surveillance Results
- 2004 Surveillance Results
- 2005 Surveillance Results
- 2006 Surveillance Results
- FAQs about West Nile—<http://westnile.state.pa.us/faq.htm>

Contact: Marjorie Ebenezzer, MD, MPH (717) 787-3350

HIV/AIDS Biannual Summaries

- HIV/AIDS Surveillance Biannual Summary—December 2002
- HIV/AIDS Surveillance Biannual Summary—June 2003
- HIV/AIDS Surveillance Biannual Summary—December 2003

- HIV/AIDS Surveillance Biannual Summary—June 2004
- HIV/AIDS Surveillance Biannual Summary—December 2004
- http://www.dsf.health.state.pa.us/health/lib/health/epidemiology/HIV-AIDS_Bi-Annual_June_2005.pdfHIV/AIDS Surveillance Biannual Summary—June 2005

Contact: Godwin Obiri, MS, DrPH (717) 783-0481

Integrated Epidemiologic Profile of HIV/AIDS in Pennsylvania

Contact: Godwin Obiri, MS, DrPH (717) 783-0481

- Communicable Diseases Fact Sheets:
 - Anthrax
 - Aseptic (Non-Bacterial) Meningitis
 - Aseptic Meningitis, Bacterial Meningitis
 - Bat Rabies
 - Smallpox Response Plan
 - Botulism
 - Bovine Spongiform Encephalopathy (Mad Cow)
 - Brucellosis
 - Campylobacteriosis
 - Cholera
 - Chronic Wasting Disease
 - Creutzfeldt-Jakob Disease
 - Cryptosporidiosis (And A Weakened Immune System)
 - Cyclospora (General Facts)
 - Cyclospora (Q And A)
 - Diphtheria
 - E. Coli
 - Eastern Equine Encephalitis
 - Ebola
 - Ehrlichiosis—Human
 - Fifth Disease
 - Giardia
 - Hantavirus
 - Helicobacter Pylori
 - Hepatitis A
 - Hepatitis A Vaccine
 - Influenza
 - Hepatitis C
 - Infant Botulism
 - Legionellosis
 - Leptospirosis
 - Lyme Disease
 - Malaria
 - Lyme Disease Antibiotic Prevention
 - Meningococcal Disease
 - Necrotizing Fasciitis
 - Pertussis
 - Plague
 - Psittacosis
 - Prion Disease
 - Rabies Information
 - Reportable Diseases
 - Reye Syndrome
 - Rocky Mountain Spotted Fever
 - Rotavirus
 - Roundworms-Toxocariasis
 - Rubella-German Measles
 - Saint Louis Encephalitis Q&A
 - Salmonellosis
 - Severe Acute Respiratory Syndrome (SARS)
 - Severe Acute Respiratory Syndrome (SARS) :: Fact Sheet
 - Shingles

Contact: Veronica Urdaneta, MD, MPH (717) 787-3350

Office of Emergency Medical Services

(Some of these documents are electronically available at www.health.state.pa.us/EMS/)

- Overview of Pennsylvania Department of Health Ambulance Licensure Program
- EMS Continuing Education Manual
- EMS Training Manual—Guidelines for Medical Command Authorization for Prehospital Personnel
- Emergency Medical Services Study Guide (Basic Life Support and Advanced Life Support)
- Medical Command Accreditation Manual
- Medical Command Course

- Pennsylvania Emergency Medical Services Continuing Education Handbook for Prehospital EMS Personnel
 - Prehospital Personnel Manual
 - Overview of Pennsylvania Department of Health Quick Response Service Recognition Program
 - Trauma Patient Triage Protocols
 - Pennsylvania EMS Information Management System Patient Encounter Form Instruction Manual
 - Statewide Advanced and Basic Life Support Protocols
 - Out-of-Hospital Do-Not-Resuscitate Questions and Answers
 - Voluntary Rescue Service Recognition Program Manual
 - Pennsylvania Rescue Program Administration Manual
- Contact: Joseph W. Schmider (717) 787-8740

Bureau of Family Health

- Case Management and Tracking Protocol for Community Health Nurses, Including Protocols for Early Intervention Referrals (Revised 8/95)
- Contact: Melita Jordan (717) 787-7192

Bureau of Health Planning

- Primary Health Care Practitioner Loan Repayment Program Brochure (Revised 12/06/01)
 - Primary Health Care Practitioner Loan Repayment Program, Policies and Guidelines (Revised 9/05)
 - Loan Repayment for Primary Care Practitioners Fact Sheet (Revised 9/05)
 - Commonwealth of Pennsylvania Appalachian Regional Commission J-1 Visa Waiver Application Procedure (Revised 2/03)
 - State 30 J-1 Visa Waiver Program Application Policy and Procedure (Revised 12/06)
 - State 30 J-1 Visa Waiver Program Fact Sheet (Revised 11/05)
 - Guidelines for Federally Designated Health Professional Shortage Areas (HPSAs) (Revised 6/06)
 - Guidelines for Federally Designated Medically-Underserved Shortage Area (Revised 9/05)
 - Guidelines for Development of a Rural Health Clinic
- Contact: Marina Matthew (717) 772-5298

Bureau of Health Statistics and Research

- Application for Access to Protected Data (Revised 5/02)
 - User's Guide for Access to Protected Data, (Revised 5/02)
- Contact: Craig Edelman (717) 783-2548

Bureau of Managed Care

- Technical Advisory: Sample Enrollee Consent Form (6/26/04)
 - Technical Advisory: Enrollee Consent for Provider-Initiated Grievances (6/19/04)
 - Technical Advisory: Gatekeeper and Point-of-Service Plans seeking to offer benefit plans with less than 8% plan paid co-insurance for out-of-network services (10/13/04)
 - Technical Advisory: Interpreting 28 Pa. Code § 9.752(f) (Relating to UR Standards) requiring a UR decision to include a contractual basis and clinical reason for denial (1/1/05)
 - Technical Advisory: Interpreting 28 Pa. Code § 9.752(f) (Relating to Time Frames for UR)—Communicating the UR Decision (1/1/05)
 - Technical Advisory Interpreting 28 Pa. Code § 9.704(c) (Relating To Appeal Of A Complaint Decision) and 28 Pa. Code § 9.707(b)(6) (Relating to External Grievance process) Regarding Content of Transmittal Letters of Enrollees' Case Files (12/03/05)
 - Technical Advisory Interpreting 28 Pa. Code § 9.761-2 Provider Credentialing and Credentialing Standards as related to "Provisional Credentialing" as Recognized by NCQA (2/11/06)
 - Technical Advisory Interpreting 28 Pa. Code § 9.761-2 Provider Credentialing and Credentialing Standards as related to Medical Director sign-off of clean credentialing files (2/11/06)
 - Technical Advisory Interpreting 28 Pa. Code § 9.684(a)(3) (Relating To Continuity of Care) Regarding Notification of Enrollees Affected by the Termination of Non-Primary Care Providers/Specialists by a Managed Care Plan (5/6/06)
- Contact: Stacy Mitchell (717) 787-5193

Division of Immunizations

- PA VFC Fraud and Abuse Procedures (11/04)
 - Vaccine Preventable Diseases Surveillance Follow-up Protocol (09/05)
 - Vaccine Cold Chain Protocol for Immunization Providers (10/06)
 - Vaccine Receiving, Storage and Handling Incident Reporting (01/07)
 - Vaccine Eligibility Criteria (03/07)
 - Vaccines for Children Provider Handbook (06/06)
 - Vaccines for Children Quality Assurance Manual (09/06)
 - Perinatal Hepatitis B Prevention Program Case Follow-up Actions (05/07)
 - Guidelines for Prevention of Perinatal Hepatitis B (05/07)
 - Protocols for Perinatal Hepatitis B Prevention Program (05/07)
 - Recommendations for Varicella Outbreak Prevention and Control in School or Childcare Group Settings (02/07)
 - Vaccine-Preventable Diseases (VPD) Follow-up Protocols (09/05)
 - Immigration Status and Data Entry into the Statewide Immunization/Information System
 - Adolescent and Adult High-Risk Immunization Program Manual
 - Standards for Adult Immunization Practices
 - Mass Immunization Liability Protection Guidelines
 - 2007 List of Immunizing Agents and Average Wholesale Prices Vaccine Cold Chain Protocols for Public Provider Sites
- Contact: Heather Stafford (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: Heather Stafford (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: Robert Torres (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
 - Template (use is optional) for Patient Safety Plan
- Contact: Janice Staloski (717) 783-8665

Licensing Alerts

- Complaint Investigations (Licensing Alert 2-96)
- 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)
- Drought Emergency (Licensing Alert (3-99)
- Drug and Alcohol Staffing Regulations Interpretive Guidelines (Licensing Alert 6-96)
- Electronic Clinical Records (Licensing Alert 1-05)
- Facility Closures (Licensure Alert 5-98)
- Group Counseling (Licensing Alert 2-94)
- Licensed Capacity (Licensing Alert 1-94)
- Minimum Content Requirements for Pennsylvania Department of Health Approved Curriculum for Tuberculosis and Sexually Transmitted Diseases (Licensing Alert 6-97)
- Minimum Content Requirements for Pennsylvania Department of Health Approved HIV/AIDS Curriculum (Licensing Alert 1-97)
- Older Adult Protective Services Act not Applicable to D&A Treatment Programs (Licensing Alert 1-02))
- Physical Examinations (Licensing Alert 1-96)
- Physical Plant Standards (Chapter 705) (Licensing Alert 1-02)
- Project Director Requirements (Licensing Alert 5-05)
- Psychosocial Histories (Licensing Alert 4-96)
- Relocation (Licensing Alert 3-94)
- Reporting of Unusual Incidents (Licensing Alert 5-97)
- Request for Exceptions to Regulations (Licensing Alert 4-97)
- Rescheduling of LAAM (Licensing Alert 2-98)
- Rescission of Shelter, Drop-in and Hot-line Regulations (Licensing Alert 1-98)
- Restrictions on Licenses/Certificates of Compliance/Approval (Licensing Alert 2-97)
- Scheduling of Licensing Inspections (Licensing Alert 3-96)
- Scheduling of Licensing Inspections (Licensing Alert 6-98)
- Staffing Regulations—Requirements for Direct Observation and Close Supervision of Counselor Assistants (Licensing Alert 4-02)
- Staffing Regulations—Primary Care Hours and Detoxification Activities (Licensing Alert 3-02)
- Staffing Regulations—Qualifications/Degree in a Related Field (Licensing Alert 2-02)
- Staffing Regulations—Qualifications/Degree in a Related Field (Licensing Alert 4-98)
- Staffing Qualifications for Clinical Supervisors & Counselors Hired Prior to 3/4/96 (Licensing Alert 5-99)
- Staffing Regulations Qualifications/Degree from a Foreign Non-Accredited University/College (Licensing Alert 1-00)
- Staffing Regulations—Qualifications/Degree from a Foreign Non-Accredited University College (Licensing Alert 3-98)
- 1998 Standards Deficiencies (Licensing Alert 4-99)
- Timing of Individual Training Plans (Licensing Alert 3-05)

- Unannounced Visits (Licensing Alert 5-96)
 - 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
 - Coalition and Fiscal Agents Operations Manual
 - Procedures and Consent Forms for HIV Antibody testing, CD4tests, Viral Load tests, Orasure tests and Rapid tests
 - Statewide Coordinated Statement of Need
 - HIV Guidelines for Drug and Alcohol Treatment Programs in Pennsylvania
 - Pennsylvania Community HIV Prevention Plan
- 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: Marina O. Matthew (717) 772-5298

Office of Emergency Medical Services (Some of these documents are electronically available at www.health.state.pa.us/EMS/)

- 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)
 - EMS Information Bulletin #5—Cyanide Compound Exposure Protocol (9/9/03)
 - 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)
 - EMS Information Bulletin #19—CD and Web-Based ACLS Programs (6/18/04)
 - EMS Information Bulletin #20—Certificates, Wallet Cards and Patches (6/8/04)
 - EMS Information Bulletin #21—System Status Management (6/18/04)
 - EMS Information Bulletin #22—EMTs Assisting With ALS Procedures (7/28/04)
 - EMS Information Bulletin #23—Ambulance Licensing Overview (10/19/04)
 - EMS Information Bulletin #24—Trauma Patient Destination For Air Ambulances (12/7/04)
 - EMS Information Bulletin #25—Surge Response Services Update (12/13/04)
 - EMS Information Bulletin #26—AED Mode Use on ALS Monitor/Defibrillator Devices (4/11/2006)
 - EMS Information Bulletin #27—Interfacility Transport Guidelines (7/8/2005)
 - EMS Information Bulletin #28—Grand Rounds (7/25/2005)
 - EMS Information Bulletin #29—EMS Office Organization Chart (8/3/2005)
 - EMS Information Bulletin #30—Ambulance Vehicle Standards (10/19/2005)
 - EMS Information Bulletin #31—Draft ALS Protocols (10/25/2005)
 - EMS Information Bulletin #32—Patients Exposed to Tasers (11/10/2005)
 - EMS Information Bulletin #33—New Electronic Applications (11/17/2005)
 - EMS Information Bulletin #34—Ambulance Vehicle Markings (12/20/2005)
 - EMS Information Bulletin #35—Updated AHA Standards (12/23/2005)
 - EMS Information Bulletin #36—New BLS Protocols (4/7/2006)
 - EMS Information Bulletin #37—Epinephrine Auto-Injector Approval Update (4/11/2006)
 - EMS Information Bulletin #38—Implementation of New AHA Standards (5/23/2006)
- 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)
 - Adjustment of Licensure Fees—LTC PB No. 34 (Revised 7/1/99)
 - Disposition of Patient Medications—LTC PB No. 35 (Revised 7/1/99)
 - Advance Directives for Health Care/Durable Power of Attorney/Do Not Resuscitate Orders—LTC PB No. 36 (Revised 7/1/99)
 - Exception/Waiver Requests—LTC PB No. 37 (Revised 7/1/99)
 - Federal Clarification of RAI Issues-Amended—LTC PB No. 38 (Revised 7/1/99)
 - Incident/Accident Reporting Procedures—LTC PB No. 41 (Revised 7/1/99)
 - Taping of Exit Conference—LTC PB No. 42 (Revised 7/1/99)
 - Precautions for Excessive Temperatures—LTC PB No. 43 (Revised 7/1/99)
 - Informal Dispute Resolution—LTC PB No. 44 (Revised 5/30/00)
 - Ban on Use of Egg Breaking Centrifuges—LTC PB No. 46 (6/28/96)
 - Surety Bond Requirements—Clarification of "Obligee"—LTC PB No. 48 (6/16/97)
 - Department Access to Records at Nursing Homes Pursuant to 35 P. S. § 448.813—LTC PB No. 49 (6/16/97)
 - Consumer Hotline—LTC PB No. 50 (3/24/98)
 - Ninety-Day Advance Notice Requirement for Changes in Ownership, Structure, or Name—LTC PB No. 51 (7/1/99)
 - Federal Requirements Regarding Use of the Comprehensive Resident Assessment—LTC PB No. 52 (6/12/98)
 - Resident Choice of Pharmacy Provider—LTC PB No. 53 (1/9/98)
 - Vancomycin Resistant Enterococci (VRE) Recommendations—LTC PB No. 54 (11/12/97)
 - Nursing Hours—LTC PB No. 55 (6/4/00)
 - Metallic Mercury Precautions—LTC PB No. 56 (6/13/00)
 - Nurse Aide Registry Information—LTC PB No. 57 (Revised 2/11/03)
 - Advance Directives Requirements—LTC PB No. 58 (11/8/01)
 - Elopement, Resident Smoking and Water Temperatures—LTC PB No. 59 (1/23/03)
 - MPPS Assessment Form—LTC PB No. 60 (9/17/02)
 - Single Licensure for Multiple Nursing Care Facilities—Interim Policy (2/01)
- Contact: William Bordner (717) 787-8015

Division of Acute and Ambulatory Care

- Inpatient Care in Outpatient Settings
- Resident Choice of Pharmacy Provider
- Vancomycin Resistant Enterococci (VRE) Recommendations
- Director of Nursing
- Hospital Bed Count Clarification
- Guidelines to Determine the Issuance of Single or Multiple Hospital Licenses(s)
- Hospital Diversion Policy
- On-Line/WebSite Based Process for Reporting of Statements of Deficiency and Plans of Correction With Public Access
- EMTALA during a bio-terrorism event (CMS)
- Provider Bulletin No. 2001-1 HOSPITAL DIVERSION POLICY
- Patient Safety Plan Guidance
- Recall of smoke/fire damper actuating devices
- CMS-Physician Orders for Influenza and Pneumonia Vaccine
- MedWatch Safety Alert
- Safe Haven Act
- Email to hospital administrators on SARS
- Patient Safety Plan-Psychiatric Hospitals
- Letter on use of nonlicensed beds from DSQA
- DAAC Hospital Alert Dialysis Blood Sets
- Enhancements to the Events Reporting System
- Pa. Bulletin Notice-Specified Professional Personnel
- Moratorium on Demonstration Projects (PCI without open heart surgical capacity)
- 4-12 Update ASF EXPEDITED REVIEW REQUESTS[UPDATE]
- PharMEDium Services is recalling all strengths of 50 ml admixtures
- IMPORTANT CMS CLARIFICATION ON ASHE Alert on flammable surgical preps
- Persons presenting as hospital surveyors or inspectors
- Expedited Exceptions Request ASF Medicare Approved Procedures
- Notice to ASFs on exceptions for certain procedures
- Guidance to Hospitals on the use of exempt unit or unlicensed beds 2004-2005
- Med Watch Notice on Ventilator Power cord failure 10 Dec 2004
- Update on Influenza Vaccine for Nursing Care Facilities and Hospitals
- Notice on procedures in Ambulatory Surgical Facilities
- Update of the availability of Flu Vaccine for Hospitals November 5, 2004
- FLU SURVEY ALERT
- Med watch alert: Confusion between Amaryl and Reminyl
- Influenza Antiviral Medications
- Revised DOH statement on influenza immunization for facilities
- Health Advisory No. 18—The Elderly Immunization Act—Act 85 of 2004
- Chapter 138 Cardiac Catheterization Services—Clarification

- DAAC Regions
 - Deaths/Overdoses of fentanyl in patients using fentanyl patches
 - Fire related to disposable electro-Cautery
 - FDA recall of Volumetric Infusion Pumps
 - DOH Influenza Pandemic Response Information Document
 - Taser use in hospitals
 - Update Guidant Implantable Defibrillators—FDA
 - Caller to ED impersonating physician
 - Notice posting of draft facility regulations
 - Alert—Drug diversions from PYXIS/Automated dispensing systems
 - Senate Bill 69 of 2005 (Act 3)
 - FDA MedWatch—Trypan Blue
 - Nosocomial Burkholderia Cepacia Pneumonia
 - CDC Fact Sheets on Katrina and PA DOH HAN
 - Attention all Facility Administrators
 - CMS Advisory to providers—Katrina
 - Exceptions Process for the Division of Acute and Ambulatory Care
 - Reduction or elimination of restraint/seclusion in hospitals
 - MedWatch recall of VeriCal Calibrator set
 - ENTERYX recall
 - Availability of flu vaccine
 - Neutrospec (Technatium (99m Tc) fanolesomab)
 - MedWatch recall of Vapotherm 2000i and 2000h
 - Reporting infrastructure failure for hospitals and ASFs
 - 2006—07 MCare Assessment
 - CMS: EMTALA Issues related to emergency transportation
 - Flu-like symptoms—Propofol
 - Use of Fake JCAHO ID Cards—update
 - Provision of NPI (National Provider Identifier) ambulatory surgery centers and portable x-ray providers
 - Expedited exceptions process—alcohol based skin preparations
 - Daylight Savings time and medical equipment
 - Excluded unit CMS self attestation
 - Hospital Conditions of Participation—Restraint use
 - Notice from Homeland Security on false IDs
 - Use of Medicare exempt units and/or unlicensed beds
 - CMS final rule—alcohol based hand rubs
 - Password standards implementation
 - Hospital reporting of deaths related to restraint and seclusion
 - POC instructions for submission
 - CMS guidance on parking patients in the ED
 - Reporting infrastructure failure for hospitals and ASFs
- Contact: Sandra Knoble (717) 783-8980

Bureau of Family Health

- Screening Young Child For Lead Poisoning: Guidance for State and Local Public Health Officials, Statement by the Centers for Disease Control—11/97 (Federal guidelines adopted by Department)
 - Application for Chronic Renal Disease Transportation Services
 - Application for Services (Division of Program Support and Coordination-Form #HD1072F)
 - Universal Newborn Hearing Screening Program Guidelines for Infant Hearing Screening
- Contact: Carolyn Cass (717) 772-2762

WIC State Plan of Operations

Contact: Greg Landis (717) 783-1289

- Traumatic Brain Injury Needs Assessment (2003)
 - Traumatic Brain Injury State Action Plan (2003)
- Contact: Carolyn Cass (717) 772-2762

TB Program

- TB In the Commonwealth, 2005 (annual report)
 - TB Control Manual
 - TB Outbreak Response Plan
- Contact: Jody Harclerode, RN, Program Manager (717) 787-6267

STD Program

- STD Outbreak Response Plan
 - STD Electronic Resource Guide, 2004 (CD-ROM)
 - PA NEDSS STD Program Reference Guide (available on line)
 - Program Operation Guidelines for STD Prevention (published by Centers for Disease Control and Prevention (CDC))
- Contact: Steve Kowalewski, Senior Public Health Advisor (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.
- Statement from Requestors Not Possessing an Acceptable Government Issued Photo-ID, Form HD123F.

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.
- Statement from Requestors Not Possessing an Acceptable Government Issued Photo-ID, Form HD123F.

