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# PENNSYLVANIA BULLETIN

Volume 45

Number 15

Saturday, April 11, 2015 • Harrisburg, PA

Pages 1743—1928

**Agencies in this issue**

The General Assembly

The Courts

Board of Coal Mine Safety

Department of Banking and Securities

Department of Conservation and Natural  
Resources

Department of Environmental Protection

Department of General Services

Department of Health

Department of Labor and Industry

Department of Revenue

Department of Transportation

Fish and Boat Commission

Insurance Department

Liquor Control Board

Pennsylvania Public Utility Commission

Philadelphia Parking Authority

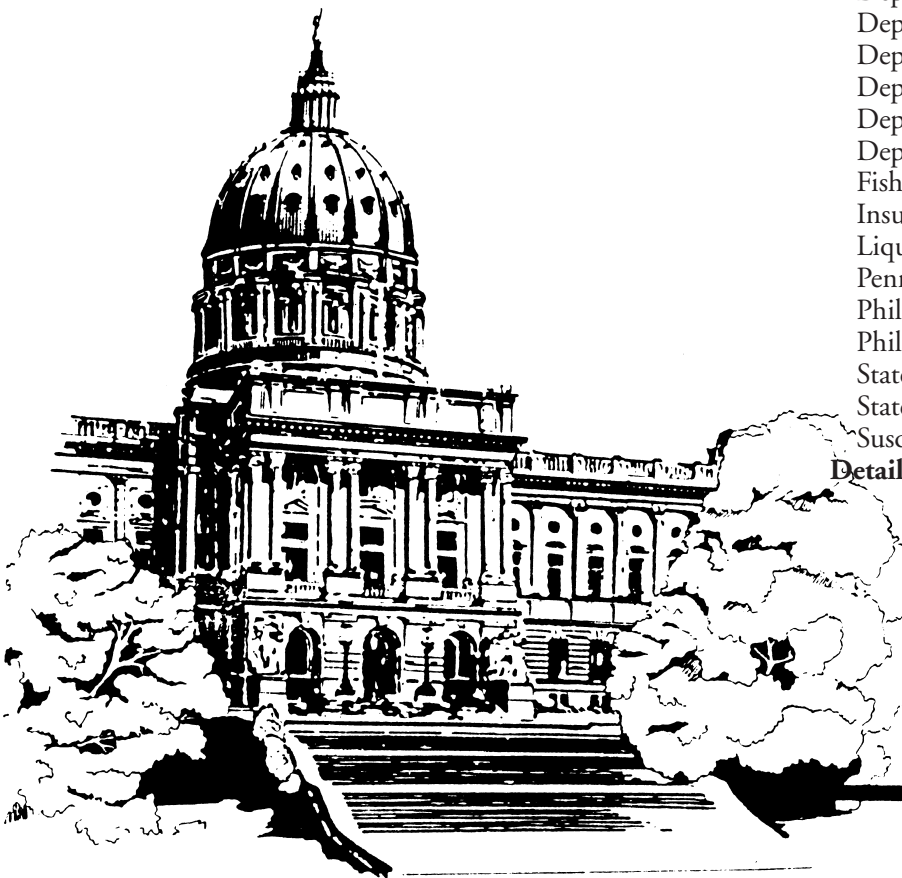
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State Board of Cosmetology

State Harness Racing Commission

Susquehanna River Basin Commission

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(Master Transmittal Sheet):**

**No. 485, April 2015**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND THE 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 Pennsylvania 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 when the agency may omit the proposal step; it 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, it must repropose.

### **Citation to the *Pennsylvania Bulletin***

Cite material in the *Pennsylvania Bulletin* by volume number, a page number and date. Example: Volume 1, *Pennsylvania Bulletin*, page 801, January 9, 1971 (short form: 1 Pa.B. 801 (January 9, 1971)).

### ***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* is available at [www.pacode.com](http://www.pacode.com).

Source Notes give the history of regulations. 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*.

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde\\_index.cfm](http://www.legis.state.pa.us/cfdocs/legis/CH/Public/pcde_index.cfm).

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. The *Pennsylvania Bulletin* is available at [www.pabulletin.com](http://www.pabulletin.com).

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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 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. A fiscal note provides 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 5 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 5 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 2015.

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### 58 Pa. Code (Recreation)

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# THE GENERAL ASSEMBLY

## HOUSE OF REPRESENTATIVES

### Committee Designation under the Regulatory Review Act; Amendment

The document regarding the designation of the jurisdiction of each standing committee of the House of Representatives published at 45 Pa.B. 1065 (March 7, 2015) was amended by Speaker Mike Turzai on March 30, 2015.

The standing committee to which the Harness Racing Commission and Horse Racing Commission regulations shall be submitted has been changed from the Gaming Oversight Committee to the Agriculture and Rural Affairs Committee.

MIKE TURZAI,  
*The Speaker*

[Pa.B. Doc. No. 15-655. Filed for public inspection April 10, 2015, 9:00 a.m.]

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART VIII. CRIMINAL SENTENCING

#### [ 204 PA. CODE CH. 303 ]

### Proposed Amendment to the 7th Edition Sentencing Guidelines; Preliminary Sentence Risk Assessment Instrument Published for Public Comment

The Pennsylvania Commission on Sentencing hereby publishes for public comment a proposed amendment to the 7th Edition Sentencing Guidelines, 204 Pa. Code §§ 303.1—303.18. The Commission also publishes for public comment a preliminary sentence risk assessment instrument, being developed for use by the sentencing court to help determine the appropriate sentence within the limits established by law. The proposed amendment is set forth in Annex A, and the preliminary sentence risk assessment instrument is set forth in Annex B.

The 7th Edition Sentencing Guidelines, which the Commission adopted on September 13, 2012, apply to all offenses committed on or after their effective date of December 28, 2012. Amendment 1 of the 7th Edition Sentencing Guidelines was adopted on June 6, 2013 and became effective September 27, 2013; Amendment 2 of the 7th Edition Sentencing Guidelines was adopted on June 5, 2014 and became effective September 26, 2014.

On March 19, 2015, the Commission adopted for the purpose of public comment Amendment 3 of the 7th Edition Sentencing Guidelines, primarily addressing a legislative mandate to create a sentencing enhancement for offenses involving human trafficking (Act 105 of 2014). Additionally, new offense gravity scores are assigned to several offenses. The proposed Amendment 3 is set forth in Annex A.

Act 2010-95 mandated the Commission to “. . . adopt a sentence risk assessment instrument for the sentencing court to use to help determine the appropriate sentence within the limits established by law. . . . The risk assessment instrument may be used as an aide in evaluating the relative risk that an offender will reoffend and be a threat to public safety” (42 Pa.C.S. § 2154.7). In addition to considering the risk of re-offense and threat to public safety, Act 2010-95 also permits the risk assessment instrument to be used to determine whether a more thorough assessment is necessary, or as an aide in determining appropriate candidates for alternative sentencing (e.g., County Intermediate Punishment, State Intermediate Punishment, State Motivational Boot Camp and Recidivism Risk Reduction Incentive).

The Commission is seeking public comment on the preliminary sentence risk assessment instrument, including but not limited to the following: (1) the development of the risk assessment instrument, and the demographic and criminal justice factors being used; (2) the presentation of the risk assessment information; (3) the use of risk assessment to address re-offense and threat to public safety; (4) the use of risk assessment to determine whether a more thorough assessment is necessary; (5) the use of risk assessment as an aide in determining appropriate candidates for alternative sentencing; and (6) any other comments related to the development and implementation of a sentence risk assessment instrument.

A table identifying the factors being used in the risk scale for each of the Offense Gravity Score categories (Table 1) as well as the preliminary sentence risk assessment information (Table 2) is set forth in Annex B.

In accordance with 42 Pa.C.S.A. § 2155, the Commission shall publish in the *Pennsylvania Bulletin* all proposed sentencing guidelines and risk assessment instruments and hold public hearings not earlier than 30 days and not later than 60 days thereafter to afford an opportunity for the following persons and organizations to testify:

- (i) Pennsylvania District Attorneys Association
- (ii) Chiefs of Police Associations
- (iii) Fraternal Order of Police
- (iv) Public Defenders Organization
- (v) Law School faculty members
- (vi) Pennsylvania Board of Probation and Parole
- (vii) Pennsylvania Department of Corrections
- (viii) Pennsylvania Bar Association
- (ix) Pennsylvania Wardens Association
- (x) Pennsylvania Association on Probation, Parole and Corrections
- (xi) Pennsylvania Conference of State Trial Judges
- (xii) Any other interested person or organization

The Commission will hold the following three public hearings to receive comments on the proposed revisions to the sentencing guidelines:

*Hearing I.*

*Date:* May 13, 2015

*Time:* 1:00 p.m.

*Location:* Justice Juanita Kidd Stout Center for Criminal Justice, Courtroom 504  
1301 Filbert Street, Philadelphia, PA

*Hearing II.*

*Date:* May 15, 2015

*Time:* 1:00 p.m.

*Location:* Allegheny County Courthouse, Courtroom 327  
436 Grant Street, Pittsburgh, PA

*Hearing III.*

*Date:* June 3, 2015

*Time:* 3:00 p.m.

*Location:* Pennsylvania Judicial Center  
601 Commonwealth Avenue, Harrisburg, PA

Persons or organizations wishing to testify before the Commission are asked to bring 30 copies of any written comments to the public hearing. Arrangements to testify may be made by contacting the Commission in advance of the hearing (Cathy Dittman at 814.863.5729 or CWD2@PSU.EDU). Written comments from persons or organizations not wishing to testify at one of the three public hearings should be submitted *no later than Friday, May 8, 2015* to: Mark H. Bergstrom, Executive Director, Pennsylvania Commission on Sentencing, P. O. Box 1200, State College, PA 16804-1200.

The Commission will evaluate the proposed Amendment 3 to the current 7th Edition Sentencing Guidelines and the preliminary sentence risk assessment instrument after consideration of the testimony and written comments received. The Commission anticipates addressing these proposed revisions at its next quarterly meeting, which will be held on June 4, 2015, at the PA Judicial Center, 601 Commonwealth Avenue, Harrisburg, PA. The Policy Committee meeting will begin at 9:00 a.m., and the Commission meeting will begin no earlier than 11:00 a.m. All Commission meetings are open to the public. Any amendments adopted by the Commission will be submitted to the General Assembly for review via publication in the *Pennsylvania Bulletin*. Proposed amendments become effective 90 days after publication in the *Pennsylvania Bulletin* unless rejected by concurrent resolution of the General Assembly.

PROFESSOR STEVEN L. CHANENSON,  
*Chair*

**Commentary on Annex A**

This Commentary provides selected highlights of the proposed Amendment to the guidelines. The proposed Amendment is set forth in Annex A.

*Revisions to 303.1—Sentencing guideline standards*

The 7th Edition Sentencing Guidelines, Amendment 2, were effective September 26, 2014. They are applicable to all offenses committed on or after that date.

Reporting requirement added. Effective for all sentences imposed on or after January 1, 2016, all subsequent revocations of probation, county intermediate punishment and state intermediate punishment and related resentences shall be reported to the Commission. The revocation/resentencing module has been available for use by counties since November 30, 2011; this new reporting requirement, authorized by 42 Pa.C.S. § 2153(a)(10) &

(14), will support the development of guidelines for resentencing, mandated by 42 Pa.C.S. § 2154.4.

*Revisions to 303.2—Procedure for determining the guideline sentence*

No changes.

*Revisions to 303.3—Offense gravity score (general)*

No changes.

*Revisions to 303.4—Prior record score (categories)*

No changes.

*Revisions to 303.5—Prior record score (prior convictions)*

No changes.

*Revisions to 303.6—Prior record score (prior juvenile adjudications)*

No changes.

*Revisions to 303.7—Prior record score (guideline points scoring)*

No changes.

*Revisions to 303.8—Prior record score (miscellaneous)*

No changes.

*Revisions to 303.9—Guideline sentence recommendations (general)*

One enhancement is added.

Human Trafficking Enhancement is created pursuant to the legislative mandate in Act 105 of 2014. It requires an increase in the offense gravity score assignment when the violation related to trafficking or involuntary servitude involves certain other factors.

*Revisions to 303.10—Guideline sentence recommendations (enhancements)*

Human Trafficking Enhancement is added (see 303.9).

*Revisions to 303.11—Guideline sentence recommendations (sentencing levels)*

No changes.

*Revisions to 303.12—Guideline sentence recommendations (sentencing programs)*

No changes.

*Revisions to 303.13—Guideline sentence recommendations (aggravating and mitigating circumstances)*

No changes.

*Revisions to 303.14—Guideline sentence recommendations (economic sanctions)*

No changes.

*Revisions to 303.15—Offense listing*

New or modified offenses:

18 Pa.C.S.A.

§§ 3011 to 3016. Human Trafficking

§ 3124.3. Sexual Assault by Sports Official, Volunteer or Employee of Non-Profit

§ 3131. Unlawful Dissemination of Intimate Image

§ 3503. Criminal Trespass

§ 3935. Theft of secondary metal

§ 5511.2. Illegal to Torture Police Animals

- 23 Pa.C.S.A.  
 § 6319. Failure to Report or Refer Suspected Child Abuse  
 § 6346. Willful Failure to Cooperate  
 35 P. S.  
 § 780-113(a)(30). Controlled Substances (Other Schedule I drugs)

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS

#### PART VIII. CRIMINAL SENTENCING

#### CHAPTER 303. SENTENCING GUIDELINES

##### § 303.1. Sentencing guidelines standards.

(a) The court shall consider the sentencing guidelines in determining the appropriate sentence for offenders convicted of, or pleading guilty or nolo contendere to, felonies and misdemeanors. Where crimes merge for sentencing purposes, the court shall consider the sentencing guidelines only on the offense assigned the higher offense Gravity score.

(b) The sentencing guidelines do not apply to sentences imposed as a result of the following: accelerated rehabilitative disposition; disposition in lieu of trial; direct or indirect contempt of court; violations of protection from abuse orders; revocation of probation, intermediate punishment or parole.

(c) The sentencing guidelines shall apply to all offenses committed on or after the effective date of the guidelines. Amendments to the guidelines shall apply to all offenses committed on or after the date the amendment becomes part of the guidelines.

(1) When there are current multiple convictions for offenses that overlap two sets of guidelines, the former guidelines shall apply to offenses that occur prior to the effective date of the amendment and the later guidelines shall apply to offenses that occur on or after the effective date of the amendment. If the specific dates of the offenses cannot be determined, then the later guidelines shall apply to all offenses.

(2) The initial sentencing guidelines went into effect on July 22, 1982 and applied to all crimes committed on or after that date. Amendments to the guidelines went into effect in June 1983, January 1986 and June 1986. On October 7, 1987 the Pennsylvania Supreme Court invalidated the guidelines due to a procedural error that occurred in 1981 when the legislature rejected the first set of guidelines. New guidelines were drafted and became effective on April 25, 1988. Amendments to the guidelines went into effect August 9, 1991 and December 20, 1991. Revised sets of guidelines became effective August 12, 1994, June 13, 1997, June 3, 2005, December 5, 2008, and December 28, 2012. **[ An Amendment ] Amendments** to the guidelines went into effect September 27, 2013 and **September 26, 2014.**

(d) In every case in which a court of record imposes a sentence for a felony or misdemeanor, the court shall make as a part of the record, and disclose in open court at the time of sentencing, a statement of the reason or reasons for the sentence imposed. In every case where a court of record imposes a sentence outside the sentencing guidelines, the reason or reasons for the deviation from the guidelines shall be recorded on the Guideline Sentence Form, a copy of which shall be electronically

transmitted to the Pennsylvania Commission on Sentencing in the manner described in § 303.1(e).