Contact: Patty Mitcheltree (724) 656-3287

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
- Sputum Collection for Tuberculosis
- Nasal or Throat Swab Procedure for Virus Isolation

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 in Pennsylvania As They Apply To Physician Office Laboratories
- Nursing Home Laboratory Licensure Procedure
- Proficiency Testing Evaluation Procedure
- Quality Control for Level One Laboratory Tests
- Policy for Granting an Exception in Section 5.22(f)
- List of Approved Proficiency Testing Providers
- Requirements for New Laboratories
- Rapid HIV Guidance Document
- Rapid HIV Regulatory Compliance Document
- Laboratory Personnel Form

Contact: Marianne Porter (610) 280-3464, Ext. 3224

Bureau of Health Promotion and Risk Reduction

- 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

<i>No.</i>	<i>Date Published</i>	<i>Description</i>
2007-03	06/16/2007	Per Diem Charges for Financial Examinations (Effective 07/01/2007)
2007-02	06/16/2007	Per Diem Charges for Market Conduct Examinations (Effective 07/01/2007)
2007-01	04/17/2007	Workers' Compensation Security Fund Assessment

<i>No.</i>	<i>Date Published</i>	<i>Description</i>
2006-12	11/18/2006	Flood Insurance Training Requirements
2006-11	11/11/2006	List of Approved Guide Source Method Vendors
2006-10	10/28/2006	Medical Care Availability and Reduction of Error Fund; Notice of and Amount of Assessment Action
2006-08	07/08/2006	Repeal of Outdated Bulletins and Notices
2006-07	06/24/2006	Professional Corporations, Professional Associations and Partnerships
2006-06	06/24/2006	Notice of Agent Education and Training Requirement Changes
2006-03	05/20/2006	Procedures Applicable to Right-To-Know Request
2006-01	02/11/2006	Workers' Compensation Security Fund Assessment
2005-11	11/19/2005	Financial Statement Filing Requirements for 2006
2005-10	10/29/2005	Medical Care Availability and Reduction of Error Fund; Notice of and Amount of Assessment Action
2005-09	07/30/2005	Deregulation of Forms
2005-07	07/23/2005	Agreement on Community Health Reinvestment
2005-04	03/26/2005	Viatical Settlement Broker License Testing Requirements for Licensed Life Insurance Producers
2005-02	02/05/2005	Reporting and Disclosure of Criminal Convictions
2005-01	01/22/2005	Increase in the Accident Surcharge Dollar Threshold (Cap) to \$1,150
2004-11	12/25/2004	Disclosure of Departures from Statutory Accounting Principles
2004-07	08/07/2004	Reserve and Surplus Levels of Hospital Plan and Professional Health Services Plan Corporations; Application Update
2004-02	04/17/2004	Medical Care Availability and Reduction of Error Fund; Calculation of Podiatrist Liability
2004-01	01/17/2004	Reserve and Surplus Levels of Hospital Plan and Professional Health Services Plan Corporations; Application
2003-11	11/29/2003	Coverage for Chiropractic Care
2003-07	09/20/2003	Notice to Companies Writing Private Passenger Auto Insurance in Pennsylvania
2003-06	08/09/2003	Drug and Alcohol Use and Dependency Coverage
2002-13	11/02/2002	Notice of and Amount of Assessment Action
2002-10	10/19/2002	Proper Reporting of Uncovered Medical Liabilities and Expenses (Uncovered Claims)
2002-09	09/21/2002	Medical Care Availability and Reduction of Error Fund's Assessment
2002-08	09/14/2002	Medical Care Availability and Reduction of Error Fund Administrative Hearings Process
2001-08	09/29/2001	Arson and Insurance Fraud Reporting
2001-07	06/30/2001	Deregulation of Life Insurance Forms
2001-04	04/21/2001	Book Transfers
2000-04	02/26/2000	The Violent Crime Control and Law Enforcement Act of 1994, 18 U.S.C., Sections 1033 and 1034
2000-03	02/19/2000	Federally Mandated Health Care Fraud and Abuse Reporting
1997-03	08/09/1997	Mutual to Stock Notices
	06/28/1997	Deregulation of Accident and Health Forms
	04/12/1997	Deregulation of Accident and Health Forms
	03/20/1996	Deregulation of Accident and Health Forms
1995-09	08/23/1995	Deregulation of Commercial Lines Property and Casualty Forms
1995-07	07/19/1995	Modification of Contract for Use When an Annuity Premium Tax is Not Applicable
1994-14	10/03/1994	Separate Account Modified Guaranteed Life Insurance
1994-13	10/03/1994	General Account Modified Guaranteed Life Insurance
1994-12	10/03/1994	Separate Account Modified Guaranteed Annuity
1994-11	10/03/1994	General Account Modified Guaranteed Annuity
1994-09	07/07/1994	Approval and Solicitation of Long Term Care Policies for Continuing Care Retirement Communities

Statements of Policy

31 Pa. Code, Chapter 67, Sections 67.41—67.45 and Appendix A, Motor Vehicle Financial Responsibility Law, Subchapter D. Adopted 05/19/1989.

31 Pa. Code, Chapter 89, Sections 89.451—89.474, Approval of Life, Accident and Health Insurance. Subchapter H. Statements of Policy. Adopted 02/05/1982.

31 Pa. Code, Chapter 90c, Sections 90c.1—90c.25, Individual Applications. Adopted 01/18/1991.

31 Pa. Code, Chapter 90d, Sections 90d.1—90d.9, Individual Accidental Death Benefits; Provided by Riders or Built into Policies. Adopted 01/18/1991.

- 31 Pa. Code, Chapter 90e, Sections 90e.1—90e.13, Individual IRA Endorsements for Life Insurance and Annuities. Adopted 01/18/1991.
- 31 Pa. Code, Chapter 90f, Sections 90f.1—90f.16, Individual Imminent Death/Lifetime Health Care Facility Confinement Benefits Provided as Accelerated Death Benefit or Settlements of Death Benefit; Provided by Riders or Built into Policies. Adopted 01/18/1991.
- 31 Pa. Code, Chapter 90g, Sections 90g.1—90g.16, Individual Health Care Facility Benefits Provided as Accelerated Death Benefit or Settlement of Death Benefit; Provided by Riders or Built into Policies. Adopted 01/18/1991.
- 31 Pa. Code, Chapter 90h, Sections 90h.1—90h.11, Individual Waiver of Surrender Charges for Life and Annuity Contracts Resulting From Health Care Facility Usage; Provided by Riders or Built into Policies. Adopted 01/18/1991.
- 31 Pa. Code, Chapter 90i, Sections 90i.1—90i.3, Certificates of Assumption. Adopted 03/05/1993.
- 31 Pa. Code, Chapter 119, Sections 119.1—119.26, Anti-Fraud. Adopted 08/27/1993.
- 31 Pa. Code, Chapter 120, Sections 120.1—120.5, Loss Cost Adjustment Filing. Adopted 08/27/1993.
- 31 Pa. Code, Chapter 150, Sections 150.1—150.5, Uniform Health Insurance Claim Form. Adopted 07/02/1993.
- 31 Pa. Code, Chapter 152, Sections 152.101—152.105, Preferred Provider Organizations, Primary Care Gatekeeper PPO Products. Adopted 09/27/1991.
- 31 Pa. Code, Chapter 153, Section 153.2, Permission to file accident and health, life and annuity insert pages. Adopted 10/19/1990.
- 31 Pa. Code, Chapter 153, Section 153.3, Simplified review of company merger, assumption or name change form and rate filing. Adopted 06/28/1991.
- 31 Pa. Code, Chapter 301, Sections 301.201—301.204, Health Maintenance Organization, Subchapter H. Point-of-Service Products Group Specific Community Rating. Adopted 09/27/1991.
- 31 Pa. Code, Chapter 301, Sections 301.301—301.321, Health Maintenance Organization, Subchapter I. Contractual Arrangements Between HMOs and IDSs. Adopted 04/05/1996.
- 31 Pa. Code, Chapter 303, Section 303.1, Out-of-State Health Maintenance Organization Investments. Adopted 03/25/1988.
- Contact: Peter J. Salvatore, Special Projects Office, 717-787-4429; fax 717-705-3873

II. OTHER:

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

Office of Policy, Planning and Administration

Public Documents Room Procedures

Procedures to review public documents at the Insurance Department

Regulatory Procedures Manual

Internal procedures regarding drafting of regulations

Contact: Peter Salvatore, Special Projects Office, 717-787-4429; fax 717-705-3873

LABOR AND INDUSTRY

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
- Free Posters Announcement
- 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

- Occupational Disease under the Workers' Compensation Act/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)

- Coordinated Care Organizations

Contact: Eileen K. Wunsch, Chief, Health Care Services Review Division, BWC (717-772-1912)

- Uninsured Employer Guaranty Fund

Contact: John T. Kupchinsky, Director, BWC (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 1-800-362-4228

- Procedures for Completing an Application for Fee Review

Contact: Eileen K. Wunsch, Chief, Health Care Services Review Division, BWC (717-772-1912)

- Requirements for Excess Insurance

Contact: George W. Knehr, Chief, Self-Insurance Division, BWC (717-783-4476)

- Employer's Guide to Self-Insuring Workers' Compensation

Contact: George W. Knehr, Chief, Self-insurance Division, BWC (717-783-4476)

- Application and Summary of Requirements for Self Insurance

Contact: George W. Knehr, Chief, Self-insurance Division, BWC (717-783-4476)

- Instructions Accompanying Application to have a Letter of Credit or Surety Bond Executed

Contact: George W. Knehr, Chief, Self-insurance Division, BWC (717-783-4476)

- Guidelines for Individual Self-Insurance Actuarial Evaluations

Contact: George W. Knehr, Chief, Self-Insurance Division, BWC (717-783-4476)

- Guidelines for Group Self-Insurance Actuarial Evaluations

Contact: George W. Knehr, Chief, Self-insurance Division, BWC (717-783-4476)

- Workers' Compensation Self-Insurance Loss Portfolio Transfer Guidelines

Contact: George W. Knehr, Chief, Self-insurance Division, BWC (717-783-4476)

- Certified Employer Network Overview

Contact: Len Negley, Chief, Health and Safety Division, BWC (717-772-1917)

- Accident and Illness Prevention Service Provider Qualifications Guide

Contact: Len Negley, Chief, Health and Safety Division, BWC (717-772-1917)

- Insurer, Individual Self-Insured Employer and Group Self-Insurance Fund Accident and Illness Prevention Service/Program Audit Overviews

Contact: Len Negley, Chief, Health and Safety Division, BWC (717-772-1917)

- Contact Sheet

Contact: Len Negley, Chief, Health and Safety Division, BWC (717-772-1917)

- Division Overview

Contact: Len Negley, Chief, Health and Safety Division, BWC (717-772-1917)

- Hands Flyers

Contact: Len Negley, Chief, Health and Safety Division, BWC (717-772-1917)

- Iceburg-Hidden Costs of Accidents

Contact: Len Negley, Chief, Health and Safety Division, BWC (717-772-1917)

- PennSafe Employer Training

Contact: Len Negley, Chief, Health and Safety Division, BWC (717-772-1917)

- State Certified Workplace Safety Committee Program

Contact: Len Negley, Chief, Health and Safety Division, BWC (717-772-1917)

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 12-03 dated June 22, 2004 regarding Rapid Response/ Trade Adjustment (TA) Program Policy—found on the PA workforce website: www.paworkforce.state.pa.us.
- Workforce Investment Information Notice 7-03 dated July 7, 2004 regarding Trade Act and NAFTA-TAA job search—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 6-03 dated December 12, 2003 regarding Trade Act and TAA Reform Act waiver policy and procedure—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 5-03 dated December 12, 2003 to furnish local staff with State's Trade Act certification and petition processes found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 4-03 dated July 29, 2004 regarding Trade Act reemployment benefit—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 1-03 dated September 12, 2003 regarding Distance learning under TAA—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 14-02 dated June 10, 2003 regarding Seamless integration and coordination of services under Trade Act programs with Workforce Investment Act—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 7-01 dated December 11, 2001 regarding Reasonable Cost of Training and Transportation Payments for the TAA/NAFTA-TAA programs—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 6-99 Change 1 dated August 6, 2002 regarding WIA Dislocated Worker Rapid Response Additional Assistance and Critical Job Training Grant Questions and Answers—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 1-05 dated September 27, 2005 regarding Local Workforce Investment Areas (LWIAs)—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 12-02 dated April 10, 2003 regarding Workforce Investment Act certification of training and course/programs and developing ITA policies and procedures—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 1-99 Change 4 dated June 4, 2004 regarding ongoing information and guidance regarding program/provider eligibility, school licensing requirements and appeal procedures—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 1-00 Change 3 dated March 17, 2003 regarding information to Local Workforce Investment Board, training providers and other Team Pennsylvania CareerLink partners—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 3-02 dated January 8, 2003 regarding Guidelines to moving Pa CareerLink and Partners—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 2-02 dated January 8, 2003 regarding Guidelines to moving Pa CareerLink and Partners—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 10-01 dated July 17, 2002 regarding Career Resource Area Technology Policy—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 3-05 dated June 20, 2006 regarding Competitive procurement of Youth Services for LWIA Program Operators, LWIBS and their Local Youth Councils—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 2-04 dated April 27, 2005 regarding policies and procedures for grants awarded to Local Workforce Investment Areas, non-profit organizations, private-for-profit businesses and Local Education Agencies—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 8-02 Change 1 dated December 12, 2003 regarding development and operation of Project Gate—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 8-02 Change 2 dated June 7, 2004 regarding development and operation of Self-Assistance Program and Project Gate—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 4-99 Change 1 dated November 4, 2002 regarding core intensive training, optional and youth services by program charts—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 3-99 Change 2 dated November 4, 2002 regarding guidance information on Title I WIA eligibility criteria for registration and WIA acceptable eligibility verification—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 1-98 Change 2 dated January 30, 2004 regarding WIA participant questions and answers—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 9-02 dated January 8, 2003 regarding WIA performance measures—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 11-02 dated January 22, 2003 regarding Labor Exchange and Veterans Employment Training Service Performance Measures—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 3-01, Change 2 dated May 23, 2003 regarding Revised Team Pa CareerLink Employment Services Policies and Procedures—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 1-01 dated August 9, 2001 regarding definitions of levels of Pa CareerLink registration Services Policies and Procedures—found on the PA workforce website: www.paworkforce.state.pa.us

- Workforce Investment Information Notice 2-01 Change 1 dated July 21, 2003 regarding revisions of WIIN 2-01 for Staff-Assisted Registration for Employment Services—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 6-01 dated May 15, 2002 regarding combined business plan/agreement process—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 5-01 Change 1 dated May 7, 2002 regarding government agreement revisions and cost allocation and resource agreement changes—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 3-00 Change 1 dated November 2, 2004 regarding guidance to local Workforce Investment Boards and their Youth Councils on the Workforce Investment Act of 1998, federal regulations and state policies found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 2-00 Change 2 dated March 2, 2004 regarding—Financial Management Technical Assistance Guide—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 3-03 dated July 13, 2004 regarding guidance to Local Workforce investment Boards on membership, certification and compliance with the Workforce Investment Act and state policies—found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 2-03 Change 1 dated October 8, 2003 regarding Commonwealth's revised Local Workforce investment Board staffing policy found on the PA workforce website: www.paworkforce.state.pa.us
- Workforce Investment Information Notice 4-00 dated July 27, 2001 regarding LWIA designations in prescribed formats—found on the PA workforce website: www.paworkforce.state.pa.us

Office of Vocational Rehabilitation

- OVERVIEW—The OVR Online Newsletter—Ed Butler (717-772-1660)
- The OVR Annual Report—Ed Butler (717-772-1660)
- OVR Combined Agency State Plan Update—William Zappini (717-787-3662)
- OVR Program Brochure Carl Marshall—Marjorie Faish (717-705-0876)
- Employment Services for Persons with Disabilities—David Baum (717-787-5518) or Stephanie Parker (717-787-5123)
- The OVR Rehabilitation Services Handbook—Marjorie Faish (717-705-0876)
- OVR Transition Pamphlet—Joan Kester
- Disability Management (OVR Ability Management) Marjorie Faish (717-705-0876)
- OVR—Transition From Substance Abuse to Recovery and Work (A Guide for Vocational Rehabilitation) Marjorie Faish (717-705-0876)
- Getting Your Business Ready for ADA—ADA Questions—Marjorie Faish (717-705-0876)
- 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 W/C 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

- Maximum Pennsylvania Workers' Compensation Payable
Contact: Thomas Dinsmore, 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)
- News & Notes (A Bureau of Workers' Compensation Public Newsletter)
Contact: Kathleen Dupin, Information Services Section (717-783-5421)
- Employer's Guide to Workers' Compensation Insurance in Pennsylvania (A folder which includes: An Employer's Overview, A Guide to Loss Cost Multipliers, A Guide to Classification Codes and other workers' compensation information of interest to employers.)
Contact: Employer Information Services (717-772-3702)

- Workers' Compensation and Workplace Safety Annual Report
Contact: Kathleen Dupin, Information Services Section (717-783-5421)
- Report of Insurer/Self-Insured Employer Compliance—website at www.dli.state.pa.us link workers' comp and Bureau of Workers' Compensation
- Workplace Injuries & Illnesses Report (Annual Statistical Publication)
Contact: Terry Titus (717-787-3361)
- Medical Cost Containment Regulations Reference (Mailed on request.)
Contact: Eileen Wunsch (717-787-3486)
- Frequently Asked Questions (Bureau of Workers' Compensation Web guideline at www.dli.state.pa.us)
Contact: Kathleen Dupin (717-783-5421)
- Frequently Asked Questions (Workers' Compensation Office of Adjudication Web guideline) (Contact: David Cicola 717-783-5421)
- Number of Petition Assignments Per County (Web guideline) (Contact: David Cicola 717-783-5421)
- Instructions on Ordering Hearing Transcripts (Web guideline) (Contact: David Cicola 717-783-5421)
- Medicare Information (Web guideline) (Contact: David Cicola 717-783-5421)
- Directions for Making Accommodation Requests (Web guideline)
(Contact: David Cicola 717-783-5421)
- Lawyer Referral Service Information (Web guideline) (Contact: David Cicola 717-783-5421)
- Appeal Forms and Their Instructions (Web guideline) (Contact: David Cicola 717-783-5421)
- Compromise & Release Form (Web guideline) (Contact: David Cicola 717-783-5421)
- Mediation Procedures (Web guideline) (Contact: David Cicola 717-783-5421)

Bureau of Unemployment Compensation Benefits and Allowances

- UCP-7 The Problem of "Localized" and "NonLocalized" Employment
- UCP-25 Employee Unemployment Compensation Withholdings
- 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
- "UC Issues Update" quarterly newsletter
- UCP-1 PA UC Handbook
- UCP-1 (ESP) PA UC Handbook (Spanish)
- UCP-11 Assistance for Workers under Trade Act of 1974
- UCP-11(ESP) Assistance for Workers under Trade Act of 1974
- UCP-11A Trade Act of 2004
- UCP-11A (ESP) Trade Act of 2004 (Spanish)
- UCP-16 UC for Reimbursable Employers
- UCP-18 UC Appeals Information
- UCP-18 (ESP)-UC Appeals Information (Spanish)
- UCP-22 RFC for Contributory Employers
- UCP-24 Support Withholding from UC

Bureau of Unemployment Compensation Benefits and Allowances—Discontinued Non-Regulatory Documents

- UCP-28 Services Provided by Pennsylvania Teleclaims

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
- UCP-1: Pennsylvania Unemployment Compensation Handbook
- UCP-1 (ESP): Manual De Compensación por Desempleo de Pennsylvania
- UCP-7: The Problem of "Localized" and "Nonlocalized" Employment
- UCP-16: UC for Reimbursable Employers
- UCP-18: UC Appeals Information
- UCP-18 (ESP): Compensación por Desempleo
- UCP-22: Relief From Charges for Contributory Employers Questions and Answers
- UCP-25: PA Employee UC Withholdings
- UCP-29: PA Unemployment Compensation (UC) Tax Appeals
- UCP-30: PA UC—Preparing for your UC Audit
- UCP-32: Employee or Independent Contractor?
- UCP-34: PA UC Tax Clearance Program
- UCP-35: Family Employment
- UCP-36: Employer's Reference Guide to UC
- UCP-36 (Insert): PA UC Solvency Tax Information
- UCP-38: Internet Filing of Quarterly Returns for UC (Forms UC-2/2A) & Electronic Payment of Contributions via Electronic Funds Transfer
- UCP-39: Pennsylvania Unemployment Compensation Services for Employers
- UCP-40: Controlling UC Costs for Contributory Employers
- UCP-41: Unemployment Compensation Eligibility Issues
- UCP-41 (ESP): Compensación de Desempleo Puntos de Derecho
- UC Issues Update Newsletter

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: A. Robert Risaliti, 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
 - Child Labor Complaint Form
 - Application for Permit for Employment of a Minor in Theatrical and Other Performances
 - Newspaper Carriers
- Equal Pay Law
- Industrial Homework Law
- Medical Fee Act
- Minimum Wage Act
 - Food Service Employee Incentive Program
 - Overtime Rules in Pennsylvania
- Wage Payment and Collection Law
- Personnel File Inspection Act
- Prevailing Wage Act
 - Wage Rate Submittal Form
- Seasonal Farm Labor Act
- Underground Utility Line Protection Act
- Prevailing Wage Statistics and Collections
- Labor Standards Statistics and Collections
- Prevailing Wage Rate Determination Search
- Prevailing Wage Determination Request
- Prevailing Wage Act
- Prevailing Wage Regulations
- Debarments
- Certified Payroll Certificate
- Apprenticeship and Training Act
- Apprenticeship and Training Regulations
- Apprenticeship and Training Program Overview
- Wage Rate Submittal Form
- Prevailing Wage Complaint Form
 - Electronic Online Version
 - Printer Friendly (PDF Download)
 - Spanish Version (PDF Download)
- Definitions for 29 County Building Construction Laborers
- Definitions for 29 County Heavy, Highway Construction Laborers
- Definitions for 7 County Building Construction Operators
- Definitions for 22 County Building Construction Operators
- Definitions for 29 County Heavy Equipment Operators
- Definitions for 29 County Highway Construction Operators
- Definitions for 33 County Building Laborers
- Definitions for 33 County Heavy & Highway Laborers
- Definitions for 33 County Building Operators
- Definitions for 33 County Heavy & Highway Operators
- Definitions for 5 County Building Laborers
- Definitions for 5 County Heavy & Highway Laborers
- Definitions for 5 County Building, Heavy, Highway Operators
- Asbestos Removal—Asbestos Worker/Laborer
- Truck Driver (Building, Heavy, Highway)
- Painters (Building, Heavy, Highway)
- Mandatory Workplace Postings for Minimum Wage and Prevailing Wage
- Updated minimum wage notification
- Updated minimum wage frequently asked questions
- Updated minimum wage statement of policy

Bureau of Occupational and Industrial Safety

Technical International Building Code 2003 Advisories.