**[ (e) ] (e)(1)** Unless otherwise provided by the Commission, the JNET-based Sentencing Guidelines Software Web application (SGS Web) shall be used at the court's direction to prepare all guideline-required sentencing information. The completed Guideline Sentence Form shall be made a part of the record and the information electronically submitted to the Commission via SGS Web no later than 30 days after the date of sentencing.

**(2) Effective for sentences imposed on or after January 1, 2016, the JNET-based Sentencing Guidelines Software Web application (SGS Web) shall be used at the court's direction to report all subsequent revocations of probation, county intermediate punishment and state intermediate punishment and related resentences to the Commission. The information shall be electronically submitted to the Commission via SGS Web no later than 30 days after the date of resentencing.**

(f) Effective January 1, 2014, the State Identification Number (SID) for an offender shall be included as part of the record in the completed Guideline Sentence Form.

##### § 303.2. Procedure for determining the guideline sentence.

(a) For each conviction offense of a judicial proceeding, the procedure for determining the guideline sentence shall be as follows:

(1) Determine the Offense Gravity Score as described in § 303.3 and § 303.15.

(2) Determine the Prior Record Score as described in § 303.4—§ 303.8.

(3) Determine the guideline sentence recommendation as described in § 303.9—§ 303.14, including Deadly Weapon Enhancement, Youth/School Enhancement, Criminal Gang Enhancement, and Third Degree Murder of a Victim Younger than Age 13 Enhancement (§ 303.10), and aggravating or mitigating circumstances (§ 303.13).

(b) *Judicial proceeding.* A judicial proceeding is a proceeding in which all offenses for which the offender has been convicted are pending before the court for sentencing at the same time. A judicial proceeding may include multiple offenses and transactions.

##### § 303.3. Offense Gravity Score—general.

(a) An Offense Gravity Score is given for each offense. The Offense Gravity Scores are located in § 303.15.

(b) *Subcategorized offenses.* Certain offenses are subcategorized and scored by the Commission according to the particular circumstances of the offense. The court determines which Offense Gravity Score, located in § 303.15, applies. These offenses are designated by an asterisk (\*).

(c) *Inchoate offenses.* Inchoate offenses are scored as follows:

(1) Convictions for attempt, solicitation, or conspiracy to commit a Felony 1 offense receive an Offense Gravity Score of one point less than the offense attempted, solicited, or which was the object of the conspiracy.

(2) Convictions for attempt, solicitation, or conspiracy to commit any offense which is not a Felony 1 offense, receive the Offense Gravity Score of the offense attempted, solicited, or which was the object of the conspiracy.



(3) Convictions for attempt, solicitation, or conspiracy to commit any offense under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. § 780-101—§ 780-144) receive the Offense Gravity Score of the offense attempted, solicited, or which was the object of the conspiracy.

(4) *Exception for inchoate murder convictions.* Convictions for attempt, solicitation, or conspiracy to commit murder receive the Offense Gravity Score of 14 if there is serious bodily injury and 13 if there is no serious bodily injury.

(d) *Ethnic Intimidation.* Convictions for Ethnic Intimidation (18 Pa.C.S. § 2710) receive an Offense Gravity Score that is one point higher than the offense which was the object of the Ethnic Intimidation. When the object offense is murder of the third degree, a conviction for Ethnic Intimidation receives the highest Offense Gravity Score applicable.

(e) *Violations of The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).* If any mixture or compound contains any detectable amount of a controlled substance, the entire amount of the mixture or compound shall be deemed to be composed of the controlled substance. If a mixture or compound contains a detectable amount of more than one controlled substance, the mixture or compound shall be deemed to be composed entirely of the controlled substance which has the highest Offense Gravity Score.

(1) *Exception for prescription pills.* For violations of 35 P.S. § 780-113(a)(12), (a)(14), and (a)(30) involving narcotic prescription pills of Schedule II, when both the weight and the number of pills are known, the higher Offense Gravity Score assignment applies. (See § 303.15.)

(f) *Omnibus Offense Gravity Scores.* The Omnibus Offense Gravity Score is applied in the following circumstances:

- (1) when the offense is not otherwise listed in § 303.15, or
- (2) when the grade or statutory maximum sentence of an offense listed in § 303.15 has changed, unless application of this section would result in a lower Offense Gravity Score for an increased grading or statutory maximum sentence of the offense.

Where the definition of an offense listed in § 303.15 is changed, but the grade or statutory maximum sentence is not changed, the previously assigned offense gravity score shall apply.

The Omnibus Offense Gravity Scores are provided below and in the listing at § 303.15:

Felony 1	8
Felony 2	7
Felony 3	5
Felonies not subclassified by the General Assembly	5
Misdemeanor 1	3
Misdemeanor 2	2
Misdemeanor 3	1
Misdemeanors not subclassified by the General Assembly	1

(g) The Offense Gravity Score of 15 is assigned only for first and second degree murder when committed by offenders under age 18.

**§ 303.4. Prior Record Score—categories.**

(a) *Prior Record Score categories.* Determination of the correct Prior Record Score category under this section is

based on the type and number of prior convictions (§ 303.5) and prior juvenile adjudications (§ 303.6). There are eight Prior Record Score categories: Repeat Violent Offender (REVOC), Repeat Felony 1 and Felony 2 Offender (RFEL), and point-based categories of 0, 1, 2, 3, 4 and 5.

(1) *Repeat Violent Offender Category (REVOC).* Offenders who have two or more previous convictions or adjudications for four point offenses (§ 303.7(a)(1) and § 303.15) and whose current conviction carries an Offense Gravity Score of 9 or higher shall be classified in the Repeat Violent Offender Category.

(2) *Repeat Felony 1 and Felony 2 Offender Category (RFEL).* Offenders who have previous convictions or adjudications for Felony 1 and/or Felony 2 offenses which total 6 or more in the prior record, and who do not fall within the Repeat Violent Offender Category, shall be classified in the repeat Felony 1 and Felony 2 Offender Category.

(3) *Point-based Categories (0-5).* Offenders who do not fall into the REVOC or RFEL categories shall be classified in a Point-based Category. The Prior Record Score shall be the sum of the points accrued based on previous convictions or adjudications, up to a maximum of five points.

**§ 303.5. Prior Record Score—prior convictions.**

(a) If there is a single offense in the prior judicial proceeding, that offense shall be counted in the calculation of the Prior Record Score.

(b) If there are multiple offenses in the prior judicial proceeding:

(1) The most serious offense of the judicial proceeding shall be counted in the calculation of the Prior Record Score.

(2) Any offense for which a sentence of supervision or confinement is imposed consecutive to a sentence for another offense in the judicial proceeding shall be counted in the calculation of the Prior Record Score.

(c) *Un-sentenced convictions.* If no sentence has yet to be imposed on an offense, the offense shall not be counted in the calculation of the Prior Record Score.

(d) *Adequacy of the Prior Record Score.* The court may consider at sentencing prior convictions, juvenile adjudications or dispositions not counted in the calculation of the Prior Record Score, in addition to other factors deemed appropriate by the court.

**§ 303.6. Prior Record Score—prior juvenile adjudications.**

(a) *Juvenile adjudication criteria.* Prior juvenile adjudications are counted in the Prior Record Score when the following criteria are met:

(1) The juvenile offense occurred on or after the offender's 14th birthday, and

(2) There was an express finding by the juvenile court that the adjudication was for a felony or one of the Misdemeanor 1 offenses listed in § 303.7(a)(4).

(b) Only the most serious juvenile adjudication of each prior disposition is counted in the Prior Record Score. No other prior juvenile adjudication shall be counted in the Prior Record Score.

(c) *Lapsing of juvenile adjudications.* Prior juvenile adjudications for four point offenses listed in § 303.7(a)(1)

shall always be included in the Prior Record Score, provided the criteria in subsection (a) above are met:

(1) All other juvenile adjudications not identified above in subsection (a) lapse and shall not be counted in the Prior Record Score if:

(i) The offender was 28 years of age or older at the time the current offense was committed; and

(ii) The offender remained crime-free during the ten-year period immediately preceding the offender's 28th birthday.