Contact: Edward L. Leister, Director, BOIS (717-783-6304)

- Advisory on Sections 302.1.1 and 302.2—Incidental use areas and accessory use areas. Issued March 3, 2005.
- Advisory on Sections 310.1 and 310.2—Residential care facilities with 6-16 occupants. Issued April 1, 2005.
- Advisory on Section 404.8—Travel distance. Issued October 29, 2004.
- Advisory on Section 707.2—Shaft enclosure required (Exception 7). Issued March 3, 2005.
- Advisory on Section 1014.1—Exit or exit access doorways required. Issued October 29, 2004.
- Advisory on Section 1016.5—Corridor Continuity. Issued October 29, 2004.
- Advisory on Section 1019.2—Enclosures required. Issued March 3, 2005.
- Advisory on Section 1019.1—Enclosures required (Exceptions 8 and 9). Issued March 3, 2005.
- Advisory on Sections 3409.3 and 3409.6 (and IEBC sections 812.5 and 506.2)—Accessibility requirements applicable to changes of group or occupancy and alterations. Issued March 3, 2005. Revised and re-issued January 8, 2007.
- Advisory on Sections 311.1 and 312—"S" (Storage) versus "U" (Utility and miscellaneous use) Classification and use. Issued June 30, 2005. Revised July 27, 2006.
- Technical International Building Code 2006 Advisories.

Contact: Edward L. Leister, Director, BOIS (717-783-6304)

- Advisory on Section 310.1 and 310.2—Residential care facilities with 6-16 occupants. Issued April 1, 2005. Revised January 26, 2007.
- Advisory on Section 404.8—Travel Distance. Issued October 29, 2004. Revised January 26, 2007.
- Advisory on Section 707.2—Shaft enclosure required (Exception 7)—Issued March 3, 2005. Revised January 26, 2007.
- Advisory on Section 1015.1—Exit and exit access doorways required. Issued October 29, 2004. Revised January 26, 2007.
- Advisory on Section 1017.5—Corridor continuity. Issued October 29, 2004. Revised January 26, 2007.
- Advisory on Section 1020.1—Enclosures required. Issued March 3, 2005. Revised January 26, 2007.
- Advisory on Section 1020.1—Enclosures required (Exceptions 8 and 9). Issued March 3, 2005. Revised January 26, 2007.
- Advisory on Sections 3409.4 and 3409.7 (and IEBC sections 912.8 and 605.2)—Accessibility requirements applicable to changes of group or occupancy and alterations. Issued March 3, 2005. Revised January 26, 2007.
- Advisory on Sections 311.1 and 312—"S" (storage) versus "U" (utility and miscellaneous use) classification and use. Issued June 30, 2005. Revised January 27, 2007.

Uniform Construction Code Advisories

Contact: Jon Balson, UCC Administrator (717-787-3806)

- Building Code Official (BCO) Certification
- Health Care Facilities Act
- Recreational Cabin Exclusion
- State-owned Buildings
- UCC Registration
- Ground Snow Loads
- Manufactured Housing
- Residential Care Facilities
- Temporary Structures
- Utility Service Connections
- Accessibility Requirements in Certain Townhouses
- Accessibility Requirements When Adding Non-Grade Level Floors

MILITARY & VETERANS AFFAIRS

NONREGULATORY 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
- Equal Opportunity Statement
 - Contact: Kristi Smith (717) 861-8796
- 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
 - o John Maietta (717)-861-8648
- Recreational Access to Fort Indiantown Gap
 - o 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
 - o Contact: Cecil Hengeveld (717) 861-8903
- Standard Operating Procedure for Armory Rentals
- Policy for State-Owned Family Housing and Conestoga Mobile Home Court
 - o 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)
 - o Contact: Jeff Thomas (717) 861-8849
- Discrimination Complaint Process
 - o 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
 - o Contact: Jeff Thomas (717) 861-8849
- IT Policies and Procedures
 - o Contact: James Nelson (717) 861-8639

OTHER/GUIDANCE/INSTRUCTIONAL MANUALS:

- Military Family Relief Assistance Program Guidelines
 - o Contact: Mrs. Patrice Jacoby (717)861-8268
- 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
 - o Contact: Jeff Thomas (717) 861-8849
- Equal Opportunity Plan
- Contract Compliance Plan for DMVA
- DMVA Workforce Profile
- Training Plan and Report
 - o 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
 - o Contact: Jeff Thomas (717) 861-8849
- Patient Care Policy Manual, Veterans' Homes
- State Home Construction Grant Program
- Veterans Administration Guidelines for State Veterans' Homes
 - o Contact: Cecil Hengeveld (717) 861-8903
- Adjutant General's Biennial Report
 - o 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
 - o Contact: Cecil Hengeveld (717) 861-8903
- Digest and Explanation—Act 22 of 2006: Pennsylvania Merchant Marine World War II Veterans Bonus Act.
 - o Contact: David Heiland (717) 861-2856

PENNSYLVANIA BOARD OF PROBATION AND PAROLE

Publications available through the Pennsylvania Board of Probation and Parole

Parole in Pennsylvania (English)
 Parole in Pennsylvania (Spanish)
 Parolee Handbook (English)
 Parolee Handbook (Spanish)
 Careers in Probation and Parole (English)
 Careers in Probation and Parole (Spanish)

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 & Training Board Policy, approved December 2005.
- DARE Officers Policy and Procedures Manual.

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, Fact Sheets
- Minimum Standards for Criminal Justice Advisory Boards (CJABs)
- 2007/2008 DARE Funding Announcement
- 2007/2008 School Resource Officer Funding Announcement
- 2007/2008 County Criminal Justice Advisory Board Establishment Funding Announcement
- 2007/2008 County Criminal Justice Advisory Board Initiatives Funding Announcement
- 2007 County Intermediate Punishment (IP) Funding Announcement
- 2007 Drug & Alcohol/Restrictive Intermediate Punishment (D&A/RIP) Funding Announcement
- 2007 NCHIP Funding Announcement
- 2007 Paul Coverdell National Forensic Science Improvement Funding Announcement
- 2007 Project Safe Neighborhood-Western District Funding Announcement
- 2007 Residential Substance Abuse Treatment (RSAT) Funding Announcement
- 2007 Substance Abuse Education and Demand Reduction Fund (SAEDRF) Funding Announcement
- 2007 Police on Patrol (POPs) Funding Announcement

Office of Financial Management and Administration

- PCCD Applicant's Manual on PCCD website, revised May 2001.
- U.S. Department of Justice, Office of Justice Programs, Office of the Comptroller, Financial Guide.
- Commonwealth of Pennsylvania, Governor's Office, Management Directive 305.20, Grant Administration.
- Funding guidelines disseminated as needed by various divisions.
- PCCD Grant Procedures Manual, June 2001.
- External Quick Start Guides for Egrants.
- PCCD Egrants Help Center Documents.

Office of Juvenile Justice and Delinquency Prevention

Funding announcements that provide guidelines and requirements for applicants:

- Research-Based Delinquency and Violence Prevention Program Funding, February 9, 2007.
- Juvenile Accountability Block Grant (JABG), November 20, 2006.
- State Partnership and federal Title V Funding, February 9, 2007.

Center for Research, Evaluation and Statistical Analysis

- Funding guidelines for research/evaluation projects, April 15, 2004.
- Funding guidelines for research/evaluation projects, October 15, 2004.
- Funding guidelines for research/evaluation projects, December 7, 2004.
- Funding guidelines for research/evaluation projects, August 26, 2005.
- Funding guidelines for research/evaluation projects, June 7, 2006.
- Funding guidelines for research/evaluation projects, April 5, 2007.

Office of Victims' Services

Victims Compensation

- Victims Compensation Claim Form. (Standard)
- Victims Compensation Claim Form. (One Page)
- Spanish Signature Page.

- Financial Assistance for Victims of Crime pamphlet.
- Compensation Resource Guide for Victim Service and Allied Professionals brochure.
- Rights and Services Available to Victims of Crime in PA booklet. (revised-June 2003)
- Victim Advocate Manual—revised 2006.
- Victims Compensation Assistance Program Procedure Manual.
- Victims Compensation Assistance Program Standard Operating Guidelines.
- Annual Report for FY 2005-2006.
- 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.
- Victim Service Program Referral Handbook 2005.
- Compensation Update Sheets, 2/05, 3/05, 4/05, 6/05, 8/05, 2 documents in 10/05, 11/05, 2 documents 4/06—8/06, 9/06, 11/06, 2 documents 1/07.
- Brochure for online access of compensation claims, current 2007.
- Brochure of victim resources/materials request form, current 2007.

Victims Services

- Local Policy Board Requirements, revised June 2004.
- STOP Funding Announcement, 2007.
- Rights and Services Act (RASA) Funding Announcement, revised June 2006.
- VOJO Funding Announcement, revised June, 2006.
- VOCA Funding Announcement, 2007-2009.
- VOCA Funding Guideline Amendment: Mass Violence, 2000.
- Project STRONG Announcement, May 2005.
- DCSI/JAG Announcements, March 2006.
- Concept paper formats, March 2006.
- State Victim/Witness Standards and Procedures Manual, April 1999.
- Victims of Juvenile Offenders (VOJO) Standards and Procedures, effective December 2000.
- Comprehensive Victim Service Center Standards, Revised February 2001. Monitoring tools for Drug Control and System Improvement (DCSI), Applications through Project STRONG, VOJO, revised June 2006; RASA, revised June 2006; Victims of Crime Act (VOCA), revised June 2006; STOP, revised 2005.

Pennsylvania Weed and Seed Program

- Operations Manual, current for 2006.

PENNSYLVANIA HOUSING FINANCE AGENCY

POLICY STATEMENTS

Rental Housing Program

12 Pa. Code, Sections 31.11—31.25

Contact: Holly Glauser-Abel (717.780.3876)

Owner-Occupied Residential Housing Program

12 Pa. Code, Sections 31.101—31.105

Contact: Kate Newton (717.780.3891)

Mortgage Loan Program

12 Pa. Code, Sections 31.111—31.117

Contact: Kate Newton (717.780.3891)

Policy Statement on Homeowners' Emergency Mortgage Assistance Program (including Program Guidelines, Act 91 Notice, and list of counseling agencies)

12 Pa. Code, Section 31.201 et seq.

Contact: Daryl Rotz (717.780.3940)

Privacy Policy

Contact: Tony Julian (717.780.3824)

GUIDANCE MANUALS

Development Division

PHFA Multifamily Housing Application and Guidelines (contains PennHOMES, Taxable and Tax-Exempt Financing and Low Income Housing Tax Credit Guidelines)

PHFA Preprocessing Manual for Projects with Agency Federal HOME Funds

PHFA Preprocessing Manual for Projects with Agency Reserve Funds

Contact: Kristina Avery (717) 780-3876

Technical Services Division

Architectural Submission Guide

Submission Guide for Small Projects

PHFA Preconstruction Meeting Guide

General Payout Procedures for Mortgagors & Contractors

Contact: Tami Blessing (717) 780-3860 or Yolanda Garcia (717) 780-4033

Housing Management Division

PHFA Property Operations Manual

PHFA Section 8 Non-Performance Based Property Operations Manual

PHFA Low-Income Housing Tax Credit Compliance Manual

Contact: Barbara Huntsinger (717) 780-3818

PHFA Financial Reporting Manual for Agency Finance Properties and Tax Credit Only Properties (No Agency Financing)

Contact: Kathy Hughes (717) 780-3820

Housing Services Department

Senior Supportive Services Program Manual with PennHOMES/Low Income Tax Credit Requirements

Supportive Services Program Manual with Section 8 Requirements

Family Supportive Services Program Manual with PennHOMES/Low Income Tax Credit Requirements

Family Supportive Services Program Manual with Philadelphia Family Resource Center Initiative Requirements

Family Supportive Services Program Manual with Pennsylvania Family Resource Center Program Requirements

Family Supportive Services Program Manual with Philadelphia Escrow/Waiver Requirements

Contact: Gelene Nason (717) 780-3810

Single Family Housing Division

PHFA Seller's Guide

HOMESTEAD Program Guidelines

Contact: Kate Newton (717) 780-3891

Individual Onlot 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

Bylaws of the Pennsylvania Housing Finance Agency

PHFA Right To Know Act Policy

Contact: Carrie Barnes (717) 780-3911

PHFA Employee Manual

Contact: Susan Heilig (717) 780-3900

OTHER

Anti-Predatory Lending

Anti-Predatory Lending Handbook

Anti-Predatory Lending and Foreclosure Prevention Presentation-CD-Rom

Anti-Predatory Lending and Foreclosure Prevention—Trainer's Guide

Contact: Andrea Cunningham (717) 780-3839

PHFA Annual Report

Pennsylvania Housing Study (available only on website at www.phfa.org)

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 Service Connections (supportive services newsletter)

Answers to Common Questions about the Homeowners' Emergency Mortgage Assistance Loan Program (fact 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

PAL—Introducing the Affordable Apartment Locator

Visitability in PA

Employer Assisted Housing Initiative (EAH)

Renovate & Repair Loan Program (R&R)

Contact: Paula Brightbill (717.780.3915)

Additional information is available on PHFA's web site (www.phfa.org) from time to time (including funding notices, Requests for Proposals, and news and public notices)

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY—PENNVEST

Guidelines:

- PENNVEST: Financing Clean Water for Pennsylvania, 2007.
- Onlot Sewage Disposal System for the Individual Homeowner Funding Program January 2007.
- PENNVEST Annual Report, 2005-2006.
- Liquid Assets/Newsletter
- Brownfield Redevelopment Guidelines & Forms
- PENNVEST ON-LINE—2007
 - Mission
 - PENNVEST Process
 - How to Apply
 - Loan Calculator
 - Cap Rates by County
 - Guide to Uniform Environmental Review Process
 - Single Audit Process Pamphlet
 - Continuing Education Guidelines & Forms
 - Continuing Education—Environmental Training Partnership
 - Frequently Asked Questions
 - Legislation & Regulations
 - Financial Assistance Simulator
 - Compare Subsidy Calculator
 - Utility Guide
 - Annual Financial Statement/Audit Report Submission

Contact: Lou Ann Buffington (717) 787-8138.

Public Procedure:

- PENNVEST Right to Know Policy
- Contact: Elaine Keisling (717) 783-4494.

Internet Policy:

- PENNVEST Privacy Policy
 - PENNVEST Site Security
- Contact: Laura A. Lewis (717) 783-4491.

**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
 - Multiple Service Purchases—Payment Plans
 - Out-of-State-Service Purchases—Amended Policy for Determining Eligibility & Calculating Service Credit
- Contact: Evelyn Tatkovski (717) 720-4734

GUIDANCE MANUALS:

PSERS Active Member Handbook (Current Ed. 4/2007)

PSERS Retired Member Handbook (Current Ed. 5/2007)

PSERS Update—Annually (January)

PSERS Pamphlets:

- Let's Talk About: Leaving PSERS & Your Employment Benefits (5/2007)
 - Let's Talk About: Taxes on Your Retirement Benefits (9/2004)
 - Let's Talk About: Disability Retirement Benefits (6/2006)
 - Let's Talk About: Being Retired (4/2003)
 - Let's Talk About: Your Retirement Benefit and Divorce (6/2007)
 - Let's Talk About: Death Benefits During Employment (11/2003)
 - Let's Talk About: Death Benefits During Retirement (4/2001)
 - Let's Talk About: Purchasing Credit for Service (1/2001)
 - 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
 Act 1991-23 ("Mellow Bill")
 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
 Non Qualifying Part-Time Service
 Overpayment
 Payment of Interest
 Pension Forfeiture
 Purchase of Service
 Recalculation of Benefit
 Reinstatement
 Retirement-Covered Compensation
 Service Adjustment
 Tax Collector
 Miscellaneous

Contact: Evelyn Tatkovski (717) 720-4734

INTERNAL POLICY STATEMENTS and GUIDELINES:

- PSERS Board Automation Policy
- PSERS Bylaws

- PSERS Election Procedures and Guidelines
 - PSERS Public Market Emerging Investment Manager Program Policy
 - PSERS External Board Appointment and Attendance Policy
 - PSERS Domestic Proxy Voting Guidelines
 - PSERS International Proxy Voting Guidelines
 - 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)
 - Actuarial Tables and Computational Procedures, Pa. Bulletin, Vol. 31, No. 14, pp. 1930-1945, April 7, 2001
 - Health Options Program Enrollment Package
- Contact: Evelyn Tatkovski (717) 720-4734

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
 - Return to Work Policy Statement
 - Public Information
 - PMRS Indemnification
 - Permanent Employee
 - Contractor Insurance
 - Excess Interest Process
 - Investment Guidelines
 - Plan Withdrawal Procedures
 - Proxy Voting Guidelines
- Contact: James B. Allen (717) 787-2065

GUIDANCE MANUALS:

- PMRS Notes & News
 - PMRS Pamphlets:
 - Plan Benefit Summary (individualized for each municipality)
 - Evaluating Your Pension Plan
 - Pennsylvania Municipal Retirement System
 - Individual Municipality Plan Benefit Agreements
 - PMRS WebSite: www.pmr.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

POLICY STATEMENTS:

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1983	Ch. 166	Computation of CWEP Hrs.	10/25/83	166-83-57
	Ch. 275	Postmark Date as the Receipt Indicator for Appeals and for Requests for Reconsideration	03/15/84	275-84-10
1993	*Ch. 166	PROVIDING SUPPORTIVE SERVICES TO PARTICIPANTS IN THE COMMUNITY WORK EXPERIENCE PROGRAM	08/21/93	166-93-01
1995	*Ch. 257	MA ESTATE RECOVERY— CHAPTER 178—MEDICAL ASSISTANCE RESOURCES; CHAPTER 257—REIMBURSEMENT	06/01/95	257-95-01
1996	Ch. 125	ACT 1995-20 PROVISIONS RELATING TO PERSONS SENTENCED OR CHARGED FOR A FELONY OR MISDEMEANOR	04/05/96	125-96-01
	Ch. 285	INCREASES IN PAYMENT FOR BURIAL AND/OR CREMATION AND MAXIMUM AMOUNT OF EXCLUDED CONTRIBUTIONS	06/10/00	285-00-01

GUIDANCE MANUALS:

- Cash Assistance Handbook
- Food Stamp Handbook
- Medical Assistance Eligibility Handbook
- Nursing Care Handbook
- Supplemental Handbook
- Medicaid in Pennsylvania
- Low-Income Home Energy Assistance Program Final State Plan
- Actions for Support
- TANF State Plan
- Homeless Assistance Program—Instructions and Requirements (Note: Revised/Reissued Annually)
- BETP Master Guidelines
- Summary of Pennsylvania's State Food Stamp Employment and Training Program
- TANF Work Verification Plan

Office of Medical Assistance—Contact: Donald Yearsley (717) 772-6341

POLICY STATEMENTS:

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1981	Ch. 1251	Clarification of M.A. Bulletin # 22-80-01	08/19/81	22-81-01
	Ch. 1121	Info. Concerning Claims Submitted as Compounded Prescriptions	06/30/82	19-82-02
1984	Ch. 1101	Third Party Resource and Copay	11/01/84	99-84-15
1985	Ch. 1141	Decision Concerning Prof. Component Billing	01/25/85	01-85-01
	Ch. 1141	Physician Assistant Use	04/22/85	01-85-05
	Ch. 1245	Ambulance Transportation	04/22/85	11-85-08
	Ch. 1163	Psych. Inpatient Adm of Patients with D/A and Psychiatric Diagnoses	05/31/85	13-85-04
	Ch. 1101	Cpayments/Guidelines/ Exemption for Pregnancy & Ability to Pay	10/17/85	99-85-12
	Ch. 1153	Requirements for Treatment Plans & Doc. of Treatment	10/31/85	29-85-01 33-85-02
	Ch. 1149	Clarification of Treatment Plan Requirements for Orthodontists	02/11/86	03-86-1 C