(iii) *Crime-free*. Included in the definition of crime-free is any summary offense and/or one misdemeanor offense with a statutory maximum of one year or less.

(2) Nothing in this section shall prevent the court from considering lapsed prior adjudications at the time of sentencing.

**§ 303.7. Prior Record Score—guideline points scoring.**

(a) Scoring of prior convictions and adjudications is provided below and in the listing of offenses at § 303.15:

(1) *Four Point Offenses*. Four points are added for each prior conviction or adjudication for the following offenses:

Murder, and attempt, solicitation or conspiracy to commit Murder

All other completed crimes of violence, as defined in 42 Pa.C.S. § 9714(g), excluding inchoates.

Murder of Unborn Child, and attempt, solicitation or conspiracy to commit Murder of Unborn Child

Offenses with OGS 11 or greater, excluding inchoates and Violations of the Controlled Substance Act

Ethnic Intimidation to any Felony 1 offense

(2) *Three Point Offenses*. Three points are added for each prior conviction or adjudication for the following offenses:

All other Felony 1 offenses not listed in § 303.7(a)(1).

All other inchoates to offenses listed in § 303.7(a)(1).

Violation of 35 P. S. §§ 780-113(a)(12)(14) or (30) involving 50 grams or more, including inchoates involving 50 grams or more.

(3) *Two Point Offenses*. Two points are added for each prior conviction or adjudication for the following offenses:

All other Felony 2 offenses not listed in § 303.7(a)(1) or (a)(2).

All felony drug violations not listed in § 303.7(a)(2), including inchoates.

(4) *One Point Offenses*. One point is added for each prior conviction or adjudication for the following offenses:

All other felony offenses not listed in § 303.7(a)(1), (a)(2) or (a)(3).

Any of the following Misdemeanor 1 offenses that involve weapons:

Possessing Instruments of Crime (possession of a weapon)

Prohibited Offensive Weapons

Use or Possession of Electric or Electronic Incapacitation Device

Possession of Weapon on School Property

Possession of Firearm or Other Dangerous Weapon in Court Facility

Violations of the Pennsylvania Uniform Firearms Act

Any of the following Misdemeanor 1 offenses that involve death or danger to children:

Involuntary Manslaughter

Simple Assault (against child under 12 years of age by adult 18 years of age or older)

Luring a Child into a Vehicle

Indecent Assault (complainant is less than 13 years of age)

Indecent Exposure (persons present are less than age 16)

Endangering Welfare of Children

Dealing in Infant Children

Recruiting Criminal Gang Members

Driving Under the Influence of Alcohol or Controlled Substance, except for a first lifetime conviction or adjudication.

Operating a Watercraft Under the Influence of Alcohol or a Controlled Substance, except for a first lifetime conviction or adjudication.

(5) *Other Misdemeanor Offenses*. All other misdemeanor offenses, including a first lifetime conviction for Driving Under the Influence of Alcohol or a Controlled Substance or Operating a Watercraft Under the Influence of Alcohol or a Controlled Substance, are designated by an "m" in the offense listing at § 303.15, and are scored as follows:

(i) One point is added if the offender was previously convicted of two or three misdemeanors.

(ii) Two points are added if the offender was previously convicted of four to six misdemeanors.

(iii) Three points are added if the offender was previously convicted of seven or more misdemeanors.

**§ 303.8. Prior Record Score—miscellaneous.**

(a) *Prior convictions and adjudications of delinquency*. A prior conviction means "previously convicted" as defined in 42 Pa.C.S. § 2154(a)(2). A prior adjudication of delinquency means "previously adjudicated delinquent" as defined in 42 Pa.C.S. § 2154(a)(2). In order for an offense to be considered in the Prior Record Score, both the commission of and conviction for the previous offense must occur before the commission of the current offense.

(b) *Inchoate offenses*. Unless otherwise provided in § 303.7 or § 303.15, a prior conviction or adjudication of delinquency for criminal attempt, criminal solicitation or criminal conspiracy is scored under § 303.7 based upon the grade of the inchoate offense.

(c) *Ethnic Intimidation*. Unless otherwise provided in § 303.7 or § 303.15, a prior conviction or adjudication of delinquency for Ethnic Intimidation is scored under § 303.7 based upon the grade of the Ethnic Intimidation.

(d) *Former Pennsylvania offenses*.

(1) A prior conviction or adjudication of delinquency under former Pennsylvania law is scored as a conviction for the current equivalent Pennsylvania offense.

(2) When there is no current equivalent Pennsylvania offense, prior convictions or adjudications of delinquency are scored under § 303.7 based on the grade of the



offense. When a prior conviction or adjudication of delinquency was for a felony, but the grade of the felony is unknown, it shall be treated as a Felony 3. When a prior conviction was for a misdemeanor, but the grade of the misdemeanor is unknown, it shall be treated as other misdemeanors. When it cannot be determined if the prior conviction was a felony, one point misdemeanors, or other misdemeanors, it shall be treated as other misdemeanors. When a prior conviction is for a crime which has a summary grade, and the grade of the conviction is unknown, the prior conviction shall not be counted in the Prior Record Score.

(e) A prior conviction or adjudication of delinquency for an offense which was misgraded is scored as a conviction for the current equivalent Pennsylvania offense.

(f) *Out-of-state, federal or foreign offenses.*

(1) An out-of-state, federal or foreign conviction or adjudication of delinquency is scored as a conviction for the current equivalent Pennsylvania offense.

(2) A court-martial for a criminal offense under the Uniform Code of Military Justice is considered a federal conviction and is scored as a conviction for the current equivalent Pennsylvania offense. Non-judicial punishments or administrative actions (e.g., Article 15, Article 134) which are not convictions shall not be counted in the Prior Record Score.

(3) When there is no current equivalent Pennsylvania offense, determine the current equivalent Pennsylvania grade of the offense based on the maximum sentence permitted, and then apply § 303.8(d)(2).

(g) *Excluded offenses, charges and convictions.* The following types of offenses, charges and convictions shall not be scored in the Prior Record Score:

(1) Summary offenses, violations of local ordinances, direct or indirect contempt of court, violation of protection from abuse orders, and dispositions under Pa.R.Crim.P. Rules 300–320 (relating to accelerated rehabilitative disposition), 35 P.S. § 780-117 (relating to probation without verdict) or 35 P.S. § 780-118 (relating to disposition in lieu of trial or criminal punishment).

(2) A charge which is nolle prossed, dismissed, or on which a demurrer is sustained.

(3) Any prior conviction which contributed to an increase in the grade of a subsequent conviction, except for prior Driving Under the Influence of Alcohol or Controlled Substance convictions.

**§ 303.9. Guideline sentence recommendation: general.**

(a)(1) *Basic sentence recommendations.* Guideline sentence recommendations are based on the Offense Gravity Score and Prior Record Score. In most cases, the sentence recommendations are found in the Basic Sentencing Matrix (§ 303.16(a)). The Basic Sentencing Matrix specifies a range of sentences (i.e.—standard range) that shall be considered by the court for each combination of Offense Gravity Score (OGS) and Prior Record Score (PRS).

(2) *Sentences for offenders under age 18 for murder, murder of unborn child, or murder of law enforcement officer.* If an offender is under age 18 years at the time of the offense and the conviction occurred after June 24, 2012, the court has no authority to impose a sentence less than that required by the mandatory minimum provision established in statute and may impose a minimum sentence up to and including life (18 Pa.C.S. § 1102.1). If the

court determines the convicted offender was under age 18 at the time of the offense and the conviction occurred after June 24, 2012, the court shall instead consider the Basic Sentencing Matrix for Offenders Under Age 18 Convicted of 1st or 2nd Degree Murder (§ 303.16(b)).