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
	Ch. 1163	Offset of Investment Income	02/21/86	11-86-04
	Ch. 1151			12-86-02
				13-86-01
1986	Ch. 1101.75 (a)(5)	Policy Clarification	07/23/86	19-86-06
	Ch. 1101	Policy Clarification Re: Provider's Signature	09/19/86	99-86-06
	Ch. 1101	Professional License No.	10/13/86	11-86-12
				12-86-05
	Ch. 1101	Preclusion of Convicted Persons, Not Providers, from Participation or Involvement in the MA Program	10/24/86	99-86-09
	Ch. 1123	Durable Medical Equipment Warranties	10/28/86	05-86-02
				19-86-07
	Ch. 1101	Records Maintenance and Avail. Requirements	11/05/86	23-86-02
1987	Ch. 1101	Physicians' Response. Home Health Services	01/12/87	01-87-01
	Ch. 1223	Letter of Agreement—D&A Single County Authorities	01/23/87	11-87-01
				12-87-01
				13-87-01
	Ch. 1223	Contractual Agreement Single County Authority	02/12/87	28-87-01
	Ch. 1149	Palliative Emerg. Treat.	04/24/87	03-87-02
				27-87-01
	Ch. 1101	Records Maint. and Avail. Require. for Chiropractors	04/27/87	07-87-01
	Ch. 1249	Reimbursement—Home Health Services in PCH	05/22/87	23-87-01
	Ch. 1101	Professional Lic. No.	06/10/87	10-87-01
	Ch. 1223	Nonrecompensable Services Drug Screens	07/29/87	11-87-05
				12-87-04
				16-87-01
				28-87-02
	Ch. 1101/ Ch. 1123	Coverage for Motorized Wheelchairs	07/30/87	05-87-02
				01-87-08
				19-87-06
	Ch. 1123	Policy Relating to Apnea Monitors	09/02/87	01-87-15
				05-87-04
				19-87-09
	Ch. 1150	Spec. Enroll. Req. to Bill Tech. Comp. of Ped. Pneumograms	10/07/87	05-87-05
				19-87-10
1988	Ch. 1101	Policy Clarification Regarding Physician License	07/01/88	1101-88-01
1989	Ch. 1101	Policy Reminder Regarding Practitioner License Requirements	09/09/89	1101-89-02
	Ch. 1163	Assignment of DRG (Neonate)	11/18/89	1163-89-01
1990	Ch. 1150	Payment Policy for Consultations	04/27/90	1150-90-01
	Ch. 1249	Use of Medicare Form HCFA-485	06/08/90	1249-90-01
1991	*Ch. 1101	EPSDT—OBRA '89	08/02/91	1101-91-01
	Ch. 1121			1121-91-02
	Ch. 1123			1123-91-01
	Ch. 1241			1241-91-01
1992	*Ch. 1141	CLOZAPINE SUPPORT SERVICES	01/31/92	1141-92-01
	*Ch. 1153			1153-92-01
	Ch. 1241	Revised EPSDT Immunization Guidelines	12/11/92	1241-92-01
1993	*Ch. 1165	PAYMENT FOR MENTAL HEALTH SERVICES PROVIDED IN A RESIDENTIAL TREATMENT FACILITY FOR ELIGIBLE INDIVIDUALS UNDER 21 YEARS OF AGE	01/01/93	1165-93-01
	*Ch. 1121	CHANGES IN THE MEDICAL ASSISTANCE PHARMACEUTICAL BENEFITS	07/09/93	1121-93-01
	*Ch. 1149	DENTAL SERVICES FOR ADULTS	07/09/93	1149-93-01

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
	*Ch. 1101	BASIC HEALTH CARE FOR ADULT GENERAL ASSISTANCE RECIPIENTS (FELIX ET. AL. V. CASEY ET. AL.) STIPULATION OF SETTLEMENT	07/21/93	1101-93-03
	*Ch. 1101	UPDATE TO EXCEPTIONSPROCESS AND CRITERIA UNDER THE GENERAL ASSISTANCE BASIC HEALTH CARE PACKAGE	07/21/93	1101-93-04
	Ch. 1241	Centers for Disease Control Blood Lead Testing	09/03/93	1241-93-01
	Ch. 1101	Business Arrangements Between Nursing Facilities and Pharmacy Providers	10/08/93	1101-93-05
1994	Ch. 1241	Update to Blood Lead Testing Guidelines	04/08/94	1241-94-01
	*Ch. 1239	M.A. CASE MANAGEMENT SERVICES FOR RECIPIENTS UNDER THE AGE OF 21	05/17/94	1239-91-01
	*Ch. 1121	PHARMACEUTICAL SERVICES DRUG COVERAGE FOR MEDICALLY NEEDY IN NURSING FACILITIES	06/24/94	1121-94-01
	*Ch. 1249	PRIOR AUTHORIZATION OF HOME HEALTH SERVICES (REVISED)	07/01/94	1249-94-02
	*Ch. 1121	PHARMACEUTICAL SERVICES PRIOR AUTHORIZATION REQUIREMENT MULTISOURCE BRAND NAME DRUGS	08/26/94	1121-94-02
	*Ch. 1121	TREATMENT OF INFERTILITY—DISCONTINUED	08/30/94	1121-94-03
	Ch. 1126	COVERAGE FOR DRUGS AND RELATED SERVICES		1126-94-01
	Ch. 1129			1129-94-01
	Ch. 1141			1141-94-01
	Ch. 1163			1163-94-01
	Ch. 1221			1221-94-01
	Ch. 1225			1125-94-01
	Ch 1242			1242-94-01
	*Ch. 1101	GENERAL ASSISTANCE RESTRUCTURE AS A RESULT OF ACT 49	09/02/94	1101-94-01
1995	Ch. 1153	ACCESSING OUTPATIENT WRAPAROUND MENTAL HEALTH SERVICES	09/08/95	1153-95-01
	Ch. 1157	MENTAL HEALTH SERVICES PROVIDED IN NON-JCAHO	09/08/95	1157-95-01
	Ch. 1165	UPDATE-JCAHO-ACCREDITED RTF SERVICES	09/08/95	1165-95-01
	*Ch. 1153	PRIOR AUTHORIZATION OF PARTIAL HOSPITALIZATION	12/30/94	1153-95-01
	Ch. 1163	PAYMENT POLICY FOR ABORTION SERVICES	12/15/95	1163-95-02
1996	Ch. 1101	LIMITS ON OFFICE VISITS UNDER THE GENERAL ASSISTANCE (GA) BASIC HEALTH CARE PACKAGE	03/18/96	1101-96-01
	Ch. 1101	Medical Assistance Deductible	09/20/96	1101-96-02
1997	Ch. 1141	Revision to Physician Assistant and Nurse Midwife Supervision Requirement	07/30/97	1141-97-01
1998	Ch. 1101	Regulation Changes Regarding "Emergency Medical Condition"	07/01/98	1101-98-01
	Ch. 1141			1141-98-01
	Ch. 1150			1150-98-01
	Ch. 1221			1221-98-01
	Ch. 1163	Revision of Utilization Guidelines for Inpatient Hospital Drug and Alcohol Services Under the Medical Assistance Program	05/18/98	1163-98-01
1999	Ch. 1187	Capital Component Payments for Post-Moratorium Beds	04/17/99	1187-99-01
	Ch. 1101	"Payment in Full"	09/17/99	99-99-06

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
2001	Ch. 1101	Clarification of Coverage for Motorized Wheelchairs and Other Durable Medical Equipment	02/16/01	01-01-02
				05-01-01
				17-01-01
				19-01-02
				49-01-02
				50-01-01
				1101-01-01
				1123-01-01
				01-01-10
				10-01-03
2002	Ch. 1241	Revision to the Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Program	7/1/01	11-01-05
				17-01-04
				26-01-03
				49-01-07
				99-01-12
				12/26/01
				99-01-12
				10-01-03
				11-01-05
				17-01-04
2003	Ch. 1223	Drug and Alcohol Clinics with Provisional Licenses	10/26/02	28-02-02
				01-02-01
				10-02-01
				11-02-01
				17-02-01
				26-02-01
				49-02-01
				99-02-06
				5/3/02
				99-02-06
2004	Ch. 1241	Addition of Procedure Code 90732 to Medical Assistance Fee Schedule for Administration of Pneumococcal Vaccine	11/18/02	01-02-13
				10-02-04
				11-02-06
				17-02-07
				26-02-04
				49-02-06
				01-03-04
				10-03-01
				11-03-01
				17-03-01
2005	Ch. 1241	2003 Recommended Childhood Immunization Schedule	3/31/03	26-03-01
				49-03-01
				01-03-06
				10-03-02
				11-03-02
				17-03-03
				26-03-02
				49-03-03
				01-03-08
				10-03-03
2006	Ch. 1241	Coverage of Pediarix and Addition of Procedure Code 90723 to Medical Assistance Fee Schedule for Administration of Pediarix Vaccine	5/15/03	11-03-05
				17-03-04
				26-03-03
				49-03-05
				01-03-08
				10-03-03
				11-03-05
				17-03-04
				26-03-03
				49-03-05
2007	Ch. 1223	Elimination of the Requirement for the Outpatient Drug and Alcohol Clinic's Supervisory Physician to Perform a Comprehensive Medical Examination Within 15 days following the Intake and Before the Provision of Treatment	10/1/03	28-03-02
				99-03-12
				99-03-13
				99-03-12
				99-03-13
				99-03-12
				99-03-13
				99-03-12
				99-03-13
				99-03-12
2008	Ch. 1101	Liability for Cost Sharing for Recipients Enrolled in Medical Assistance through Fee for Service or Managed Care and a Private Third Party Insurer	9/1/03	99-03-12
				99-03-13
				99-03-12
				99-03-13
				99-03-12
				99-03-13
				99-03-12
				99-03-13
				99-03-12
				99-03-13
2009	Ch. 1223	Methadone Take-Home Services	2/1/04	28-04-01
				28-04-01
				28-04-01
				28-04-01
				28-04-01
				28-04-01
				28-04-01
				28-04-01
				28-04-01
				28-04-01

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
2005	Ch. 1121	Pen and Ink Change-Medical Assistance Handbook, Prior Authorization of Pharmaceutical Services, Preferred Drug List	12/30/05	02-05-06
	Ch. 1121	Preferred Drug List—Phase 3	12/1/05	30-05-06
	Ch. 1121	Scope of Coverage of Pharmacy Services for Dual Eligibles in the Medical Assistance (MA) Program	11/17/05	99-05-21
	Ch. 1121	Preferred Drug List—Phase 2	11/8/05	02-05-03
	Ch. 1241	Revisions to the Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Periodicity Schedule	10/25/05	01-05-04
	Ch. 1121	Preferred Drug List—Phase 1	10/7/05	02-05-01
	Ch. 1121	Prior Authorization of Drugs That Exceed Established Quantity Limits— Phase 2 Enforcement	9/16/05	99-05-17
	Ch. 1101	Copayment of Changes for Brand Name and Generic Prescription Drugs	8/26/05	24-05-05
	Ch. 1121	Prior Authorization of Drugs That Exceed Established Quantity Limits—Phase 1 Enforcement	8/10/05	99-05-14
	Ch. 1153	Psychological/Psychiatric/Clinical Re-Evaluations and Re-Authorization For Behavioral Health Rehabilitation (BHR) Services for Children and Adolescents with Behavioral Health Needs Compounded by Developmental Disorders	6/24/05	07-05-01
		2005 Recommended Childhood & Adolescents Immunization Schedule	5/26/05	33-05-01
		Implementation of the CMS-1500 Health Insurance Claim Form (Version 08/05)	12/18/06	99-06-16
	Ch. 1101	Change to copayment requirements for recipients eligible under the Breast and Cervical Cancer Prevention and Treatment coverage group and Titles IV-B & IV-E Foster Care and Adoption Assistance	12/10/06	99-06-12
2006	Ch. 1101	Clarification of Exclusions from Copayment Requirements	12/10/06	99-06-13
	Ch. 1153	Mobile Mental Health Treatment	11/30/06	08-06-18
	Ch. 1153	Clarification of Payment Policy for Abortion Services	11/28/06	99-06-15
	Ch. 1245	Reimbursement for Non-Emergency Transportation Services	11/17/06	03-06-15
	Ch. 1245	Implementation of ACCESS Plus Referral Requirements	10/20/06	99-06-11
	Ch. 1101	Revised HealthCare Benefits Packages Provider Reference Chart (MA 446)	10/6/06	99-06-10
	Ch. 1153	Revision to Minimum Staff Qualifications of Therapeutic Staff Support (TSS) Workers	8/24/06	08-06-15
	Ch. 1153	Federal Medicaid Citizenship and Identity Eligibility Requirements	7/24/06	99-06-07
	Ch. 1121	Preferred Drug List—Quarterly Update	4/24/06	02-06-07
	Ch. 1241	2006 Recommended Childhood and Adolescent Immunization Schedule	4/16/06	01-06-03
	Ch. 1150	Prudent Payment of Claims	4/3/06	99-06-04
	Ch. 1121	Federal Clarification—Elimination of Medicaid Coverage of Drugs for Treatment of Erectile Dysfunction	3/7/06	03-06-03
	Ch. 1150	Disenrollment of Dual Eligibles from Physical Health Managed Care	1/27/06	99-06-01
	Ch. 1121	Preferred Drug List—Phase 4	1/25/06	02-06-02
	Ch. 1163	Place of Service Review Procedures	1/3/06	14-06-01

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
2007	Ch. 1249	Rescission of the Statement of Policy Clarifying the Conditions Under Which Medical Assistance Recipients May Be Considered Homebound		1249-07-04
	Ch. 1101	The Elimination of Paper Vouchers	6/14/07	99-07-10
	Ch. 1101	Co-pay/Deductibles on Exceptional Durable Medical Equipment (DME)	6/1/07	03-07-04
	Ch. 1153	Peer Support Services	5/22/07	08-07-09
	Ch. 1249	Rescind MA Program Statement of Policy Regarding the Clarification of Conditions Under Which MA Recipients May be Considered Homebound	5/12/07	1249-07-01
	Ch. 1150	Medical Assistance Program Fee Schedule Revision; Change to Conversion Factor for Anesthesia Services	5/10/07	31-07-05
	Ch. 1101	Clarification Regarding the Definition of Medically Necessary—Statement of Policy	4/21/07	99-07-04
	Ch. 1123	Provider Specialty 220 (Hearing Aid Dispenser) Requirement	3/1/07	01-07-03
	Ch. 1123	Behavioral Health Fee For Service (BH-FFS) Transfer from Office of Medical Assistance Programs (OMAP) To Office of Mental Health and Substance Abuse Services (OMHSAS)	1/31/07	OMHSAS-07-06

GUIDANCE MANUALS:

- Provider Handbook 01—Physician
- Provider Handbook 03—Dentist
- Provider Handbook 04—Podiatrist
- Provider Handbook 05—Medical Supplier
- Provider Handbook 06/08—Short Procedure Unit/Ambulatory Surgical Center
- Provider Handbook 07—Chiropractor
- Provider Handbook 09—Birth Centers
- Provider Handbook 10-I—Independent Medical/Surgical Clinic
- Provider Handbook 11-I—Inpatient Hospital (Encompasses provider types General Hospital, Rehabilitation Hospital, Private Mental Hospital, State Mental Hospital and Extended Acute Psychiatric Care)
- Provider Handbook 11-O—Outpatient Hospital (Encompasses provider types General Hospital, and Rehabilitation Hospital)
- Provider Handbook 15—Optometrist
- Provider Handbook 16—Independent Laboratory
- Provider Handbook 18—Ambulance Company
- Provider Handbook 19—Pharmacy
- Provider Handbook 20—Portable X-Ray Provider
- Provider Handbook 21—Renal Dialysis Center
- Provider Handbook 22—Funeral Director
- Provider Handbook 23—Home Health Agency
- Provider Handbook 26—Rural Health Clinic
- Provider Handbook 28—Drug and Alcohol Clinic
- Provider Handbook 29—Outpatient Psychiatric Clinic
- Provider Handbook 30—Family Planning Clinic
- Provider Handbook 31—Midwives
- Provider Handbook 33—Psychiatric Partial Hospitalization Facility
- Provider Handbook 36-L—Nursing Facility Services only applies to County Nursing Facilities and Private Nursing Facilities. Nursing facility case mix regulations implemented in 1996 (Pa. Code Chapter 1187) do not encompass provider types State Mental Retardation Center, Private ICF/MR, or State Restoration Center
- Provider Handbook 37—Hospice
- Provider Handbook 41—Psychologist
- Provider Handbook 42—Comprehensive Outpatient Rehabilitation Facility
- Provider Handbook 43—Physical Therapist
- Provider Handbook 44—Certified RN Anesthetist
- Provider Handbook 49—Certified RN Practitioner
- Provider Handbook 50—Early Periodic Screening, Diagnosis and Treatment (EPSDT) Provider
- Provider Handbook 54—Nutritionist
- Provider Handbook 55—PA Department of Aging (PDA) Waiver
- Provider Handbook 59—COMMCARE Waiver
- Medical Assistance Transportation Program—Instructions and Requirements (Note: Revised/Reissued Annually)

Office of Social Programs—Contact: David Kauffman (717) 705-7744

GUIDANCE MANUALS:

Bureau of Home and Community Based Services

- Attendant Care Program Requirements
- Attendant Care Medicaid Waiver #0277
- Attendant Care Program Policy and Program Directives and Clarifications
- Community Services Program for Persons with Physical Disabilities (CSPPPD) Program Requirements
- OBRA Medicaid Waiver #0235
- Independence Medicaid Waiver #0319
- COMMCARE Waiver #0386
- Community Services Program for Persons with Physical Disabilities Policy and Program Directives and Clarifications
- Personal Care Homes Licensing Measurement Instrument (LMI)
- Personal Care Homes Sale or Change of Legal Entity Policy and Procedures

Office of Children, Youth & Families—Contact: TaWonda Jones-Williams (717) 772-2015

POLICY STATEMENTS:

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1980	Ch. 3140	Funding of Basic Ed. Components of Private Day Treatment Center Programs	10/29/80	99-80-22
1981	—	OCYF Licensing Procedures: Clarification of Provider's Right to Appeal DPW Issuance of a Provisional Certification of Compliance	10/29/81	99-81-38
1983	Ch. 3130	Clarification of the Definition of "Accept for Service"	02/04/83	3130-83-03
	Ch. 3700	Waiver for Foster Family Homes by Foster Family Care Agencies	02/04/83	3700-83-01
	Ch. 3130	Clarification of County C & Y Agency Requirements with Respect to Fee Setting	02/04/83	3130-83-04
	Ch. 3130	Clarif. on Caseworker-to-Family Case Load Ratio & Case Management Functions	02/04/83	3130-83-07
	Ch. 3140	Clarif. of Adoption Asst. to Relatives in Adoption Cases	05/02/83	3140-83-07
	Ch. 3140	Responsibility of the Co. for Legal Representation for Children and Parents	06/10/83	3140-83-09
	Ch. 3140	Chapter 3140.22 Reimbursement Regulations Alternative Programs 3140.22(e)	02/04/83	3140-83-02
	Ch. 3140	Chapter 3140.22 Reimbursement Regulations Community Residential Service 3140.22(d)(3)	02/04/83	3140-83-03
	Ch. 3140	3130.64(b)(2), 3130.67(9), 3140.131(7), 3700.35(b)(1) Reimbursement to Parents for the Cost of Child Visits	08/15/83	3130-83-11 3140-83-13 3700-83-03
	Ch. 3140	Reimbursement Rates for Placements in VisionQuest Wilderness & Wagon Train Programs	01/12/84	3140-84-01
1984	Ch. 3140	Implementation of Allowable Costs For Title IV-E Placement Maintenance and Adoption Assistance Programs	02/10/84	3140-84-02
	Ch. 3001	Transmittal of Interdpt. Memo. on Nonimmunized Students Excluded from Attending School	07/08/84	99-84-13
	Ch. 3490	Release of Child Abuse Info. to the Media	08/15/84	99-84-20
	Ch. 3140	VisionQuest Policy	09/07/84	3140-84-05
	Ch. 3001.5	Unannounced Visits to Licensed & Approved Facilities/Agencies	08/20/85	99-85-18
1985	Ch. 3130	Interstate Compact on Juveniles	09/30/85	99-85-27
	Ch. 3490	Providing Copies of Child Abuse Reports to Subjects	11/20/85	99-85-28
	Ch. 3490	Law Enforcement Officials as Perpetrators of Suspected Child Abuse	07/15/86	3490-86-04
1986	Ch. 3490	Policy Clarifications Regarding Child Protective Services Law and Regulations as Related to Act 33	04/01/86	3490-86-02

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
	Ch. 3490	Policy Clarifications Regarding Child Protective Services Law and Regulations as Related to Act 33—Part II	06/16/86	3490-86-05
	Ch. 3490	Policy Clarifications Regarding Child Protective Services Law and Regulations as Related to Act 33—Part III	11/01/86	3490-86-08
1987	Ch. 3490	Implementation of Child Protective Service Policies Relating to Alleged Medical Neglect of Disabled Infants	05/01/87	3490-87-01
	Ch. 3490	Sharing Child Abuse Info Among DPW Offices	09/01/87	3490-87-03
	Ch. 3490	Policy Clarification of the Child Protective Services Law and Regulations	06/01/87	3490-87-02
	Ch. 3140	Personal Incident Costs	10/01/87	3140-87-05
	Ch. 3140	OCYF Financial Participation in Costs of County Human Service Departments	08/31/87	3140-87-02
1988	—	Special Medical Assistance—Healthy Beginnings—for Pregnant Women and Qualified Children	11/02/88	99-88-08
	Ch. 3490	Screening Student Interns	05/88	3490-88-01
1989	Ch. 3350	Adoption Record Disclosure	06/06/89	3350-89-01
1991	Ch. 3130	Regulatory Interpretation Guidelines for Revisions to Chapter 3130		3130-91-03
1992	Ch. 3140	Title XX Invoicing Procedures for the Youth Development Centers and Youth Forestry Camps (YDCs/YFCs)	09/25/92	99-92-02
1994	—	Site Visits and Access to Records by PA Protection and Advocacy, Inc.	08/22/94	00-94-19
1995	Ch. 3490	Amendments to the Child Protective Services Law that Become Effective July 1, 1995	09/95	3490-95-02
1996	Ch. 3490	Certification and Training for Children and Youth Workers		3490-96-03
	00	Update of Policies and Procedures for Juveniles in Detention		00-96-03
	00	Maximization of the OCYF's Grant Funds		00-96-04
	00	Surveying and Evaluating Child Welfare Agencies Implementation and Compliance with MEPA		00-96-06
1997	Ch. 3140	Availability of Federal Financial Participation For Profit Residential Child Care Facilities		3140-97-02
	—	Access to Pennsylvania State Police Records	10/01/97	00-97-09
	—	Priority Placement Request Procedures for the Interstate Compact on the Placement of Children	10/01/97	00-97-09
1998	Ch. 3140	NMEPA 1994—Small Business	02/07/98	3140-98-03
	—	1997 Association of Juvenile Compact Administrators Rules and Regulations Amended Travel Permit	06/01/98	00-98-06
1999	Ch. 3140	Adoption Assistance Questions and Answers		3140-99-01
	Ch. 3490	Drug Convictions Prohibiting Hiring and Approving Foster/Adoptive Parent Applications	02/03/99	3490-99-01
	Ch. 3490	Implementation of Revisions to the Child Protective Services Law as Amended by Act 127 of 1998	10/01/99	3490-99-02
2000	Ch. 3140	Interim Procedures—Costs Of Child Welfare Services Funded by TANF	04/15/00	3140-00-01
	Ch. 3140	Invoicing Procedures—Child Welfare TANF	04/15/00	3140-00-03
	Ch. 3140	AFCARS Planning, Budgeting and Invoicing Procedures	08/15/00	3140-00-02
	Ch. 3490	Child Death Review and Report Protocols	10/10/00	3490-00-01

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
	Ch. 3490	Safety Assessment and Safety Planning Protocol and Format	11/13/00	3490-00-02
	Ch. 3800	Child Residential and Day Treatment Facilities Licensing Measurement Instrument Revisions	05/30/00	3800-00-01
2001	Ch. 3130	The Second Revised Interim Guidelines for the Adoption and and Safe Families Act of 1997	01/02/01	3130-01-01
	Ch. 3140	Revised Policies and Procedures: Title IV-E Placement Maintenance Eligibility and Reimbursability, Title IV-E Adoption Assistance Eligibility and Title XX Medicaid Eligibility	04/09/01	3140-01-01
	Ch. 3490	Revised Certification and Training Requirements for Children and Youth Supervisors	09/25/01	3490-01-02
2002				
2003	—	Kinship Care Policy	06/30/03	00-03-03
	—	Megan's Law	04/13/03	00-03-02
	Ch. 3130	Permanent Legal Custodianship Policy	06/30/03	3130-03-01 3140-03-07
	Ch. 3140	YDC/YFC Interim Per Diem Rates Effective July 1, 2004	06/30/03	00-03-05
	Ch. 3140	Interstate Compact on Adoption and Medical Assistance	06/30/03	3140-03-02
	Ch. 3140	Children, Youth and Families Fiscal Year 2004-2005 Needs-Based Plan and Fiscal Year 2003-2004 Implementation Plan Instructions	07/01/03	3140-03-03
	Ch. 3350	Statewide Adoption Network Policies and Procedures	01/01/03	3350-03-01
	Ch. 3490	<i>A. Y. v. DPW/Allegheny County</i>	03/10/03	3490-03-01
	Ch. 3490	Federal Criminal History Clearances for PA Residents	04/25/03	3490-03-02
2004	—	Annual Bulletin Update	7/01/04	00-04-01
	—	MH/MR Services for Children Placed Out-of-County In Pre-Adoptive or Foster Homes	7/19/05	00-04-02
	Ch. 3140	2004-2005 Title IV-E Independent Living Grant Application Guidelines	7/01/04	3140-04-01
	Ch. 3140	Approval/Licensing of Foster Family Homes	4/1/04	3140-04-02
	Ch. 3140	Random Moment Time Study Policy And Procedures	3/31/04	3140-04-04
	Ch. 3140	Child Placements with Emergency	7/01/04	3140-04-05/
	Ch. 3490	Caregivers		3490-04-01
	Ch. 3140	Child Welfare TANF Services Policies and Procedures	5/17/04	3140-04-06
2005	—	Revised Interim Per Diem Rates for FY 2004-2005	1/12/05	00-05-01
	—	YDC/YFC Interim Per Diem Rates Effective July 1, 2005	10/17/05	00-05-03
	—	Integrated Children's Services Initiative	6/09/05	00-05-05
	Ch. 3140	2005-06 Title IV-E Independent Living Grant Application Guidelines	3/15/05	3140-05-03
	Ch. 3140	FY 2006-07 CYF Needs-Based Plan and FY 2005-06 Implementation Plan Instructions	4/28/05	3140-05-04
	Ch. 3490	Implementation of Act 160 of 2004 Amending the Child Protective Services Law	Sept. 2005	3490-05-01
2006	—	Reconciliation of Interim to Final YDC/YFC Rates for SFY 2003-04	10/17/06	00-06-03
	—	YDC/YFC Interim Per Diem Rates Effective January 1, 2007	10/05/06	00-06-04
	—	Federal Financial Participation Rate Change for Title IV-E Placement Maintenance and Adoption Assistance Costs	10/18/06	00-06-05

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
	—	FY 2007-08 Integrated Children's Services Plan Guidelines	5/15/06	2006-1
	Ch. 3140	2006-07 Title IV-E Independent Living Grant Application Guidelines	March 2006	3140-06-01
	Ch. 3140	FY 2007-08 CYF Needs-Based Plan and FY 2006-07 Implementation Plan Instructions	05/12/06	3140-06-02
	Ch. 3140	Random Moment Time Study Policy and Procedures—JPO	7/28/06	3140-06-03
	Ch. 3140	Random Moment Time Study Policy and Procedures—County Children and Youth Agencies	6/30/06	3140-06-04
	Ch. 3140	Federal Title IV-E and Medicaid Administrative Invoicing Procedures	9/12/06	3140-06-05
	Ch. 3140	Act 148 Invoicing Procedures for County Child Welfare Services	10/11/06	3140-06-06
2007	—	FFP Rate Change for Title IV-E Placement Maintenance and Adoption Assistance Costs	4/16/07	00-07-01
	—	YDC/YFC Interim Per Diem Rates Effective July 1, 2007	5/24/07	00-07-02
	Ch. 3140	2007-08 Title IV-E Independent Living Grant Application Guidelines	3/01/07	3140-07-01
	Ch. 3140	FY 2008-09 CYF Needs Based Plan and FY 07-08 Implementation Plan Instructions	5/18/07	3140-07-02

GUIDANCE MANUALS:

- Planning Permanent Families for Children Residing in Mental Retardation Residential Facilities
- Audit Clause Language for Use in All County Child Welfare Service Provider Contracts
- Title IV-D Collections/Title IV-E Invoicing
- Submission of Title IV-E Invoices and Quarterly Expenditure Reports
- Indirect Costs Under the County Costs Allocations Plan Guidelines
- Reporting of Indirect Costs—County Children and Youth Services
- Instruction for Completing the Revised Child Protective Services Investigation Report
- PA Adoption Cooperative Exchange Standard Operating Procedures Manual
- Audit Requirements for the County Children and Youth Audit Reports
- Clarification of Eligibility Requirements Re: Adjudicated Delinquent Youth Under Title IV-E Placement Maintenance Program
- Local Management Agency Policy and Procedures Manual
- PA Standards for Child Welfare Practice
- Protective Services Regulations as Related to Act 33
- Model Petitions and Court Orders
- Foster Care Visitation Manual
- Statewide Adoption Network (SWAN) Adoption Manual
- SWAN Adoption Technical Guide

INTERNAL GUIDELINES:

- Youth Development Center/Youth Forestry Camp Policy Manual
- Report on Recommended Best Practices for IV-E & TANF Programs

Office of Mental Health and Substance Abuse Services/Mental Retardation—Contact: Nora Campanella (717) 772-7926

POLICY STATEMENTS:

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1981		Collecting of Tuition Expenses for School-Age Residents in MR & MH Residential Facilities	9/2/81	199-81-01
1982	Ch. 4000	Respon. for Collection of Tuition Exp. Under Act 199 of 1980 for Out-of-State Residents	03/17/82	199-82-01
	Ch. 4000	Notice of Assessments (Joint MH/MR Bulletin)	04/16/82	99-82-15
1985	Ch. 4000	County Indirect Cost Allocation Plan Guideline Update—Maintenance In Lieu of Rent as a Direct Cost (Joint MH/MR Bulletin)	8/22/85	99-85-17

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1986	Ch. 6000	Procedures for Review of Service Eligibility and Termination Decisions	01/17/86	99-86-01
1987	Ch. 4305	Community MH/MR Liability	05/21/87	4305-87-2
1988	Ch. 4305	Quarterly Liability Summaries	01/29/88	4305-88-01
2000		Guidelines for Identifying Persons with Mental Retardation and Mental Illness for State Mental Health Hospital Discharge	5/15/00	00-00-04
	Ch. 4300	The Roles and Responsibilities of County Mental Health/Mental Retardation Programs in the Development of a Child's Individual Education Program	10/04/00	OMHSAS-00-04
2002		Coordination of treatment and support for people with a diagnosis of serious mental illness who also have a diagnosis of mental retardation		00-02-16

Office of Mental Health and Substance Abuse Services—Contact: Nora Campanella (717) 772-7926

POLICY STATEMENTS:

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1983	Ch. 5001	Expiration of 4th Provisional Cert. of Compliance	12/15/83	99-83-49
1984	Ch. 5250	Guidelines for Delivery of MH Forensic Svs. to Persons in Co. Jails & Persons on Prob. or Parole	08/27/84	99-84-38
1985	Ch. 4210	Readmission from Community Placement Within 30 Days of Discharge	05/30/85	99-85-21
	Ch. 5001	Administration of Psychotropic Medication to Protesting Patients	03/11/85	99-85-10
1986	Ch. 5001	Implementation of Act 33 of 1985	03/19/86	99-86-11
	Ch. 5100	Involuntary Outpatient Commitment	05/08/86	99-86-14
1987	Ch. 4210	Dis. Plan. Response. for SMH Child/Adolescent Program & County MH/MR Program	01/16/87	99-87-10
	Ch. 5100	Guidelines for Assessing & Documenting the Dangerousness of Mentally Ill Adults	01/16/87	99-87-07
	Ch. 5100	Notice of Grievance & Appeal Proc. Involuntary Outpatient Commitment	09/08/87	99-87-23
1993	Ch. 5221	Intensive Case Management Record Requirements	09/21/93	5221-93-01
1998		Reporting Requirements for services funded through county base and CHIPP funds.	02/17/98	OMH-98-01
	Ch. 5310	Licensing Compliance Prediction Instrument Application in the Licensing of Community Residential Rehabilitation Services	08/01/98	OMH-98-02
1999	Ch. 4300	Revised Procedure for Waiver of Office of Mental Health and Substance Abuse Services (OMHSAS) Program Regulations	10/01/99	OMHSAS-99-08
		<i>Emerich v. Philadelphia Center for Human Development</i> 720 A.2d 1032 (Pa. 1998) (Duty to Ward Third Parties—Tarasoff in Pennsylvania)	09/15/99	OMHSAS-99-09
2001		Nursing Home Reform Implementation	02/01/01	OMHSAS-01-01
	Ch. 5100	Age of Consent for Voluntary Outpatient Mental Health Treatment	06/18/01	OMHSAS-01-04
		Accessibility of Community Mental Health and Substance Abuse Services For Persons Who are Deaf, Hard of Hearing, Late Deafened, or Deaf-Blind	10/01/01	OMHSAS 01-06
	Ch. 5100	Procedures for Client Rights, Grievances and Appeals	8/10/01	SMH-01-03
		Accessibility of State Mental Health Facilities for Persons who are Deaf, Hard of Hearing, or Deaf-Blind	6/18/01	SMH-01-01

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
2002	Ch. 5100	Interpretation of Pennsylvania Law Related to 402(b) Commitment	9/12/02	OMHSAS-02-04
		The Use of Seclusion and Restraint in Mental Health Facilities and Programs	04/08/02	OMHSAS-02-01
		Performance Expectations and Recommended Guidelines for the County Child and Adolescent Service System Program (CASSP)	06/06/02	OMHSAS-02-02
		Generic Drugs	4/1/02	SMH-02-01
2005	Ch. 5100	Unscheduled Use of Medication in the State Hospital System PRN & STAT Medication Orders	2/28/05	SMH-05-01
	Ch. 5100	Transporting Patients	2/28/05	SMH-05-02
	Ch. 5100	Administrative Transfers between State Mental Hospitals Civil Sections	4/29/05	SMH-05-04
	Ch. 4300	Cost Settlement Policy and Procedures for Community-Based Medicaid Initiatives	8/15/05	OMHSAS-05-01
		Integrated Children's Services Initiative	6/9/05	00-05-05
		Quality at the End of Life for Consumers and Residents	9/16/05	SMH-05-05
2006		Memorandum of Understanding Between the Office of Mental Health and Substance Abuse Services and the Pennsylvania Department of Aging	2/1/06	OMHSAS-06-01
		Service Priority For: Older Adult Population	2/1/06	OMHSAS-06-02
		Co-Occurring Disorder Competency Approval Criteria for All Facilities Licensed by the Department of Health Division of Drug and Alcohol Program, License or the Department of Public Welfare, Office of Mental Health and Substance Abuse Services	2/10/06	OMHSAS-06-03
		Writing of Orders by Administrators	2/13/06	SMH-06-01
	Ch. 5100	Use of Restraints, Seclusion, and Exclusion in State Mental Hospitals and the Restoration Center	2/13/06	SMH-06-02
	Ch. 5200	Mobile Mental Health Treatment	11/30/06	08-06-18
	Ch. 5100	Community Incident Management & Reporting System	7/18/06	OHMSAS-06-04
	Ch. 5221	Blended Case Management	12-08-06	OMHSAS-06-06
	Ch. 1151 Ch. 1153 Ch. 1223	BH-FFS Transfer from OMAP to OMHSAS	8/15/06	OMHSAS-06-07
	Ch. 1101 Ch. 1150 Ch. 1153	Peer Support Services	5/22/07	08-07-09, 11-07-03, 21-07-01

GUIDANCE MANUALS:

- County Mental Health Plan Guidelines
- Community Mental Health Services Block Grant

Office of Mental Retardation—Contact: Kelly Svalbonas (717) 783-1003

POLICY STATEMENTS:

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1981	Ch. 6000	Policies and Procedures Governing Admissions, Commitment, Transfers, and Discharges at State-Operated Mental Retardation Facilities	12/01/81	99-81-51
1984	Ch. 6000	Therapeutic Leave Guidelines for 2176 Waiver Facilities & State/Non-State ICFs/MR	08/01/84	99-84-08
	Ch. 6000	Community Residential Program Slot & Funding Adjustment	12/27/84	99-84-20

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1987	Ch. 6000	Submission of Cost Reports (MA-11s) to OMR	10/09/87	99-87-16
	Ch. 6000	Conversion of Comm. Res. MR Facilities to ICF/MR	10/23/87	99-87-17
1988	Ch. 6000	Mandatory Child Abuse and Criminal History Clearances	05/31/88	6000-88-02
	Ch. 6000	Licensing Policy & Procedure Manual	08/30/88	6000-88-03
	Ch. 6000	Administration and Management of Client Funds	10/05/88	6000-88-08
1989	Ch. 6000	Guidelines for Enhancing and Conducting Direct and Independent Assessment	10/16/89	6000-89-01
	Ch. 6000	Abatement of Liability for Psychological Evaluations	9/14/89	00-89-17
1990	Ch. 6000	Therapy and Other Specialized Services	12/18/90	6000-90-05
	Ch. 6000	Policy on Employment for Persons with Mental Retardation	12/26/90	6000-90-06
1991	Ch. 4000	Services for Children in Foster Family Care Who Are Placed Out-of-County	11/22/91	4000-91-01
1994	Ch. 6000	Closure of Admissions of Children to State-Operated Intermediate Care Facilities for the Mentally Retarded	12/14/94	SC-94-01
1996	Ch. 6000	Criteria for Approval of New Intermediate Care Facilities for People with Mental Retardation	04/06/96	6000-96-01
	Ch. 6000	Procedures for Funding Reserved Hospital and Leave Days Under 2176 Waiver	04/15/96	6000-96-02
1998	Ch. 6000	Guidelines To Supporting People Moving From State Centers Into The Community	03/27/98	00-98-03
	Ch. 6000	Waiver Funding For Prevocational, Supported Employment And Educational Services	04/07/98	00-98-04
1999	Ch. 6000	Individual Eligibility for Medicaid Waiver Services	12/10/99	00-99-14
2000	Ch. 6000	Service Preference in Medicaid Waivers for Individuals with Mental Retardation	08/04/00	00-00-09
2001				
2002		Clarifying Eligibility for Mental Retardation Services and Supports	05/31/02	4210-02-05
	Ch. 6000	Revision of Definition of Conflict Free Providers for Targeted Service Management	4/12/02	00-02-06
	Ch. 6000	Need for ICF/MR Level of Care	8/7/02	00-02-13
2004	Ch. 6000.901—985	Incident Management	2/18/04	6000-04-01

GUIDANCE MANUALS:

- Obtaining Criminal Clearances on Prospective Employees
- Substitute Decision-Making for Medical Treatment
- Positive Approaches
- Licensing Policies and Procedures for ICFs/MR
- Applicability of OMB Circular A-133 for Non-State ICFs/MR
- Issuance of Audit Guidelines for Non-State Operated ICFs/MR County Responsibilities for Waiver Case Management
- County Responsibilities for Waiver Funded Habilitation in a Private Home
- Supporting People in the Community
- Amendments to Licensing Policy and Procedure Manual
- Licensing Weighting System for Community Homes for Individuals with Mental Retardation
- Domiciliary Care for Persons with Mental Retardation
- Licensing Weighting System for Family Living Homes
- Targeted Service Management and Third Party Liability
- Movement of Funds in ICFs/MR
- Assessments: Lifetime Medical Histories
- Educational and Vocational Training in ICFs/MR
- Licensing Inspection Instrument for Family Living Homes Regulations
- Licensing Inspection Instrument for Community Homes Regulations
- Licensing Inspection Instrument for Adult Training Facilities Regulations
- Licensing Inspection Instrument for Vocational Facilities Regulations
- Coordination of Vocational Training and Supported Employment Under the 2176 Waiver

- Guidelines for Identifying Persons with Mental Retardation and Mental Illness for State Mental Health Hospital Discharge
- Office of Mental Retardation's Monitoring of Counties
- Principles for the Mental Retardation System
- Accessing Public Transportation for Individuals Enrolled in the Consolidated or Person/Family Directed Support Waivers
- Foster Care Tax Reform as it Relates to the Lifesharing/Family Living Program
- Announcement: Step-By-Step Guide to Ready Providers for the Reporting of Incidents through HCSIS
- Revision of Definition of Conflict Free Providers for Targeted Service Management
- OBRA Time Limited Determinations
- Clarifying Waiver Funding and Domiciliary Care Payments
- Site Visits and Access by Pennsylvania Protection and Advocacy, Inc.
- Passage of Act 171 relating to the Older Adults Protective Services Act (OAPSA)
- Coordination of treatment and support for people with a diagnosis of serious mental illness who also have a diagnosis of mental retardation
- Guidelines Concerning Sexuality
- Regulation Interpretation—Family Living Medication Administration Training
- Survey Guidelines and Procedures Intermediate Care Facilities for the Mentally Retarded (ICFs/MR)
- Regulation Interpretation Unobstructed Egress
- Signature Requirement for Medical Assistance Case Management Services
- Claiming Federal Reimbursement for Targeted Service Management Administration Costs
- State Match Verification Signatures
- Revised Intermediate Care Facility for the Mentally Retarded (ICF/MR) Guidelines
- Coordination of Vocational Training and Supported Employment Under the 2176 Waiver
- Licensing Weighting System for Adult Training Facilities
- Agreement Between the Office of Mental Retardation and PP&A
- Clarifying the "30 Hour Rule"
- Payments for Psychological Testing to Diagnose Mental Retardation in Children and Adults
- Medical Assistance for Workers with Disabilities in the Community Mental Retardation Program
- Intermediary Service Organizations (ISOs)
- County MH/MR Programs
- Positive Approaches
- Revised Cost Centers
- Clarifying Procedures for Individual and Provider Appeals
- Determining Medical Assistance Eligibility for Individuals Age Three and Older Who Apply for Supports and Services Authorized By a County Mental Health/Mental Retardation Program
- Certified Investigations
- Limited English Proficiency (LEP)
- Alternative Sanction Guidelines For ICF/MR Medical Assistance Certification
- Issuance of Audit Guide for Non-State Operated Intermediate Care Facilities for the Mentally Retarded
- P/FDS Waiver Amendment to Allow for the Provision of Respite Services in Contiguous States
- Services Requiring Third Party Insurance Review Prior to Consideration for Waiver Payment
- Lifesharing through Family Living
- Office of Mental Retardation Service Review Protocol for Individuals in The Consolidated Waiver
- Office of Mental Retardation Policy On Employment
- Home and Community Based Service Eligibility/Ineligibility Change Form
- Office of Mental Retardation Provider Dispute Resolution Protocol for Individuals in the Consolidated Waiver
- County to County Relocations
- Interim Rate Setting Procedures For FY 2006/2007
- Provider Qualification Pilot Program
- Employment for Individuals in ICFs/MR
- Elimination of Restraints through Positive Practices
- Payment for Sign Language Interpreters and/or Transliterations
- Provider and County Incident Management Analysis Report
- Prioritization of Urgency of Need for Services (PUNS) Manual
- 2006/2007 Person/Family Directed Support Waiver Cap
- Revised Service Definitions
- Provider Billing Documentation Requirements for Waiver Services
- Overview of the Supports Intensity Scale(c) and the PA Plus