(b) *Deadly Weapon Enhancement sentence recommendations.* If the court determines that an offender possessed a deadly weapon pursuant to § 303.10(a)(1), the court shall instead consider the DWE/Possessed Matrix (§ 303.17(a)). If the court determines that an offender used a deadly weapon pursuant to § 303.10(a)(2), the court shall instead consider the DWE/Used Matrix (§ 303.17(b)). Both enhanced matrices specify a range of sentences (i.e.—standard range) that shall be considered by the court for each combination of Offense Gravity Score (OGS) and Prior Record Score (PRS).

(c) *Youth/School Enhancement sentence recommendations.* If the court determines that an offender violated the drug act pursuant to § 303.10(b), the court shall consider the applicable matrix in 303.18, related to Youth, School, or Youth and School Enhancements. When applying the Youth Enhancement, 6 months are added to the lower limit of the standard range and 12 months are added to the upper limit of the standard range. When applying the School Enhancement, 12 months are added to the lower limit of the standard range and 24 months are added to the upper limit of the standard range. When the Youth and School Enhancement is applied, 18 months are added to the bottom of the standard range and 36 months are added to the upper limit of the standard range. The range of sentences (i.e.—standard range) shall be considered by the court for each combination of Offense Gravity Score (OGS) and Prior Record Score (PRS).

(d) *Aggravated and mitigated sentence recommendations.* To determine the aggravated and mitigated sentence recommendations, apply § 303.13.

(e) *Numeric sentence recommendations.* All numbers in sentence recommendations suggest months of minimum confinement pursuant to 42 Pa.C.S. § 9755(b) (partial confinement) and § 9756(b) (total confinement).

(f) *Alphabetic sentence recommendations.* RS in the sentence recommendation, an abbreviation for Restorative Sanctions, suggests use of the least restrictive, non-confinement sentencing alternatives described in 42 Pa.C.S. § 9753 (determination of guilt without further penalty), § 9754 (order of probation) and § 9758 (fine). 42 Pa.C.S. § 9721(c) (mandatory restitution) is also included in RS. No specific recommendations are provided for periods of supervision for these non-confinement sentencing alternatives. Recommendations related to fines and community service are found at § 303.14(a). RIP in the sentence recommendation, an abbreviation for Restrictive Intermediate Punishments, suggests use of Restrictive Intermediate Punishments pursuant to § 303.12(a)(4).

(g) When the guideline sentence recommendation exceeds that permitted by 18 Pa.C.S. § 1103 and § 1104 (relating to sentence of imprisonment for felony and misdemeanor) and 42 Pa.C.S. § 9755(b) and § 9756(b) (relating to sentence of partial and total confinement) or other applicable statute setting the maximum term of confinement, then the statutory limit is the longest guideline sentence recommendation. For the purposes of the guidelines, the statutory limit is the longest legal minimum sentence, which is one-half the maximum allowed by law.

(h) *Mandatory sentences.* The court has no authority to impose a sentence less than that required by a mandatory

minimum provision established in statute. When the guideline range is lower than that required by a mandatory sentencing statute, the mandatory minimum requirement supersedes the sentence recommendation. When the sentence recommendation is higher than that required by a mandatory sentencing statute, the court shall consider the guideline sentence recommendation.

(i) *Mandatory sentences for which county intermediate punishment is authorized.* The court shall consider the sentence recommendations pursuant to this section (§ 303.9) for an offender convicted under 30 Pa.C.S. § 5502 (Operating Watercraft Under the Influence of Alcohol or a Controlled Substance), 75 Pa.C.S. § 1543(b) (Driving While Operating Privilege is Suspended or Revoked, Certain Offenses), 75 Pa.C.S. § 3802 (Driving Under the Influence of Alcohol or Controlled Substance) or 75 Pa.C.S. § 3808(a)(2) (Illegally Operating a Motor Vehicle Not Equipped with Ignition Interlock). The court may use a Qualified Restrictive Intermediate Punishment pursuant to § 303.12(a)(6) to satisfy the mandatory minimum requirement as provided by law.

(j) *Criminal Gang Enhancement sentence recommendations.* If the court determines that either a crime of violence as defined in 42 Pa.C.S. § 9714(g) or a violation of possession with intent to deliver as defined in 35 P.S. § 780-113(a)(30) is committed in association with a criminal gang, the court shall instead consider the Criminal Gang Enhancement. The enhancement specifies a range of sentences (i.e., standard range) that shall be considered by the court for each combination of Offense Gravity Score (OGS) and Prior Record Score (PRS). The Criminal Gang Enhancement adds 12 months to the lower limit and adds 12 months to the upper limit of the standard range.

(k) *Third Degree Murder of a Victim Younger than Age 13 Enhancement sentence recommendations.* If the court determines that the victim of murder in the third degree as defined in 18 Pa.C.S. § 2502(c) was less than 13 years of age at the time of the offense, the court shall instead consider the Third Degree Murder of a Victim Younger than Age 13 Enhancement. The enhancement specifies a range of sentences (i.e., standard range) that shall be considered by the court for each combination of Offense Gravity Score (OGS) and Prior Record Score (PRS). The Third Degree Murder of a Victim Younger than Age 13 Enhancement adds 24 months to the lower limit of the standard range and assigns the statutory limit as the upper limit of the standard range. The sentence imposed will be served consecutively to any other sentence the person is serving and to any other sentence imposed by the court (42 Pa.C.S. § 9711.1).

(l) *Sexual Abuse of Children Enhancement sentence recommendations.* If the court determines that aggravating circumstances described in § 303.10(e) are present, the court shall instead consider the applicable Sexual Abuse of Children Enhancement related to number of images possessed by the offender or the nature and character of the abuse depicted:

(1) *When applying enhancement based on the number of images possessed by the offender.* If the offender possessed more than 50 images to 200 images, 6 months are added to the lower limit of the standard range and 6 months are added to the upper limit of the standard range. If the offender possessed more than 200 images to 500 images, 12 months are added to the lower limit of the standard range and 12 months are added to the upper limit of the standard range. If the offender possessed more than 500

images, 18 months are added to the lower limit of the standard range and 18 months are added to the upper limit of the standard range.

(2) *When applying enhancement based on the nature and character of the abuse depicted.* The Offense Gravity Score is one point higher than the assignments for 18 Pa.C.S. § 6312 (relating to sexual abuse of children) listed in § 303.15.

(3) *When applying enhancement when both aggravating circumstances are present.* The court shall consider the enhancement with the higher sentence recommendation.

(m) *Arson Enhancement sentence recommendations.* If the court determines that one or more of the factors described in § 303.10(f) are present, the court shall instead consider the Arson Enhancement. When the Arson Enhancement is applied, the Offense Gravity Score is one point higher than the assignments listed for 18 Pa.C.S. § 3301 (relating to arson) in § 303.15.

(n) *Human Trafficking Enhancement sentence recommendations.* If the court determines that one or more of the factors described in § 303.10(g) are present, the court shall instead consider the Human Trafficking Enhancement. When the Human Trafficking Enhancement is applied, the Offense Gravity Score assignments listed for 18 Pa.C.S. § 3011 (relating to trafficking in individuals) and § 3012 (relating to involuntary servitude) in § 303.15 are increased by one point for each additional factor listed. The points for each factor (§ 303.10(g)(1)—(4)) shall be cumulative, for a maximum of four points.

**§ 303.10. Guideline sentence recommendations: enhancements.**

(a) *Deadly Weapon Enhancement.*

(1) When the court determines that the offender possessed a deadly weapon during the commission of the current conviction offense, the court shall consider the DWE/Possessed Matrix (§ 303.17(a)). An offender has possessed a deadly weapon if any of the following were on the offender's person or within his immediate physical control:

(i) Any firearm, (as defined in 42 Pa.C.S. § 9712) whether loaded or unloaded, or

(ii) Any dangerous weapon (as defined in 18 Pa.C.S. § 913), or

(iii) Any device, implement, or instrumentality designed as a weapon or capable of producing death or serious bodily injury where the court determines that the offender intended to use the weapon to threaten or injure another individual.