INTERNAL GUIDELINES:

- Choking Prevention and Management
- State Employees Acting in Voluntary Capacity to Control Client Funds
- Maintenance of Resident Abuse Files
- Search of Visitors and Residents at State Centers and Mental Retardation Units
- Model Bylaws for State Center Boards of Trustees
- Guardianship Petitioning Process at State Centers
- Guidelines for State Center Boards of Trustees-Revision
- Changes in Reimbursement Method for Hospital Reserved Bed Days
- CRF-Reporting-Revised Procedures for 2176 Waiver Recipients
- Residential Data System Instruction Manual

- Correction to Residential Data System Instruction Manual
- Licensing Policies and Procedures for Intermediate Care Facilities for Mentally Retarded
- Amendments to Licensing Policy and Procedure Manual
- Pro Re Nata Medication Usage for Psychiatric Treatment—Clarification of Interpretation

OTHER:

- New Federal ICF/MR Regulations
- Joint Statement by the Department of Public Welfare and the Department of Aging
- Opportunities and Supports for Older Persons with Mental Retardation
- Providing Services to Persons with Autism/Pervasive Developmental Disorder
- Act 28 of 1995
- Guidelines for Identifying Persons with Mental Retardation and Mental Illness for State Mental Health Hospital Discharge
- Person/Family Directed Support Waiver Renewal
- Approved Consolidated Waiver

Office of Administration—Contact: Charles Jones (717) 772-6247

POLICY STATEMENTS:

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
1998	Ch. 259	Statement of Claim, Managed Care Organization	07/11/98 (effective 2/1/97)	

Office of Child Development—Contact: Wendy Etheridge Smith (717) 346-1116

Bureau of Certification Services**POLICY STATEMENTS:**

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
	Ch. 3270			
	Ch. 3280			
1995	Ch. 3290	Certified Childcare Professional Credential	11/01/95	3001-95-01
1996	Ch. 3001	Day Care—Supervision of Children	07/17/96	3001-96-01
1996	Ch. 3001	Day Care—Posting DPW Inspections Summaries	07/17/96	3001-96-02
1996	Ch. 3001	Day Care—Inaccessibility of Above-Ground Swimming Pools	07/17/96	3001-96-03
1196	Ch. 3001	Day Care—Departmental Access to the Facility Premises		3001-96-04
1997	Ch. 3001	Day Care—Exemption from Immunization Requirements	03/29/97	3001-97-01
1997	Ch. 3001	Day Care—Ground Surface Requirements	06/01/97	3001-97-02
1999	Ch. 3001	Release of Children	09/07/99	3001-99-01
	Ch. 3270			
1999	Ch. 3280	Overpopulation of Indoor Child Care Space	06/01/00	3001-00-01
1999	Ch. 3001	Emergency Plan	12/27/03	3001-03-01
2005		Supervision of Children in Child Day Care Facilities	07/02/05	3001-05-01
	Ch. 3270	Removal of Syrup of Ipecac as First Aid Requirement		
	Ch. 3280	In Child Care Centers, Group Day Care Homes, and		
2005	Ch. 3290	Family Day Care Homes	08/25/05	3110-05-02

Bureau of Early Intervention Services

2006	Ch. 4226	Use of the Home & Community Based Services Eligibility/Ineligibility/Change Form (PA 1768)	01/18/06	00-06-01
2006	Act 108-446	State Interagency Coordinating Counsel	03/15/06	00-06-02
	Act 212-1990	Explanation of Duties and Responsibilities		
2006		ELS-EI-06 #01—Draft Allocations for Early Intervention Providers to Aid Planning for Service Delivery	04/10/06	

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
2006		ELS-EI-06 #02—Informing Early Intervention Providers of Plans to Develop a Common Process for Measuring Child Progress	05/22/06	
2006	HIPAA	Procedure Codes for MA EI Services, Infant, Toddlers and Families Waiver and State and County Funded EI Services	05-25-06	00-06-04
2006		ELS-EI-06 #05—Common Process for Measuring Child Progress—Additional Tools Announcement	06/13/06	
2007		EI-07 #01 Complaint Resolution	01/03/07	
2007		EI-07 #02 Service Coordination	01/04/07	
2007		EI-07 #03 Medication Procedures for EI, Part C	01/26/07	
2007		EI-07 #04 OCDEL Operating Agreement, ITF Provider Agreement, Provider/County Agreement	04/03/07	
2007		EI-07 #05 Draft Allocations for FY 2007-2008	04/30/07	
2007		EI-07 #06 IEP and IFSP Submission & Review Protocol	05/08/07	
Bureau of Early Learning Services				
2005 E		LS-05 #17—Revised Keystone STARS Grant Agreement Documents	08/25/05	
2005		ELS-05 #18—Procedures for use of Keystone STARS Facility Training/Professional Development Form	10/21/05	
2005		ELS-05 #19—Revised Keystone STARS Logo and Usage Guidelines	10/24/05	
2005		ELS-05 #20—Keystone STARS Revised Self-Study Materials	10/27/05	
2005		ELS-05 #21—Regional Keys Reporting Plan Requirements for 2005-2006	10/25/05	
2005		ELS-05 #22—Revised 2005-2006 Community Engagement Roles and Reporting	11/08/05	
2006		ELS-06 #01—CCMIS STAR Level Trouble Tickets and Procedures for Clarification of Data Discrepancies between CCMIS and Regional Keys	01/12/06	
2006		ELS-06 #02—Certification Referral to the Regional Key	01/20/06	
2006		ELS-06 #03—Revised Keystone STARS Family and Group Self-Study Materials	01/17/06	
2006		ELS-06 #04—Directions to Regional Keys regarding STARS Designation, Renewal, and Financial Support Criteria	01/23/06	
2006		ELS-06 #05—Follow-up to Keystone STARS Program Fiscal Monitoring of Providers Who Receive Awards	01/27/06	
2006		ELS-06 #06—Emergency Management Preparedness—Distribution of Training Materials	01/20/06	
2006		ELS-06 #07—Use of Facility Training/Professional Development Database	02/24/06	
2006		ELS-06 #08—Community Engagement Application	03/01/06	
2006		ELS-06 #09—Regional Key Financial Guidelines	03/01/06	
2006		ELS-06 #10—Clarification of Current Office of Child Development Announcements in Effect for Regional Keys	04/10/06	
2006		ELS-06 #11—Revised 2006-2007 Community Engagement Roles and Reporting Requirements	06/19/06	
2006		ELS-06 #12—Keystone STARS Documents from 2006-2007	06/06/06	

<i>Year</i>	<i>Code Citation</i>	<i>Subject</i>	<i>Date Issued</i>	<i>Bulletin Number</i>
2006		ELS-06 #12a—Keystone STARS Documents for 2006-2007—ADDENDUM	06/06/06	
2006		ELS-06 #13—2006-07 STARS Grant Agreement Documents	08/07/06	
2006		ELS-06 #14—Facility Training/Professional Development Form and Database	09/05/06	
2006		ELS-06 #15—Financial Guidelines for Regional Keys	09/25/06	
2006		ELS-06 #16—Joint Announcement with Subsidized Child Care Services: Clarification of the Roles Between CCIS Agencies, the PA Key, the Regional Keys, and Community Engagement Groups	10/04/06	
2006		ELS-06 #18—Regional Keys Quarterly Report for Fiscal Year 2006-2007	10/25/06	
2006		ELS-06 #19—Alternate Pathways to Meeting the Keystone STARS Director Qualifications	10/27/06	
2006		ELS-06 #20—Keystone STAR 3 and 4 Head Start Worksheets	11/02/06	
2007		ELS-07 #01—CCMIS STAR level Trouble Tickets	01/12/07	
Bureau of Subsidized Child Care Service				
2005		S-05 #09—Replacement of Computers and Disposal of Leased or Purchased Computer Equipment from CCIS Locations	10/14/05	
2005		S-05 #10—Pilot Year Implementation of Child Care	11/22/05	
2006		S-06 #01—Child Care Information Services Grant for FY06-07	03/02/06	
2006		S-06 #03—Market Rate Survey in 2006 and Updates regarding Provider Agreements and Payments	04/10/06	
2006		S-06 #04—2006 Income Limits and Co-Pay Guidelines	04/13/06	
2006		S-06 #05—Revisions to Relative/Neighbor Provider Payment Policy	06/06/06	
2006		S-06 #06—Increase to the Maximum Child Care Allowance (MCCA)	07/17/06	
2006		S-06 #07—New Email Address for Bureau of Subsidized Child Care Services	08/10/06	
2006		S-06 #08—Child Care Information Services Parent Survey	08/25/06	
2006		S-06 #09—Results from the Child Care Information Services Performance Standards for Monitoring for Program Year 2005-2006	08/31/06	
2006		S-06 #10—Clarification of the Roles between Child Care Information Services, the PA Key, Regional Keys, and Community Engagement Groups	10/04/06	
2006		S-06 #11—Child Care Information Services Performance Standards for 2006-2007	10/02/06	
2007		S-07 #01—Child Care Information Services Grant Announcement	02/26/07	
2007		S-07 #02—2007 Market Rate Survey Announcement	03/28/07	
2007		S-07 #03—Income Limits and Co-Payment Guidelines Announcement	03/30/07	
2007		S-07 #04—Fiscal Year 2006-2007 Recap Submission Deadline Announcement	06/14/07	

GUIDANCE MANUALS:

*“Dear Contractor Letters”—a series of letters providing contract clarifications for subsidized child day care

- Licensing Indicator System for Child Day Care Centers
- Licensing Indicator System for Group Day Care Homes
- A Parent’s Handbook to Subsidized Child Care

INTERNAL GUIDELINES:

*00-94-10, Application of Child Day Care Service Regulations 10/21/94

*00-95-03, Procedures for the Regulation of Child Day Care Facilities 2/13/95

*00-95-07, Waivers of Child Day Care Service Regulations 7/3/95

REVENUE

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, 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 & prior-order by year needed)
- PA-40T Personal Income Tax TeleFile Book (1998-2000-order by year needed-includes EZ single)
- PA-40EZ KOZ—Keystone Opportunity Zone Tax Return (order by year needed-after 1999)
- PA-40KOZ—Keystone Opportunity Zone Tax Return (order by year needed-after 1999)
- PAKOZ—SCHEDULE KOZ—Keystone Opportunity Zone Schedule (order by year 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-20S/PA-65 Partnership/PA S Corporation Information Return
- PA-65I 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 & 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
- PA20S-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 PA65I 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 & Use Tax Rate Chart
- REV-227 Sales & Use Tax Credit Chart
- REV-229 Estate Tax General Information
- REV-238 Out of Existence/Withdrawal Affidavit/Corp Tax
- REV-251 Tax Bulletin 53B and 53F Instructions Foreign Corp Clearance Cert./Withdrawal
- REV-252 Tax Bulletin 53C and 53E Security Clearance Cert./Domestic Out of Existence
- REV-253 Tax Bulletin 53D Instructions for Filing Corp Tax Reports
- REV-260 Petition for Refund Bd. of Finance and Revenue
- REV-276 Application for Extension of Time to File (PIT)
- REV-330 Electronic Filing Program Guide
- REV-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-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 Property Tax/Rent Rebate Brochure
- REV-577 Estimated Tax Payments Brochure
- REV-580 Employer Withholding Brochure
- REV-581 Personal Income Tax Brochure
- REV-582 Corporation Taxes—Subchapter "S" Corporations and LLCs Brochure
- REV-584 Inheritance Tax Brochure
- REV-585 Sales & Use Tax Brochure
- REV-588 Starting a Business in PA (A Beginner's Guide)
- REV-610 Voluntary Disclosure Program Brochure
- REV-611 Determining Residency for PA PIT Purposes Brochure
- REV-612 Military Pay for PA PIT Purposes Brochure
- REV-617 Hiring Household Workers Brochure
- REV-618 PA Realty Transfer Tax and New Home Construction Brochure
- REV-625 Sale of Your Principal Residence for PA PIT Purposes Brochure
- REV-631 Tax Forgiveness for Personal Income Tax Brochure
- REV-636 Retirement—Traditional & Roth IRAs Brochure
- REV-637 CAQ-Unreimbursed Employee Business Expenses Brochure
- REV-670 Instructions for Completing Liquid Fuels & Fuel Tax Bond
- REV-672 Keystone Opportunity Zone Brochure
- REV-696 The Difference Between an Employee and an Independent Contractor Brochure
- REV-705 Strategic Planning Update 2000 Brochure
- REV-717 Retailer's Information Guide
- REV-721 Corp Tax Bulletin 121/Estimated Settlement
- REV-745 Electronic Tax Filing for PA PIT Brochure
- REV-748 Electronic Services for PA Businesses Brochure
- REV-758 PA PIT for College Students Brochure
- 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 & 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-932 Refund Claim for Cigarette Tax Stamps Affixed
- REV-934 Schedule of Non-Business Income
- REV-956 Institution of Purely Public Charity Renewal Affidavit
- REV-976 Election by a Federal Sub-Chapter S Corporation to be a PA C Corporation
- 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 & 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-1737A 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 & 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
- SEC31.04 Rentals or Leases of Tangible Personal Property
- SEC31.05 Persons Rendering Taxable Services
- SEC31.06 Persons Rendering Nontaxable Services
- SEC31.07 Use Tax
- SEC31.1-31.3 Scope of Taxable and Exempt Transactions
- SEC31.11-31.16 Construction Contractors
- SEC31.21 Advertising Agencies
- SEC31.22 Duplicating
- SEC31.23 Auctioneers
- SEC31.24 Florists
- SEC31.25 Licensing of Club Plan Secretaries
- SEC31.26 Financial Institutions
- SEC31.27 Morticians and Funeral Directors
- SEC31.28 Vending Machines
- SEC31.29 Books, Publications, and Advertising Materials
- SEC31.30 House Trailers and Mobile Homes
- SEC31.41-31.50 Vehicles
- SEC32.02 Exemption Certificates
- SEC32.03 Sales for Resale
- SEC32.04 Isolated Sales
- SEC32.05 Multi-State Sales
- SEC32.06 Wrapping Supplies
- SEC32.21 Charitable, Volunteer Firemen's, Religious Org/Nonprofit Education Inst.
- SEC32.22 Sales to the US Government
- SEC32.23 Sales to Comm. of PA and Political Subdivisions and Sales By Commonwealth
- SEC32.24 Sales to Ambassadors, Ministers
- SEC32.25 Steam, Gas, Electricity, Fuel Oil, Kerosene
- SEC32.31 Dairying
- SEC32.32 Manufacturing/Processing
- SEC32.33 Farming
- SEC32.34 Public Utilities
- SEC32.35 Mining
- SEC32.36 Printing
- SEC32.37 Photographers and Photofinishers
- SEC32.38 Commercial Motion Pictures
- SEC33.02 Purchase Price
- SEC33.03 Cancellations, Returns, Allowances & Exchanges
- SEC33.04 Credit and Layaway Sales
- SEC34.01 Registration
- SEC34.02 Keeping of Records
- SEC34.03 Tax Returns
- SEC34.04 Direct Payment Permit
- SEC35.01 Tax Examinations & Assessments
- SEC35.02 Interest/Additions/Penalties/Crimes & Offenses
- SEC35.03 Lien for Taxes
- SEC36.11 Board of Finance & Revenue
- SEC38.01 Hotel Occupancy/Imposition & Computation of Tax
- SEC38.02 Hotel Occupancy/ Exemptions
- SEC38.03 Hotel Occupancy/Definition
- SEC39.01-39.13 Transient Vendors
- SEC41.02 Concrete Transit Mixing Unit
- SEC41.03 Dry Ice for Packaging Ice Cream
- SEC41.04 Gas Used by a Manufacturer
- SEC41.05 Integrated Plants
- SEC41.06 Processing for Wholesale Distribution
- SEC41.07 Pump Used for Conveying Water Prior to Production Process
- SEC41.08 Recapping & Retreading of Tires
- SEC41.09 Research Exemption
- SEC42.1-42.5 Broadcasting
- SEC43.00 Water Well Drillers
- SEC44.01 Dairy Farm Paper Towels

- SEC44.02 Cooperative Agricultural Associations
- SEC44.03 Farm Water Heaters
- SEC44.04 Guns & Ammunition
- SEC45.01 Exemption of Electric Co-op Corp.
- SEC45.02 Automobiles for Attorneys
- SEC45.03 Street Repairs
- SEC46.01 Construction Contractor Cutting or Bending Steel Beam
- SEC46.02 Construction of Exempt Public Utility
- SEC46.03 Contractors Installing Stained Glass Windows
- SEC46.04 Fixed Price Construction Contract
- SEC46.05 Outdoor Advertising Signs
- SEC46.06 Contractor Renting Equipment to Others
- SEC46.07 Nonresident Contractors
- SEC46.08 Industrialized Housing
- SEC46.09 Financial Institutions Security Equipment
- SEC47.01 Coin Operated Amusement Devices
- SEC47.02 Films for Commercial Exhibitions
- SEC47.03 Frozen Food Lockers
- SEC47.04 Golf Bag Carts and Lockers
- SEC47.06 Miniature Golf Course
- SEC47.10 Riding Academies and Stables
- SEC47.11 Saws and Blades to Butchers
- SEC47.12 Soda Fountains
- SEC47.16 Rental of Equipment Between Affiliated Interests
- SEC47.17 Lease or Rental of Vehicles and Rolling Stock
- SEC47.18 Totalizer 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 & Sales by Wholesalers
- SEC51.01 Purchases of Replacement Parts
- SEC51.02 Use of Automobile Other than for Resale
- SEC51.04 Remittances for Payment of Sales Tax on Certain Vehicles
- SEC52.01 Purchases of Medicines/Med Supplies, Equipment, Devices, etc.
- SEC52.02 Fabrication of Dental Prothesis
- SEC52.04 Sellers & Repairers of Eyeglasses
- SEC53.01 Clothing
- SEC53.02 Footwear, Footwear Accessories and Footwear Repairs
- SEC54.01 Delivery Charges
- SEC54.02 Sign Painters
- SEC55.01 Automobile Towing Services
- SEC55.04 Taxidermy Service
- SEC55.05 Cleaning of Animals
- SEC55.06 Lawn Care Services
- SEC56.01 Maintaining Place of Business within Commonwealth
- SEC57.01 Carbonator for Soda Fountains
- SEC57.02 Gas Used by Restaurants
- SEC57.03 Icemaking Equipment
- SEC57.04 Merchandising Equipment
- SEC57.05 Sale of Equipment to Restaurants
- SEC57.06 Sales Order Books
- SEC57.07 Purchase of Soft Drinks by Liquor Licensees
- SEC58.01-58.02 Taxable & Exempt Personal Property
- SEC58.03 Timbering Operations
- SEC58.04 Commission Vendors
- SEC58.05 Decorated Cottage Cheese Containers
- SEC58.06 Barbers & Beauticians Supplies, Materials, Tools and Equipment
- SEC58.07 Trading Stamps
- SEC58.08 Commercial Airport and Aircraft Operators
- SEC58.09 School Textbook Exemption
- SEC58.10 Water Softeners & Conditioners
- SEC58.11 Taxes Paid/Purchases Resold
- SEC58.12 Flags
- SEC58.13 Carpeting and Other Floor Coverings
- SEC60.01 Pronouncement/Bldg. Maintenance or Bldg. Cleaning Services
- SEC60.03 Pronouncement/Disinfecting or Pest Control Services
- SEC60.04 Pronouncement/Help Supply Services
- SEC60.05 Pronouncement/Employment Agency Services

- SEC60.06 Pronouncement/Lobbying Services
- SEC60.07 Pronouncement/Sale and Preparation of Food & Beverages
- SEC60.08 Pronouncement/Secretarial & Editing Services
- SEC60.09 Pronouncement/Premium Cable Services
- SEC60.10 Pronouncement/Adjustment and Collection Services
- SEC60.11 Pronouncement/Credit Reporting Services
- SEC60.12 Pronouncement/Self Storage Services
- SEC60.13 Pronouncement/Computer Services
- SEC60.14 Pronouncement/Zero Emission Vehicles
- SEC60.15 Pronouncement/Sales Tax Refund Procedures Regarding Contracts
- SEC60.16 Pronouncement/Local Sale Use and Hotel Occupancy Tax
- SEC60.17 Pronouncement/Sale of Food/Beverages Sold to Nonprofit Associations
- SEC60.19 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 & Payments
- F74 Important 1971 Legislative Changes
- F75 1972 Disaster Relief Policy with respect to CNI/CIT
- F76 1973 CNI/CIT
- F77 1974 CNI/CIT
- F78 1974 Tentative Tax-Reports & Payments Rates/CNI/CIT
- F79 1975 CNI/CIT
- F81 1976 Recycling Process
- F82 1977 New Address for Mailing Tax Reports and Remittances
- F83 1978 Important 1977 Legislative Changes Tax Rate
- F84 1979 Addressing Report and Remittances
- REV-816 Corp Tax Bulletin F-85 1982 CNI/CIT
- REV-816A Corp Tax Bulletin F-86 1982 CNI Tax, Delays application of depreciation changes in 1981 Federal Economic Recovery Tax Act
- REV-816B Corp Tax Bulletin F-87 1982 Gilbert Asso. Inc. v. Commonwealth
- REV-816C Corp Tax Bulletin 88 1983 CNI/Interest Rate/Oil Franchise Rate/Installment Payment of Tentative CNI Tax/Mutual Thrift Inst./PURTA/Employment Incentive Payments Credits
- REV-816D Corp Tax Bulletin 89 1983 Tentative CNI/Method 2 Election
- REV-816E Corp Tax Bulletin 90 1983 CNI Tax
- REV-816F Corp Tax Bulletin 91 1984 Act No. 90/Election to be Taxed as a PA S Corp.
- REV-816H Corp Tax Bulletin 93 1984 Act No. 29/Reporting and Payment of Public Utility Realty Tax Liability
- REV-816J Corp Tax Bulletin 96 Fixed Formula-Valuation of Capital Stock/Domestic and Foreign Corporations
- T-CT-1 Corp Tax Bulletin 98 1985 Gross Premiums Tax-Foreign Fire Insurance Co.
- T-CT-2 Corp Tax Bulletin 99 1985 Economic Revitalization Tax Credit
- T-CT-3 Corp Tax Bulletin 100 1985 Estimated CNI System
- T-CT-4 Corp Tax Bulletin 101 1986 Capital Stock/Franchise Tax Regulated Investment Co.
- T-CT-5 Corp Tax Bulletin 102 1986 Act No. 77-Reduction in rates for CNI/\$50,000 Deduction Capital Stock Value/Change in Definition of Net Worth
- T-CT-6 Corp Tax Bulletin 103 1987 Act No. 58-Reduction in Capital Stock/Foreign Franchise/Tentative Capital Stock/Tentative Franchise Tax Rates
- T-CT-7 Corp Tax Bulletin 104 1988 Notice to Mutual Thrift Institution Taxpayers
- REV-1743 Corp Tax Bulletin 105 1988 Tentative Capital Stock/Franchise Tax Method 2 Election
- DCT09 Corp Tax Bulletin 106 Notice to Mutual Thrift Institution Taxpayers
- REV-816L Corp Tax Bulletin 107 1989 Shares Tax-Banks, Bank & Trust Co., Trust Co.
- DCT13 Corp Tax Bulletin 109 Notice to Mutual Thrifts Inst./ Change in Base Rate
- DCT18 Corp Tax Bulletin 110 Major Filing Changes for 1991
- REV-176 Corp Tax Bulletin 111 1991 Major Changes on or after January 1, 1991
- REV-173 Corp Tax Bulletin 112A Notice regarding Recomputation of Safe Harbor and Recovery Payments
- REV-174 Corp Tax Bulletin 112B Notice of PA Corporations Fiscal Years beginning in July 1991 through and including December 1991
- DCT27 Corp Tax Bulletin 113 1991 Utilities Gross Receipts/PURTA
- DCT28 Corp Tax Bulletin 115 1991 Tax for Financial Inst. for Shares Tax/Mutual Thrift
- DCT29 Corp Tax Bulletin 114 1991 Annuities for Gross Premiums Tax Retroactive to July 1, 1991
- REV-440 Corp Tax Bulletin 116A 1994 Act 48 Changes
- REV-440A Corp Tax Bulletin 116B 1994 Act 48 Amended Shares Tax/Allowing Apportionment
- REV-440C Corp Tax Bulletin 116C 1995 Act 48 Concerning Business Trusts

- REV-440D Corp Tax Bulletin 117 1995 Double Weighted Sales Factor, Tax Rate Changes Fixed Formula, Processing Exemptions, Insurance Gross Premiums Tax, Utilities Gross Receipts Tax Commercial Printers & Tax Amnesty
- REV-440E Corp Tax Bulletin 118, Limited Liability Companies (LLC's) Reporting Requirements
- REV-525 Corp Tax Bulletin 119, Motor Vehicle Gross Receipts/Ambulance Services
- REV-545 PA Research and Development Tax Credit
- 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

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
- 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
 - Website: www.psc.state.pa.us
- Contact: Michael J. Byrne (717) 783-5130

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 § 43.b.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
 - Schedule of Civil Penalties—Veterinarians and Veterinary Technicians, 49 Pa. Code § 43b.21
- 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: Sandra Matter (717) 783-1389

State Board of Medicine

- Disciplinary Guidelines for Use of Anabolic Steroids, 49 Pa. Code § 16.97

Contact: Tammy Radel (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

- Disclosure of Financial or Ownership Interest, 49 Pa. Code § 25.291

Contact: Gina Bittner (717) 783-4858

State Board of Pharmacy

- Radiopharmaceutical Prescriptions, 49 Pa. Code § 27.101
- 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: J. 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: Sandra Matter (717) 783-1389

GUIDANCE MATERIALS:

Bureau of Professional and Occupational Affairs

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
- Guideline for the Use of Controlled Substances in the Treatment of Pain (1998)

Contact: Tammy Radel (717) 783-1400

State Board of Nursing

- Guidelines for the Development and Submission of Feasibility and Curriculum Proposals (2006)
- 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 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: Patricia Ridley (717) 783-3658

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: Jonathan Marks (717) 787-5280

- Campaign Finance Reporting Law Pamphlet

Contact: Jessica Myers (717) 787-5280

- Voter Registration Mail Application (English and Spanish)
- 2003 Report to the General Assembly—The Administration of Voter Registration in Pennsylvania
- Your Vote is Your Voice
- The Pennsylvania Voter Registration Implementation Manual for County Election Officials
- A Guide to Agency-Based Voter Registration Programs

Contact: Molly O'Leary (717) 787-5280

- The Commonwealth of Pennsylvania State Plan (as required by the Help America Vote Act of 2002)
- Elections News Poster (English and Spanish)

Contact: Julio Peña (717) 787-5280

INTERNAL GUIDELINES:**Bureau of Professional and Occupational Affairs****State Architects Licensure Board**

- Architect/Engineer Joint Advisory Committee

Contact: Penny Walker (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: Tammy Radel (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
- Mcare Triage Guidelines

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
 - Inspection Checklist
- Contact: J. Robert Kline (717) 783-7134

State Real Estate Commission

- Internal Operating Guidelines
 - Probable Cause Screening Committee
- Contact: Patricia Ridley (717) 783-3658

OTHER:**Bureau of Charitable Organizations**

- Registration Packets for Charitable Organizations, Professional Solicitors and Professional Fundraising Counsels
- Contact: Elissa Brown (717) 783-1720

Corporation Bureau

- A Guide to Business Registration in Pennsylvania
- Contact: Barbara Kennedy (717) 783-9210

Bureau of Professional and Occupational Affairs**State Board of Nursing**

- List of Approved Programs for RN, CRNP and LPN Education (updated as needed)
 - List of Approved LPN Intravenous Therapy Education Programs (updated as needed)
 - NCLEX Jurisdiction Program Summary of All First Time Candidates (updated quarterly)
- Contact: Ann Steffanic (717) 783-7142

State Real Estate Commission

- Applications: Experience Requirements and Point System for Applicants for Broker's Licenses
 - List of States Willing/Not Willing to Enter Into Reciprocal Agreements
 - List of Board Approved Continuing Education Providers
 - 2004-2006 Approved Continuing Education Courses
- Contact: Patricia Ridley (717) 783-3658

STATE EMPLOYEES' RETIREMENT SYSTEM

Under Executive Order 1996-1 (Regulatory Review and Promulgation), the State Employees' Retirement System (SERS) submits for publication in the *Pennsylvania Bulletin* the following list of the agency's non-regulatory public documents. For additional information on the listed items, contact the SERS Office of Communications and Policy by calling (717) 787-9657.

LEONARD KNEPP,
Acting Executive Director

- SERS Board Adjudications by Topic:
 - o Change of Benefit Option
 - o Cost of Living Increase
 - o Credited Years of Service
 - o Death Benefit
 - o Disability
 - o Effective Date of Retirement
 - o Final Average Salary
 - o Fraternal Order of Police
 - o Frozen Present Value
 - o Membership Eligibility
 - o Military Service
 - o Miscellaneous
 - o Multiple Service Credit
 - o Overpayment
 - o Payment of Interest
 - o Pension Forfeiture
 - o Purchase of Service
 - o Reinstatement
 - o Retirement-Covered Compensation
 - o Transfer to Alternate Retirement Plan
- Guide to Your SERS-Issued 1099-R Tax Form (to annuitants February 2007)
- SERS Member's Guide to Disability Retirement (March 2006)
- SERS Member Handbook (2007 edition)
- SERS Guide for Retiring Members (2007 edition)
- Annual Member (Personalized) Account Statements:

- o Statement of Account (for active members)
- o Personal Statement of Retirement Benefits (for annuitants)
- SERS pamphlets
 - o Classes of Membership (SERS-150)—10/30/04
 - 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 How to Apply for a Disability Retirement (SERS-152)—11/04/04
 - o Provisions for the Purchase of Service (SERS-155)—3/8/05
 - o Refund Procedures for those Leaving State Service (SERS-159)—10/28/04
 - 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 Social Security Integration Coverage for SERS Members (SERS-151)—10/28/04
 - o Vesting in the State Employees' Retirement System (SERS 162)—11/30/04
- Management Directives issued by SERS
 - o 570.1—State Employees' Retirement System, Duties of Agencies
 - o 570.5—Employer Contributions Required on the Purchase of Prior Service
 - o 570.6—Optional Membership in State Employees' Retirement System
 - o 570.8—Reinstatement of Dismissed or Furloughed Employees Into The State Employees' Retirement System
 - o 570.9—Reinstatement Into the State Employees' Retirement System of Employees Furloughed or Otherwise Terminated and Reemployed
 - o 570.11—Changes to Retirement and Personnel Payroll System and Collection of Arrears Balances
 - o 570.12—Refusal of Recall From Furlough—Termination of Interest on Retirement Contributions
 - o 570.13—State Employees' Retirement System, Regional Field Offices
 - o 570.14—Deferred Compensation Program
 - o 570.15—Public Employee Pension Forfeiture Act No. 1978-140
- SERS Mission Statement
- SERS Statement of Investment Policy (Rev. 2007)
- SERS Alternative Investments Statement of Investment Policy (Rev. 2007)
- SERS Real Estate Statement of Investment Policy (Rev. 2007)
- SERS Proxy Voting Policy
- SERS Public Markets Investment Advisor Retention Guidelines
- SERS 2007 Annual Five-Year Investment Plan
- SERS Portfolio Rebalancing Policy (2007)
- SERS Security Lending Policy (2007)
- 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)
- "SERS News" member newsletter (Fall edition in October 2006)
- SERS *Comprehensive Annual Financial Report* (published June 2007)
- Sample Domestic Relations Order and Instruction Letter
- Power of Attorney form
- SERS Board Minutes and Resolutions
- Actuarial Reports (annual and five-year)
- Actuarial Tables
- SERS Appeals Committee Guidelines for Informal Appeals
- SERS Securities Litigation Policy (Adopted 5/31/06 Board Meeting)
- SERS Bylaws
- Ethical Conduct Policy
- Claim Settlement Policy
- Statement of Governance Principles
- Policy for Indemnification of Board Members, Designees, Officers and Employees

STATE POLICE

GUIDANCE MANUALS, BROCHURES, FORMS AND OTHER MATERIALS:

Bureau of Criminal Investigation

Cultural Awareness Brochure (SP5-344)
 Terrorism Tip Line Card
 Storage Facility Terrorism Indicator Card

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

Bureau of Patrol

Emergency Vehicle Designation (SP6-115)
Child Safety Seat Identification Decal (SP6-153)

Bureau of Professional Responsibility

Complaint Verification Form (SP1-108)

Bureau of Records and Identification

Information for Pennsylvania Firearms Purchasers and Basic Firearm Safety (SP4-135)
Request for Criminal Record Check (SP4-164)
Right to Know Form (SP3-226)
Notice of Crash Investigation and Application to Obtain Copy of Police Crash Reporting Form (SP7-0015)
Pennsylvania Instant Check System Challenge Form (SP4-197)

Bureau of Research and Development

Pennsylvania Annual Police Pursuit Report (2002, 2003, 2004, 2005)
Pennsylvania State Police Annual Report (2002, 2003, 2004, 2005)
Crime in Pennsylvania: Uniform Crime Executive Summary (2002, 2003, 2004, 2005)

Bureau of Training and Education

Youngster Protect Yourself from Attacks and Accidents (SP5-330)
Stop Burglary Brochure (SP5-331)
Crimes of Fraud: "The Con-Artist" (SP5-332)
Lady Beware (SP5-333)
Understanding Crime Prevention (SP5-334)
Accessing Your Pennsylvania State Police (SP5-335)
Protect Your Child (SP5-336)
Preventing Child Abduction and Child Runaway (SP5-337)
Drugs Aren't Part of Anyone's Future (SP5-342)
Child Identification Kit (SP5-342)

Equal Employment Opportunity Office

Equal Employment Opportunity Plan, Statement of Management Commitment (1-02)
Equal Employment Opportunity Plan (1-02)

Municipal Police Officers Education and Training Commission—Lethal Weapons

Application for Agent Certification—LWTA (SP8-200)
Physical Examination—LWTA (SP8-200A)
Police Officer Exemption Application—LWTA (SP8-200C)
Active Municipal Office LWTA Verification Procedure for Training Waiver (SP8204)

All of the non-regulatory compliance-related documents listed previously are available from the Pennsylvania State Police by contacting the Department at the following address or phone number:

Pennsylvania State Police
Bureau of Research & Development
1800 Elmerton Avenue
Harrisburg, PA 17110
(717) 783-5536

Documents are also available from the State Library, Government Publication Section at 219 Forum Building, Harrisburg, PA 17120 and may be obtained through inter-library loan.

TRANSPORTATION

POLICY STATEMENTS:**Bureau of Equal Opportunity**

- Disability-Related Employment Policy for Applicants/Employees with Disabilities, 1/2007
- EEO Policy Statement, 1/2007
- Harassment/Hostile Work Environment Policy, 1/2007
- Sexual Harassment Policy Statement, 1/2007
- DBE Policy Statement, 2/2/2005

- 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, 1/29/2007
- MBE/WBE Policy 100% State Funded Construction Contracts, 9/21/1999 (This program and document is currently being reviewed by the Department)

Bureau of Design

- Design Manual Part 1: Transportation Project Development Process (Pub. 10)
- Design Manual Part 1A: Transportation Engineering Procedures (Pub. 10A)
- Design Manual Part 2: Highway Design, Dual Units (Pub. 13M)
- Design Manual Part 3: Plans Presentation, Dual Units (Pub. 14M)
- 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)—Change #3
- Standards for Bridge Design, Dual Units (Pub. 218M)—Change #4
- Standards for Bridge Construction, Dual Units (Pub. 219M)
- Right-of-Way Encroachments and Outdoor Advertising Sign Control (Pub. 266)
- Roadway Specifications (Pub. 408/2007)
- Bridge Management System (BMS) Coding Manual (Pub. 100A)
- Bridge Safety Inspection Manual (Pub. 238)
- Local Bridge Program Delivery Guide (Pub. 541)
- Low Cost Standards for Harwood Glulam Timber Bridge Design (6M)
- Tribal Consultation Handbook (Pub 592)
- Procedures and Standards for Bridge Maintenance (Pub 55)
- DM-1A Change #4
- DM-3 April 2007 Addition
- Community Impact Assessment (Pub 216)
- Wetlands Resource Handbook (Pub 325)
- Traffic Noise Handbook (Pub 24)
- ESA Desk reference (Pub 536)
- Noise Abatement Brochure (Pub 21)
- Public Involvement Handbook (Pub 295)—pending
- Agricultural Resources Handbook (Pub 324)
- Project Level Air Quality Handbook (Pub 321)
- CEE Handbook (Pub 294)
- EIS Handbook (Pub 278)
- EA Handbook (Pub 362)
- Needs Study Handbook (Pub 319)
- Guide to Policy and Guidance Development (Pub 346)
- Waste Site Evaluation for the Highway Development Process (Pub 281)
- DM-5 (Pub 16M)
- Right of Way Encroachments and Outdoor Advertising Sign Control (Pub 266)
- Grade Crossing Manual (Pub 371)
- Surveying and Mapping Manual (Pub 122M)

Bureau of Maintenance & Operations

- Pavement Policy Manual (Pub 242)

Bureau of Construction & Materials

- Geo-technical Engineering Manual (Pub. 293, 1/97)
- ECMS Innovative Bidding Toolkit (Pub 448, August 2002)
- Project Planning & Scheduling Workbook (Pub 449, April 2004)
- Construction Manual (Pub 8)
- Design Methods for Air-Entrained Portland Cement Concrete and Ready-Mixed Portland Cement Concrete (Pub 30, November 1995)
- Pub 30, Change #1, February 2006
- Specifications for Paints & Allied Materials (Pub 38)
- Specifications for Bituminous Materials (Pub 37, November 2002)
- Pub 37, Change #1, August 2004
- Bituminous Concrete Mixtures, Design Procedures, and Specifications for Special Bituminous Mixtures (Pub 27, January 2003, Change 2)
- Manufacturing Specification for Direct Design of Buried Precast Concrete Pipe (Pub 280)

Bureau of Highway Safety & Traffic Engineering

- Traffic Signing and Pavement Marking Standards, TC-8600 and 8700 Series (Pub. 111M)
- Traffic Signal Standards, TC-7800 Series (Pub. 148)
- Traffic Signal Design Handbook (Pub. 149)
- Guidelines for the Maintenance of Traffic Signal Systems (Pub. 191)
- 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)
- Official Traffic Control Devices (Pub. 212)
- Work Zone Traffic Control Guidelines (Pub. 213)
- Minimum Use Driveway Permit Guidelines (Pub. 312)
- Highway Occupancy Permit Guidelines (Pub. 282)

Center for Program Development and Management

- PennPlan MOVES—Final Report of Achievements 2004
- PennPlan MOVES—Final Report of Achievement 2000-2005
- Action Plan Resulting from the 2003 Conference on Transportation and Land Use for Economic Development
- Pennsylvania Mobility Plan (Due to be released July 2007)

Bureau of Municipal Services

- Policies and Procedures for the Administration of Liquid Fuels Funds (Pub.9) (currently under revision)

Strategic Environmental Management Program (SEMP) Office

- Waste Site Evaluation Procedures for the Highway Project Development Process (Pub. 281)

GUIDANCE MANUALS:

Bureau of Driver Licensing

- Pennsylvania Driver's Manual (Pub 95) (Updated September 2006)
- Commercial Driver's Manual (Pub 233) (Updated September 2006)
- Motorcycle Operator Manual (Pub 147) (Updated December 2006)
- A Guide to Obtaining a Pennsylvania Junior Learner's Permit and Junior Driver's License (Pub 178) (Updated March 2006)

Bureau of Motor Vehicles

- Apportioned Manual (Pub 181) (Updated August 2006)

Bureau of Equal Opportunity

- Minority/Female Resource Guide, (Pub 610) 1/2007
- OJT—Training Manual, 3/1995
- Highway and Bridge Subcontractor's Manual (Pub. 412), 12/2005
- Internal Equal Employment Opportunity Plan, Federal/State (This Program is currently under review), 1/2007
- Title VI Compliance and Implementation Plan, 7/15/2005
- External Equal Opportunity Plan (Contract Compliance), 1/29/2007
- 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) (currently under revision)
- 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) (currently under revision)
- Approved Products for Lower Volume Local Roads (Pub 447)
- Policies and Procedures for the Administration of Liquid Fuels Funds (Pub 9)

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)
- Bid Package Preparation Guide (Pub 51)
- Roadside/Landscape Development Construction Handbook (Pub 450)
- Grade Crossing Manual (Pub 371)
- Transportation Enhancements Sponsor Guidance (Pub 538)
- A General Guide to the Relocation Assistance Program of Pennsylvania Department of Transportation (Pub 47)
- Single-Lane Roundabout—General Information and Driving Tips for Motorists (Pub 576, June 2006)
- Single-Lane Roundabout—General Information and Driving Tips for Bicyclists and Pedestrians (Pub 579, June 2006)
- Multi-Lane Roundabout—General Information and Driving Tips for Motorists (Pub 580, June 2006)
- PennDOT's Local Project Development Process Tri-fold (Pub 540, January 2006)
- Local Bridge Program Delivery Guide (Pub 541, January 2006)
- ECMS Business Partnership Guide (Pub 543)
- Approving Bonds Guide (Pub 545)
- Creating and Signing Bonds (Pub 582)

- Municipal and Sponsor Guide (Pub 526)
- Creating User ID and Password Guide (Pub 544)
- Transportation Enhancement Sponsor Guide (Pub 538)
- Local Public Agency Project Guidelines (Pub 98)

Bureau of Maintenance & Operations

- Posting and Bonding Procedures for Municipal Highways (Pub. 221)
- Oversize/Overweight Application for Special Hauling Permit M-936A
- Pennsylvania Urbanized Area Map and Conditions (Form M-938)
- How to Complete General Application Form M-936A Oversize/Overweight 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
- Automated Pavement Condition Surveying Field Manual (Pub. 336)
- CRC Pavements and Unpaved Roads Condition Survey Field Manual (Pub. 343)
- Shoulder and Guide Rail Condition Survey Field Manual (Pub. 33)
- Drainage Condition Survey Field Manual (Pub. 73)

Bureau of Construction & Materials

- Procedures for Administration for Municipal Projects (Pub. 39)
- Inspection of Prestressed/Precast Concrete Products and Reinforced Concrete Pipe (Pub 145, May 2005)
- Inspection of Fabricated Structural Steel (Pub 135, August 2004)

Bureau of Highway Safety & Traffic Engineering

- Pennsylvania's Traffic Calming Handbook (Pub. 383)
- 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 & Programming
- Public Involvement Program for Transportation Planning and Programming
- Transportation Management Association Assistance Program Guidelines (SPC and DVRPC)
- PA Infrastructure Bank Handbook
- Pennsylvania's Transportation Program—Executive Summary, September 2001
- Sound Land Use Planning for Your Community
- Home Town Street & Safe Routes To School General Information and Program Guidance
- Access Management Model Ordinances For Pennsylvania Municipalities Handbook
- Pennsylvania Infrastructure Bank Handbook
- Pennsylvania Byways Guidance Manual
- Pennsylvania Byways Program—Pamphlet
- State Transportation Commission Guidelines for Public Participation in the 2009 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), August 2006