(2) When the court determines that the offender used a deadly weapon during the commission of the current conviction offense, the court shall consider the DWE/Used Matrix (§ 303.17(b)). An offender has used a deadly weapon if any of the following were employed by the offender in a way that threatened or injured another individual:

(i) Any firearm, (as defined in 42 Pa.C.S. § 9712) whether loaded or unloaded, or

(ii) Any dangerous weapon (as defined in 18 Pa.C.S. § 913), or

(iii) Any device, implement, or instrumentality capable of producing death or serious bodily injury.

(3) There shall be no Deadly Weapon Enhancement for the following offenses:

- (i) Possessing Instruments of Crime
- (ii) Prohibited Offensive Weapons
- (iii) Possession of Weapon on School Property
- (iv) Possession of Firearm or Other Dangerous Weapon in Court Facility
- (v) Simple Assault (18 Pa.C.S. § 2701(a)(2))
- (vi) Aggravated Assault (18 Pa.C.S. § 2702(a)(4))
- (vii) Theft when property stolen is a firearm (18 Pa.C.S. Chapter 39)
- (viii) Violations of the Pennsylvania Uniform Firearms Act
- (ix) Any other offense for which possession of a deadly weapon is an element of the statutory definition[ , ]

(x) If the Arson Enhancement under § 303.10(f)(1)(iii) is applied.

(4) The Deadly Weapon Enhancement shall apply to each conviction offense for which a deadly weapon is possessed or used.

(b) *Youth/School Enhancement.*

(1) When the court determines that the offender distributed a controlled substance to a person or persons under the age of 18, the court shall consider the range of sentences described in § 303.9(c).

(2) When the court determines that the offender manufactured, delivered or possessed with intent to deliver a controlled substance within 250 feet of the real property on which is located a public or private elementary or secondary school, the court shall consider the sentence recommendations described in § 303.9(c).

(3) When the court determines both (b)(1) and (b)(2) apply, the court shall consider the sentence recommendations described in § 303.9(c).

(4) The Youth/School Enhancement only applies to violations of 35 P. S. § 780-113(a)(14) and (a)(30).

(5) The Youth/School Enhancement shall apply to each violation which meets the criteria above.

(c) *Criminal Gang Enhancement.*

(1) When the court determines that the offender committed a crime of violence as defined in 42 Pa.C.S. § 9714(g) in association with a criminal gang, the court shall instead consider the sentence recommendations described in § 303.9(j).

(2) When the court determines that the offender committed a violation of possession with intent to deliver as defined in 35 P. S. § 780-113(a)(30) in association with a criminal gang, the court shall instead consider the sentence recommendations described in § 303.9(j).

(3) The Criminal Gang Enhancement shall apply to each violation which meets the criteria above.

(d) *Third Degree Murder of a Victim Younger than Age 13 Enhancement.*

(1) When the court determines the victim of murder in the third degree as defined in 18 Pa.C.S. § 2502(c) was less than 13 years of age at the time of the offense, the court shall instead consider the sentence recommendations described in § 303.9(k).

(2) Third Degree Murder of a Victim Younger than Age 13 Enhancement shall apply to each violation which meets the criteria above.

(3) The sentence imposed will be served consecutive to any other sentence the person is serving and to any other sentence imposed by the court (42 Pa.C.S. § 9711.1).

(e) *Sexual Abuse of Children Enhancement.*

(1) When the court determines that the offender violated 18 Pa.C.S. § 6312 (relating to sexual abuse of children) and that the offender possessed more than 50 images, the court shall instead consider the sentence recommendations described in § 303.9(1)(1). For purposes of this enhancement, the number of images is defined as follows:

(i) Each photograph, picture, computer generated image, or any similar visual depiction shall be considered to be one image.

(ii) Each video, video-clip, movie, or similar visual depiction shall be considered to have 50 images.

(2) When the court determines that the offender violated 18 Pa.C.S. § 6312 (relating to sexual abuse of children) and that the abuse depicted in the images possessed by the offender were of a sexual or violent nature or character, the court shall instead consider the sentence recommendations described in § 303.9(1)(2). This enhancement shall apply to any image possessed by the offender which portrays or contains any of the following:

(i) the bondage of a child;

(ii) a weapon used in a sexual context;

(iii) penetration or attempted penetration of a child; or

(iv) an act which would constitute a crime under 18 Pa.C.S. Chapter 25 (relating to criminal homicide), 18 Pa.C.S. Chapter 27 (relating to assault) or 18 Pa.C.S. Chapter 31 (relating to sexual offenses).

(3) Sexual Abuse of Children Enhancement shall apply to each violation which meets the criteria above.

(f) *Arson Enhancement.*

(1) When the court determines that one or more of the following factors relating to arson as defined in 18 Pa.C.S. § 3301 are present, the court shall instead consider the sentence recommendations described in § 303.9(m):

(i) more than three persons were present inside the property at the time of the offense;

(ii) the fire caused more than \$1,000,000 in property damage; or

(iii) the actor used, attempted to use or possessed an explosive or incendiary device as defined in 18 Pa.C.S. § 5515(a) (relating to prohibiting paramilitary training).

(2) Arson Enhancement shall apply to each violation which meets the criteria above.

**(g) *Human Trafficking Enhancement.* When the court determines that the offender committed a violation of human trafficking as defined in 18 Pa.C.S. § 3011 (trafficking in individuals) or § 3012 (involuntary servitude) and any of the following factors were present and not otherwise included in the offense gravity score assignment in § 303.15, the court shall instead consider the sentence recommendations as described in § 303.9(n):**



(1) the offender committed a violation involving sexual servitude;

(2) the victim was a minor less than 18 years of age;

(3) an additional point is added if the victim was a minor less than 13 years of age;

(4) in the course of committing a violation, the offender also violated one or more of the following offenses:

18 Pa.C.S. § 2901 (relating to kidnapping); or

18 Pa.C.S. § 3121 (relating to rape); or

18 Pa.C.S. § 3123 (relating to involuntary deviate sexual intercourse).

**§ 303.11. Guideline sentence recommendation: sentencing levels.**

(a) *Purpose of sentence.* In writing the sentencing guidelines, the Pennsylvania Commission on Sentencing strives to provide a benchmark for the judges of Pennsylvania. The sentencing guidelines provide sanctions proportionate to the severity of the crime and the severity of the offender's prior conviction record. This establishes a sentencing system with a primary focus on retribution, but one in which the recommendations allow for the fulfillment of other sentencing purposes including rehabilitation, deterrence, and incapacitation. To facilitate consideration of sentencing options consistent with the intent of the sentencing guidelines, the Commission has established five sentencing levels. Each level targets certain types of offenders, and describes ranges of sentencing options available to the court.

(b) *Sentencing levels.* The sentencing level is based on the standard range of the sentencing recommendation. Refer to § 303.9 to determine which sentence recommendation (i.e.—Basic, Deadly Weapon Enhancement or Youth/School Enhancement) applies. When the individual or aggregate minimum sentence recommendation includes confinement in a county facility, county intermediate punishment should be considered in lieu of confinement for an eligible offender. When the individual or aggregate minimum sentence recommendation includes confinement in a state facility, county or state intermediate punishment should be considered in lieu of confinement for an eligible offender. The descriptions of the five sentencing levels are as follows:

(1) *Level 1*—Level 1 provides sentence recommendations for the least serious offenders with no more than one prior misdemeanor conviction, such that the standard range is limited to Restorative Sanctions (RS). The primary purpose of this level is to provide the minimal control necessary to fulfill court-ordered obligations. The following sentencing option is available:

Restorative Sanctions (§ 303.9(f)) (also see § 303.14(a)(4) for Fines/Community Service Guidelines)

(2) *Level 2*—Level 2 provides sentence recommendations for generally non-violent offenders and those with numerous less serious prior convictions, such that the standard range requires a county sentence but permits both incarceration and non-confinement. The standard range is defined as having an upper limit of less than 12 months and a lower limit of Restorative Sanctions (RS). The primary purposes of this level are control over the offender and restitution to victims. Treatment is recommended for drug dependent offenders. The following sentencing options are available:

Total confinement in a county facility

Partial confinement in a county facility

County Intermediate Punishment (see § 303.12(a) for eligibility criteria)

Restorative Sanctions (§ 303.9(f)) (also see § 303.14(a)(4) for Fines/Community Service Guidelines)

(3) *Level 3*—Level 3 provides sentence recommendations for serious offenders and those with numerous prior convictions, such that the standard range requires incarceration or County Intermediate Punishment, but in all cases permits a county sentence. The standard range is defined as having a lower limit of incarceration of less than 12 months. Included in Level 3 are those offenses for which a mandatory minimum sentence of 12 months or less applies and for which a state or county intermediate punishment sentence is authorized by statute. The primary purposes of this level are retribution and control over the offender. If eligible, treatment is recommended for drug dependent offenders in lieu of incarceration. The following sentencing options are available:

Total confinement in a state facility

Total confinement in a state facility, with participation in the State Motivational Boot Camp (see § 303.12(b) for eligibility criteria)

State Intermediate Punishment (see § 303.12(c) for eligibility criteria)

Total confinement in a county facility pursuant to 42 Pa.C.S. § 9762(b) or for DUI if the offender is subject to the extended supervision of the court pursuant to 75 Pa.C.S. § 3804(d)

Partial confinement in a county facility pursuant to 42 Pa.C.S. § 9762(b) or for DUI if the offender is subject to the extended supervision of the court pursuant to 75 Pa.C.S. § 3804(d)

County Intermediate Punishment (see § 303.12(a) for eligibility criteria)

(4) *Level 4*—Level 4 provides sentence recommendations for very serious offenders and those with numerous prior convictions, such that the standard range requires state incarceration but permits it to be served in a county facility pursuant to 42 Pa.C.S. § 9762(b). The standard range is defined as having a lower limit of incarceration of 12 months or greater but less than 30 months, but limited to offenses with an Offense Gravity Score of less than 9. Included in Level 4 are those offenses for which a mandatory minimum sentence of less than 30 months applies and for which a state or county intermediate punishment sentence is authorized by statute. The primary purposes of the sentencing options at this level are punishment and incapacitation. However, it is recognized that certain offenders at this level are permitted to serve a sentence of total confinement in a county facility, pursuant to 42 Pa.C.S. § 9762(b), and some non-violent offenders may benefit from drug and alcohol treatment. If eligible, state or county intermediate punishment is recommended for drug dependent offenders. The following sentencing options are available:

Total confinement in a state facility

Total confinement in a state facility, with participation in the State Motivational Boot Camp (see § 303.12(b) for eligibility criteria)

State Intermediate Punishment (see § 303.12(c) for eligibility criteria)

Total confinement in a county facility pursuant to 42 Pa.C.S. § 9762(b) or for DUI if the offender is subject to the extended supervision of the court pursuant to 75 Pa.C.S. § 3804(d)

Partial confinement in a county facility pursuant to 42 Pa.C.S. § 9762(b) or for DUI if the offender is subject to the extended supervision of the court pursuant to 75 Pa.C.S. § 3804(d)

County Intermediate Punishment (see § 303.12(a) for eligibility criteria)

(5) *Level 5*—Level 5 provides sentence recommendations for the most violent offenders and those with major drug convictions, such that the conviction has an Offense Gravity Score of 9 or greater or the standard range requires state incarceration in a state facility. The standard range in such a case is defined as having a lower limit of 12 months or greater. Included in Level 5 are those offenses for which a mandatory minimum sentence of 30 months or greater applies and for which a state or county intermediate punishment sentence is authorized by statute. The primary purposes of the sentencing options at this level are punishment commensurate with the seriousness of the criminal behavior and incapacitation to protect the public. If eligible, state or county intermediate punishment is recommended for drug dependent offenders. The following sentencing options are available:

Total confinement in a state facility

Total confinement in a state facility, with participation in the State Motivational Boot Camp (see § 303.12(b) for eligibility criteria)

State Intermediate Punishment (see § 303.12(c) for eligibility criteria)

Total confinement in a county facility pursuant to 42 Pa.C.S. § 9762(b) or for DUI if the offender is subject to the extended supervision of the court pursuant to 75 Pa.C.S. § 3804(d)

Partial confinement in a county facility pursuant to 42 Pa.C.S. § 9762(b) or for DUI if the offender is subject to the extended supervision of the court pursuant to 75 Pa.C.S. § 3804(d)

County Intermediate Punishment (see § 303.12(a) for eligibility criteria)

**§ 303.12. Guideline sentence recommendations: sentencing programs.**

(a) *County intermediate punishment (CIP).*

(1) *Eligibility.*

(i) The following regulations and statutes govern operation of and eligibility for county intermediate punishment programs:

37 Pa. Code § 451.1 et seq.

42 Pa.C.S. § 9763, § 9773 and Chapter 98

204 Pa. Code § 303.8 and § 303.9

(ii) Sentence recommendations which include an option of County Intermediate Punishment for certain offenders are designated in the guideline matrices.

(2) The county intermediate punishment plan provides a mechanism to advise the court of the extent and availability of services and programs authorized in the county. This plan includes information on the appropriate classification and use of county programs based on program-specific requirements.

(3) *County intermediate punishments classifications.* In order to incorporate county intermediate punishment programs into the sentencing levels, the Commission has classified county intermediate punishment programs as Restrictive Intermediate Punishments (RIP) and restorative sanction programs. Additionally, specific county intermediate punishment programs have been identified in legislation (42 Pa.C.S. §§ 9763(c) and 9804(b)) and regulation (37 Pa. Code § 451.52) as authorized sentences for convictions relating to Operating a Watercraft Under the Influence of Alcohol or a Controlled Substance, Driving While Operating Privilege is Suspended or Revoked, Driving Under the Influence of Alcohol or Controlled Substance and Illegally Operating a Motor Vehicle Not Equipped with Ignition Interlock; the Commission has classified these programs as Qualified Restrictive Intermediate Punishments.

(4) *Restrictive Intermediate Punishments (RIP).* Restrictive Intermediate Punishments are defined as programs that provide for strict supervision of the offender. The county intermediate punishment board is required to develop assessment and evaluation procedures to assure the appropriate targeting of offenders. All programs must meet the minimum standards provided in the Pennsylvania Commission on Crime and Delinquency regulations (37 Pa. Code Chapter 451) for county intermediate punishments.

(i) Restrictive Intermediate Punishments (RIP) either:

(A) house the offender full or part time; or

(B) significantly restrict the offender's movement and monitor the offender's compliance with the program(s); or

(C) involve a combination of programs that meet the standards set forth above.

(ii) An offender under consideration for Restrictive Intermediate Punishments at Level 4 or Level 3 shall have a diagnostic assessment of dependency on alcohol or other drugs conducted by one of the following: the Pennsylvania Department of Drug and Alcohol Programs or a designee; the county authority on drugs and alcohol or a designee; or clinical personnel of a facility licensed by the Department of Drug and Alcohol Programs.

(iii) An offender assessed to be dependent shall be evaluated for purposes of a treatment recommendation by one of the above listed assessors. The evaluation shall take into account the level of motivation of the offender. If sentenced to a Restrictive Intermediate Punishment, the sentence shall be consistent with the level of care and length of stay prescribed in the treatment recommendation, regardless of the standard range sentencing recommendation.

(iv) An offender assessed as not in need of drug or alcohol treatment may be placed in any approved Restrictive Intermediate Punishment program. Each day of participation in a Restrictive Intermediate Punishment program or combination of programs shall be considered the equivalent of one day of total confinement for guideline sentence recommendations.

(v) The court may impose a Qualified Restrictive Intermediate Punishment in lieu of incarceration for certain convictions under 75 Pa.C.S. § 3802 (relating to Driving Under the Influence of Alcohol or Controlled Substance).

(5) *Restorative sanction programs.* Restorative sanction programs are the least restrictive, non-confinement intermediate punishments. Restorative sanction programs are generally used in conjunction with Restrictive Intermediate Punishments as the level of supervision is reduced,

but may also be used as separate sanctions under any of the non-confinement sentencing alternatives provided in the statute (see § 303.9(f)).