INTERNAL GUIDELINES:

Bureau of Driver Licensing

- Physician Reporting Fact Sheet (Pub 7212) (Updated October 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, 1/29/2007
- Pennsylvania Unified Certification Program Procedures Manual, 12/2006

Bureau of Design

- Consultant Agreements (Pub. 93)
- Consultant Agreements C (Pub 93C)
- Project Level Highway Traffic Noise Handbook (Pub. 24, February 2002)
- Environmental Impact Statement Handbook (Pub. 278, January 2000)
- Categorical Exclusion Evaluation Handbook (Pub. 294, July 2005)
- Public Involvement Handbook (Pub. 295, September 1995)
- Needs Study Handbook (Pub. 319, September 1996)
- PennDOT Project Level Air Quality Handbook (Pub. 321, March 1996)
- Agriculture Resources Handbook (Pub. 324, June 2003)
- Environmental Assessment Handbook (Pub. 362, July 2005)
- Bridge Safety Inspection Quality Assurance Manual (Pub 240)
- Section 4(f) Handbook (Pub 349, March 1998)

- Procurement for the Administration of Consultant Agreements (Pub 93)
- Right-of-Way Manual (Pub 378)
- Plans Reading Course—Desk (Pub 421)
- When Your Land is Needed for Highway Use (Pub 83)
- Highway Beautification Manual (Pub 581)
- Relocation Benefits Guide (Pub 47)

Bureau of Maintenance & Operations

- Maintenance Manual (Pub. 23) (Updated 8/2004)
- Engineering District and County Maintenance Offices Location Maps and Mailing Addresses (Pub. 22)

Bureau of Highway Safety & Traffic Engineering

- Traffic Engineering Manual (Pub. 46) (currently being updated)
- Highway Occupancy Permit Manual (Pub.170)
- Sign Foreman's Handbook (Pub. 108)
- Paint Foreman's Handbook
- Crash Report Manual (Pub. 153)

Bureau of Construction & 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)
- Quality Assurance Manual (Pub 25, 2002 Addition)
- Pennsylvania Test Methods (PTM's)
- Project Office Manual (Pub 2, January 2005)
- Bituminous or Hot Mix Asphalt (HMA) Technician Certification Program for Plant and Field Technicians (October 2000)

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
- 2007 Sound Lane Use Implementation Plan

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

- Price List, Maps & Publications (Pub. 12) (12/2004)

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, 2002)
- ECMS Municipal/Sponsor Guide Brochure (Pub 526)
- ECMS Creating and Signing Bonds Guide Brochure (Pub 542)
- ECMS Business Partnership Guide Brochure (Pub 543)
- ECMS Creating User ID and Password Guide Brochure (Pub 544)
- ECMS Approving Bonds Guide Brochure (Pub 545)

Bureau of Construction & Materials

- Aggregate Producers (Pub. 34)
- Approved Construction Materials (Pub. 35)
- Producers of Bituminous Mixtures (Pub. 41)
- Producers of Redi-Mixed Concrete (Pub. 42)
- Subsurface Boring, Sampling and Testing Contract (Pub. 222)
- Slope Stability Program, PASTABL (Metricated) (Pub. 318)
- Sales Store Price List and Order Form (Pub 12)

Center for Program Development and Management

- Transportation Conformity State Implementation Plan

Bureau of Municipal Services

- 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
- A Guide to Completing an Agility Agreement—CD
- Pilot Roadside Beautification Project, Beautification Acknowledgement Sign (BAS) Guide for District Roadside Specialist and Contractors (Currently awaiting assigned pub #)

Bureau of Public Transportation

- PA Public Transportation Statistical Report 2004/2005
- Pennsylvania Public Transportation Systems and Services at a Glance Fiscal Year 2005-2006

Bureau of Equal Opportunity

- Sexual Harassment Prevention (Pub. 109) (Currently under review for revision)

Bureau of Human Resources

- ADA Brochure (Pub. 359)

Many of the nonregulatory compliance-related documents listed previously, specifically those containing a publication number, are available from the PENNDOT Sales Store. Please contact the Sales Store, P. O. Box 2028, Commonwealth Keystone Building 5th floor, Harrisburg, PA 17105-2028; telephone number (717) 787-6746; or the PENNDOT website at www.dot.state.pa.us, for more information. In some cases, printing or duplicating fees will be charged. Documents are also available from the State Library, Government Publications Section, at 217 Forum Building (inter-office) or 333 Market Street, Harrisburg, PA 17126 (mailing address) and are available through inter-library loan.

[Pa.B. Doc. No. 07-1414. Filed for public inspection August 3, 2007, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Mandated Benefits

Section 9 of the act 14 of July 17, 2003 (P. L. 31, No. 14) (Act 14) requires that the Health Care Cost Containment Council (Council) review proposed mandated health benefits on request of the executive and legislative branches of government. Senator Donald White, Chairperson of the Senate Banking and Insurance Committee, has requested that the Council review Senate Bill 146, Printer's Number 191 (Tomlinson). Senate Bill 146 would require health insurance policies to provide coverage for colorectal cancer screening for individuals in accordance with the most recently published American Cancer Society guidelines and approved medical standards and practices.

The Council is requesting that anyone supporting or opposing these mandated insurance benefits provide six copies of the documentation to the Council no later than 5 p.m. on October 4, 2007. The documentation should be mailed to Flossie Wolf, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101.

Documentation submitted should be in accordance with the following information categories described in section 9 of Act 14:

(i) The extent to which the proposed benefit and the services it would provide are needed by, available to and utilized by the population of this Commonwealth.

(ii) The extent to which insurance coverage for the proposed benefit already exists, or if no coverage exists, the extent to which this lack of coverage results in inadequate health care or financial hardship for the population of this Commonwealth.

(iii) The demand for the proposed benefit from the public and the source and extent of opposition to mandating the benefit.

(iv) All relevant findings bearing on the social impact of the lack of the proposed benefit.

(v) Where the proposed benefit would mandate coverage of a particular therapy, the results of at least one professionally accepted, controlled trial comparing the medical consequences of the proposed therapy, alternative therapies and no therapy.

(vi) Where the proposed benefit would mandate coverage of an additional class of practitioners, the results of at least one professionally accepted, controlled trial comparing the medical results achieved by the additional class of practitioners and those practitioners already covered by benefits.

(vii) The results of any other relevant research.

(viii) Evidence of the financial impact of the proposed legislation, including at least:

(A) The extent to which the proposed benefit would increase or decrease cost for treatment or service.

(B) The extent to which similar mandated benefits in other states have affected charges, costs and payments for services.

(C) The extent to which the proposed benefit would increase the appropriate use of the treatment or service.

(D) The impact of the proposed benefit on administrative expenses of health care insurers.

(E) The impact of the proposed benefits on benefits costs of purchasers.

(F) The impact of the proposed benefits on the total cost of health care within this Commonwealth.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 07-1415. Filed for public inspection August 3, 2007, 9:00 a.m.]

Mandated Benefits

Section 9 of the act 14 of July 17, 2003 (P. L. 31, No. 14) (Act 14) requires that the Health Care Cost Containment Council (Council) review proposed mandated health benefits on request of the executive and legislative branches of government. Senator Donald White, Chairperson of the Senate Banking and Insurance Committee, has requested that the Council review Senate Bill 260, Printer's Number 298 (Rhoades). Senate Bill 260 would amend the Unfair Insurance Practices Act to deem it unfair for any health insurer to require insureds to obtain drugs from a mail-order pharmacy as a condition of obtaining the payment for the prescription drugs.

The Council is requesting that anyone supporting or opposing these mandated insurance benefits provide six copies of the documentation to the Council no later than 5 p.m. on October 4, 2007. The documentation should be mailed to Flossie Wolf, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101.

Documentation submitted should be in accordance with the following information categories described in section 9 of Act 14:

(i) The extent to which the proposed benefit and the services it would provide are needed by, available to and utilized by the population of this Commonwealth.

(ii) The extent to which insurance coverage for the proposed benefit already exists, or if no coverage exists, the extent to which this lack of coverage results in inadequate health care or financial hardship for the population of this Commonwealth.

(iii) The demand for the proposed benefit from the public and the source and extent of opposition to mandating the benefit.

(iv) All relevant findings bearing on the social impact of the lack of the proposed benefit.

(v) Where the proposed benefit would mandate coverage of a particular therapy, the results of at least one professionally accepted, controlled trial comparing the medical consequences of the proposed therapy, alternative therapies and no therapy.

(vi) Where the proposed benefit would mandate coverage of an additional class of practitioners, the results of at least one professionally accepted, controlled trial comparing the medical results achieved by the additional class of practitioners and those practitioners already covered by benefits.

(vii) The results of any other relevant research.

(viii) Evidence of the financial impact of the proposed legislation, including at least:

(A) The extent to which the proposed benefit would increase or decrease cost for treatment or service.

(B) The extent to which similar mandated benefits in other states have affected charges, costs and payments for services.

(C) The extent to which the proposed benefit would increase the appropriate use of the treatment or service.

(D) The impact of the proposed benefit on administrative expenses of health care insurers.

(E) The impact of the proposed benefits on benefits costs of purchasers.

(F) The impact of the proposed benefits on the total cost of health care within this Commonwealth.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 07-1416. Filed for public inspection August 3, 2007, 9:00 a.m.]

Mandated Benefits

Section 9 of the act 14 of July 17, 2003 (P. L. 31, No. 14) (Act 14) requires that the Health Care Cost Containment Council (Council) review proposed mandated health benefits on request of the executive and legislative branches of government. Senator Donald White, Chairperson of the Senate Banking and Insurance Committee, has requested that the Council review House Bill 1150, Printer's Number 2326 (O'Brien). House Bill 1150 would require health insurance policies to provide coverage for the diagnosis and treatment of autism spectrum disorders for individuals under 21 years old.

The Council is requesting that anyone supporting or opposing these mandated insurance benefits provide six copies of the documentation to the Council no later than 5 p.m. on October 4, 2007. The documentation should be mailed to Flossie Wolf, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101.

Documentation submitted should be in accordance with the following information categories described in section 9 of Act 14:

(i) The extent to which the proposed benefit and the services it would provide are needed by, available to and utilized by the population of this Commonwealth.

(ii) The extent to which insurance coverage for the proposed benefit already exists, or if no coverage exists, the extent to which this lack of coverage results in inadequate health care or financial hardship for the population of this Commonwealth.

(iii) The demand for the proposed benefit from the public and the source and extent of opposition to mandating the benefit.

(iv) All relevant findings bearing on the social impact of the lack of the proposed benefit.

(v) Where the proposed benefit would mandate coverage of a particular therapy, the results of at least one professionally accepted, controlled trial comparing the medical consequences of the proposed therapy, alternative therapies and no therapy.

(vi) Where the proposed benefit would mandate coverage of an additional class of practitioners, the results of at least one professionally accepted, controlled trial comparing the medical results achieved by the additional class of practitioners and those practitioners already covered by benefits.

(vii) The results of any other relevant research.

(viii) Evidence of the financial impact of the proposed legislation, including at least:

(A) The extent to which the proposed benefit would increase or decrease cost for treatment or service.

(B) The extent to which similar mandated benefits in other states have affected charges, costs and payments for services.

(C) The extent to which the proposed benefit would increase the appropriate use of the treatment or service.

(D) The impact of the proposed benefit on administrative expenses of health care insurers.

(E) The impact of the proposed benefits on benefits costs of purchasers.

(F) The impact of the proposed benefits on the total cost of health care within this Commonwealth.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 07-1417. Filed for public inspection August 3, 2007, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, July 19, 2007, and announced the following:

Regulation Deemed Approved Under Section 5(g) of the Regulatory Review Act—Effective July 18, 2007

Department of Agriculture #2-154: Deletion of Outdated Regulations (deletes 7 Pa. Code Chapters 11, 95, 123 and 125)

Action Taken—Regulations Approved:

Treasury Department #64-4: Review of Administrative Decisions (amends 61 Pa. Code Chapter 951)

Pennsylvania Gaming Control Board #125-53: General Rules of Practice (amends 58 Pa. Code Chapter 491a)

State Board of Occupational Therapy Education and Licensure #16A-676: Orders (amends 49 Pa. Code § 42.25)

Pennsylvania Public Utility Commission #57-237: Provisions of Default Service (amends 52 Pa. Code Chapters 54 and 7)

Approval Order

Public Meeting held
July 19, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson; Alvin C. Bush, Vice Chairperson; David J. DeVries, Esq.; John F. Mizner, Esq., by Proxy

*Treasury Department—Review of
Administrative Decisions;
Regulation No. 64-4 (#2617)*

On June 13, 2007, the Independent Regulatory Review Commission (Commission) received this regulation from the Treasury Department (Department). This rulemaking amends 61 Pa. Code Chapter 951. Notice of proposed rulemaking was omitted for this regulation. It will become effective upon publication in the *Pennsylvania Bulletin*.

This regulation revises the Department's existing regulations establishing administrative procedures for hearing petitions for review. Currently, hearings are held before a five-person committee. This regulation will replace that committee with one presiding officer designated by the State Treasurer.

We have determined this regulation is consistent with the statutory authority of the Department (72 P.S. § 1301.26) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
July 19, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson; Alvin C. Bush, Vice Chairperson; David J. DeVries, Esq.; John F. Mizner, Esq., by Proxy

*Pennsylvania Gaming Control Board—
General Rules of Practice;
Regulation No. 125-53 (#2588)*

On December 19, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking amends 58 Pa. Code Chapter 491a. The proposed regulation was published in the January 6, 2007 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 5, 2007.

This regulation replaces temporary regulations in Chapters 491 and 492. It establishes general rules of administrative practice and procedure that apply to persons appearing before the Board in a hearing.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S. § 1202(b)(30), 1205) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
July 19, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson;
Alvin C. Bush, Vice Chairperson; David J. DeVries,
Esq.; John F. Mizner, Esq., by Proxy

*State Board of Occupational Therapy—
Education and Licensure Orders;
Regulation No. 16A-676 (#2567)*

On September 20, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Occupational Therapy Education and Licensure (Board). This rulemaking amends 49 Pa. Code § 42.25. The proposed regulation was published in the September 30, 2006 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 7, 2007.

The regulation clarifies the procedures for occupational therapists accepting written or oral orders from physicians, optometrists or podiatrists.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. §§ 1505(b) and 1514) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
July 19, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson;
Alvin C. Bush, Vice Chairperson; David J. DeVries,
Esq.; John F. Mizner, Esq., by Proxy

*Pennsylvania Public Utility Commission—
Provisions of Default Service;
Regulation No. 57-237 (#2463)*

On February 14, 2005, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission. This rulemaking amends 52 Pa. Code Chapters 54 and 57. The proposed regulation was published in the February 26, 2005 *Pennsylvania Bulletin* with a 121-day public comment period. The final-form regulation was submitted to the Commission on May 24, 2007.

This final-form rulemaking defines the obligation of electric distribution companies to serve retail customers at the conclusion of their respective transition periods.

We have determined this regulation is consistent with the statutory authority of the Pennsylvania Public Utility Commission (66 Pa.C.S. §§ 501 and 2807(e)) and the

intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 07-1418. Filed for public inspection August 3, 2007, 9:00 a.m.]

INSURANCE DEPARTMENT

Progressive Direct Insurance Company; Private Passenger Auto Insurance Rate Revision; Rate Filing

On July 17, 2007, the Insurance Department (Department) received from Progressive Direct Insurance Company (company) filing for a proposed rate level change for Private Passenger Auto insurance.

The company requests an overall 2.9% increase amounting to \$4,523,000 annually, to be effective December 8, 2007, for renewal business.

Unless formal administrative action is taken prior to September 15, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at www.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, xlu@state.pa.us, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1419. Filed for public inspection August 3, 2007, 9:00 a.m.]

OFFICE OF ATTORNEY GENERAL

Public Meeting

The meeting of the Lobbying Disclosure Regulation Committee (Committee) established under act of November 1, 2006 (P.L. 1213, No. 134) (Act 134) effective January 1, 2007, will be held on August 9, 2007, at 9 a.m. in Hearing Room 3, North Office Building, Harrisburg, PA.

The purpose of the meeting will be for the Committee to consider regulations under Act 134 and to receive

public comments. Visit www.attorneygeneral.gov for more information and to view a copy of the complete agenda.

THOMAS CORBETT,
Attorney General

[Pa.B. Doc. No. 07-1420. Filed for public inspection August 3, 2007, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by August 27, 2007. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-00123976. Kevin McWilliams (75 Pocono Heights Road, Tobyhanna, Monroe County, PA 18466)—persons, upon call or demand, in the Townships of Paradise, Coolbaugh, Tunkhannock, Tobyhanna, Barrett, Price, and the Borough of Mount Pocono, Monroe County.

A-00123991. James Keefer (121 Hill Road, New Holland, Lancaster County, PA 17557)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster to points in Pennsylvania, and return.

A-00123994. MJ's Transportation, Inc. (35 Hatville Road, Gordonville, Lancaster County, PA 17529)—persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster to points in Pennsylvania, and return.

Application of the following for the approval of the *transfer of stock as described under the application.*

A-00121488, F5000. Star Limousine, LLC (P. O. Box 926, Frazer, Chester County, PA 19355-0923), a corporation of the Commonwealth—for the approval of the transfer of 1,000 shares of issued and outstanding shares held by Edward P. Walsh to William J. Maher. *Attorney's:* Gary J. McCarthy, Esquire, Eizen, Fineburg & McCarthy, P.C., 2001 Market Street, 34th Floor, Philadelphia, PA 19103 and Robert Selvocki, Esquire, P. O. Box 117, Chadds Ford, PA 19317.

Application of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.*

A-00117566, F.I. Valley Paratransit Service, Inc. (110 Industrial Parkway, Sanatoga, PA 19464)—persons upon call or demand in the Boroughs of Pennsburg, East Greenville, Red Hill and Green Lane, and the Village of Palm, Montgomery County.

Application of the following for approval to *begin operating as a broker for transportation of household goods as described under the application.*

A-00123990. Transit Systems, Inc. (999 Old Eagle School Road, Suite 114, Wayne, Delaware County, PA 19087)—a corporation of the Commonwealth—brokerage license—to arrange for the transportation of household goods in use, between points in Pennsylvania.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Foundry Service Corporation; Doc. No. A-00096858C0701

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Foundry Service Corporation, respondent, maintains its principal place of business at 1801 East Sherman Avenue, Vineland, NJ 08360.

2. That respondent held a certificate of public convenience at A-00096858 with this Commission for authority to transport property for compensation. However, on December 12, 1982, respondent's cargo insurance was cancelled, and on December 7, 1983, this Commission cancelled respondent's property authority for failure to maintain evidence of cargo insurance on file with this Commission. On the date of the violation alleged in this complaint, respondent did not hold a certificate of public convenience issued by this Commission.

3. That respondent, on December 26, 2006, at approximately 9:15 AM, in Hazleton, Luzerne County, Pennsylvania, permitted a certain 2001 Mack Truck, bearing New Jersey License No. AF356M, Vehicle Identification No. 1M2P267C91M060957, to be operated. At that time, Enforcement Officer Angelo D'Alexander, a duly authorized officer of this Commission, found said vehicle to be transporting Dredge Material from Philadelphia, Philadelphia County, to Hazleton, Luzerne County, Pennsylvania, for compensation.

4. That respondent, in performing the act described in Paragraph 3 of this complaint, violated the Public Utility Code, 66 Pa.C.S. § 1101, in that respondent transported property for compensation between points in the Commonwealth of Pennsylvania while not then holding a certificate of public convenience issued by this Commission. The penalty is \$1,000.00. Future violations may result in possible criminal prosecution with penalties up to \$10,000.00 and one year in prison.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Foundry Service Corporation the sum of one thousand dollars (\$1,000.00) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

C. You may elect not to contest this complaint by paying the fine proposed in this complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed. You must file an application for authority with the Secretary of the Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Your response should be directed to the Compliance Office, Bureau of Transportation and Safety, P. O. Box 3265, Harrisburg, PA 17105-3265.

D. If you file an answer which admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the optional fine.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-1421. Filed for public inspection August 3, 2007, 9:00 a.m.]

Telecommunications

A-313200F7004. Windstream Pennsylvania, Inc. and Sprint Communication Company, LP. Joint petition of Windstream Pennsylvania, Inc. and Sprint Communication Company, LP for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Windstream Pennsylvania, Inc. and Sprint Communication Company, LP, by its counsel, filed on July 18, 2007, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Windstream Pennsylvania, Inc. and Sprint Communication Company, LP joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-1422. Filed for public inspection August 3, 2007, 9:00 a.m.]

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Bureau of Professional and Occupational Affairs v. Julian Elliott Scott, Doc. No. 0090-60-2007

On June 7, 2007, Julian Elliott Scott, of Pittsburgh, Allegheny County, was assessed a civil penalty of \$2,000, based on his felony criminal conviction and making a material misstatement on his application for reactivation of his license.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of the petition for review. The Board contact for receiving service of the appeals is the previously named Board counsel.

GARY M. BARBERA,
Chairperson

[Pa.B. Doc. No. 07-1423. Filed for public inspection August 3, 2007, 9:00 a.m.]

THADDEUS STEVENS COLLEGE OF TECHNOLOGY

Request for Bids

Thaddeus Stevens College of Technology is soliciting bids for a variety of construction products such as lumber, insulation, stair stringers, wall plates and the like—necessary for the construction of a residential home. Bid documents can be obtained from Nancy Froeschle, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, (717) 299-7787, froeschle@stevenscollege.edu.

DR. WILLIAM E. GRISCOM,
President

[Pa.B. Doc. No. 07-1424. Filed for public inspection August 3, 2007, 9:00 a.m.]