(i) Restorative sanction programs:

(A) are the least restrictive in terms of constraint of offender's liberties;

(B) do not involve the housing of the offender (either full or part time); and

(C) focus on restoring the victim to pre-offense status.

(6) *Qualified Restrictive Intermediate Punishments.* In accordance with 42 Pa.C.S. §§ 9763(c), 9804(b) and 37 Pa. Code § 451, Qualified Restrictive Intermediate Punishment programs may be used to satisfy the mandatory minimum sentencing requirements of certain convictions under 30 Pa.C.S. § 5502(c.1) for a first, second or third offense under 30 Pa.C.S. § 5502, 75 Pa.C.S. § 1543(b), former 75 Pa.C.S. § 3731, 75 Pa.C.S. § 3804 for a first, second or third offense under 75 Pa.C.S. Chapter 38, or 75 Pa.C.S. § 3808(a)(2) Illegally Operating a Motor Vehicle Not Equipped with Ignition Interlock.

(i) Unless otherwise provided in statute, Qualified Restrictive Intermediate Punishment programs include:

(A) if the offender is determined to be in need of drug and alcohol treatment, and receives a penalty imposed under 75 Pa.C.S. § 1543(b), former 75 Pa.C.S. § 3731, 75 Pa.C.S. § 3804, or 75 Pa.C.S. § 3808(a)(2) a sentence to county intermediate punishment shall include participation in drug and alcohol treatment under 75 Pa.C.S. § 3815(c), and may be combined with:

1. a residential inpatient program or residential rehabilitative center;
2. house arrest with electronic surveillance;
3. a partial confinement program such as work release, a work camp or a halfway facility; or
4. any combination of Qualified Restrictive Intermediate Punishment programs.

(B) if the offender is determined not to be in need of drug and alcohol treatment, or if the defendant receives a penalty imposed under 30 Pa.C.S. § 5502(c.1), a sentence to county intermediate punishment may only include:

1. house arrest with electronic surveillance; or
2. partial confinement programs such as work release, a work camp or a halfway facility; or
3. any combination of Qualified Restrictive Intermediate Punishment programs.

(b) *State Motivational Boot Camp (BC).*

(1) *Eligibility.*

(i) The following statute governs operation of and eligibility for the State Motivational Boot Camp: 61 Pa.C.S. Chapter 39.

(ii) Sentence recommendations which include boot camp eligible offenders are designated by the letters BC in the cells of the Basic Sentencing Matrix (§ 303.16(a)).

(2) The court shall indicate on the offender's commitment order and the Guideline Sentence Form if the offender is authorized as eligible for the boot camp program. The Department of Corrections makes the final determination as to whether the offender will be accepted into the boot camp program.

(c) *State Intermediate Punishment (SIP).*

(1) *Eligibility.*

(i) The following statute governs operation of and eligibility for State Intermediate Punishment: 61 Pa.C.S. Chapter 41.

(ii) Any person convicted of a drug-related offense for which the sentence recommendation includes total confinement in a state facility may be considered for state intermediate punishment.

(2) The court may, upon motion of the Commonwealth, commit an offender to the custody of the Department of Corrections for the purpose of evaluating whether the offender would benefit from a drug offender treatment program and whether treatment in a drug offender treatment program is appropriate.

(3) Upon receipt of a recommendation for placement in a drug offender treatment program and an individualized treatment plan from the Department of Corrections, and agreement of the attorney for the Commonwealth, the court may sentence an eligible offender to a period of 24 months of state intermediate punishment.

(4) The court may impose a consecutive period of probation. The total duration of a sentence of state intermediate punishment and consecutive probation may not exceed the maximum term for which the eligible offender could otherwise be sentenced.

**§ 303.13. Guideline sentence recommendations: aggravated and mitigated circumstances.**

(a) When the court determines that an aggravating circumstance(s) is present, it may impose an aggravated sentence as follows:

(1) For the Offense Gravity Scores of 9, 10, 11, 12 and 13 the court may impose a sentence that is up to 12 months longer than the upper limit of the standard range.

(2) For the Offense Gravity Score of 8, the court may impose a sentence that is up to 9 months longer than the upper limit of the standard range.

(3) For the Offense Gravity Scores of 6 and 7, the court may impose a sentence that is up to 6 months longer than the upper limit of the standard range.

(4) For the Offense Gravity Scores of 1, 2, 3, 4, and 5, the court may impose a sentence that is up to 3 months longer than the upper limit of the standard range. When imposing a fine or community service pursuant to § 303.14(a)(4), the court may impose a sentence that is up to 25 hours longer than the upper limit of the standard range.

(5) When the standard range is Restorative Sanctions (RS), the aggravated sentence recommendation is RIP-3.

(b) When the court determines that a mitigating circumstance(s) is present, it may impose a mitigated sentence as follows:

(1) For the Offense Gravity Scores of 9, 10, 11, 12, 13, and 14 the court may impose a sentence that is up to 12 months shorter than the lower limit of the standard range.

(2) For the Offense Gravity Score of 8, the court may impose a sentence that is up to 9 months shorter than the lower limit of the standard range.

(3) For the Offense Gravity Scores of 6 and 7, the court may impose a sentence that is up to 6 months shorter than the lower limit of the standard range.



(4) For the Offense Gravity Scores of 1, 2, 3, 4, and 5, the court may impose a sentence that is up to 3 months shorter than the lower limit of the standard range. When imposing a fine or community service pursuant to § 303.14(a)(4), the court may impose a sentence that is up to 25 hours shorter than the lower limit of the standard range.

(5) When the bottom of the standard range is less than or equal to 3 months of incarceration, the lower limit of the mitigated sentence recommendation is Restorative Sanctions (RS).

(6) In no case where a Deadly Weapon Enhancement is applied may the mitigated sentence recommendation be lower than 3 months.

(7) In no case where the Youth/School Enhancement is applied may the mitigated sentence recommendation be lower than 6 months for the Youth Enhancement, 12 months for the School Enhancement, and 18 months for the Youth and School Enhancement.

(8) In no case where the Criminal Gang Enhancement is applied may the mitigated sentence recommendation be lower than 12 months.

(9) In no case where the Third Degree Murder of a Victim Younger than Age 13 Enhancement is applied may the mitigated sentence recommendation be lower than 96 months.

(10) In no case shall a mitigated sentence for offenders under age 18 for murder of the first or second degree, murder of unborn child of the first or second degree, or murder of law enforcement officer of the first or second degree be less than the mandatory minimum established in statute (18 Pa.C.S. § 1102.1).

(11) In no case where the Sexual Abuse of Children Enhancement involving number of images is applied may the mitigated sentence recommendation be lower than 6 months for possession of greater than 50 to 200 images, be lower than 12 months for possession of greater than 200 to 500 images, and be lower than 18 months for greater than 500 images.

(c) When the court imposes an aggravated or mitigated sentence, it shall state the reasons on the record and on the Guideline Sentence Form, a copy of which is electronically transmitted to the Commission on Sentencing in the manner described in § 303.1(e).

**§ 303.14. Guideline sentence recommendations—economic sanctions.**

(a) *Fines.*

(1) Fines may be added to any guideline sentence, as authorized by law. Relevant statutes include but are not limited to:

- (i) 18 Pa.C.S. § 1101 (relating to fines)
- (ii) 35 P.S. § 780-113(b)—(o) (relating to controlled substances)
- (iii) 42 Pa.C.S. § 9726 (relating to fine as a sentence)
- (iv) 42 Pa.C.S. § 9758 (relating to imposition of a fine)
- (v) 75 Pa.C.S. § 3804 (relating to fines for DUI)

(2) A fine, within the limits established by law, shall be considered by the court when the offender is convicted of 35 P.S. § 780-113(a)(12), (14) or (30), and the drug involved is any of the following: a controlled substance or counterfeit substance classified in Schedule I or II and which is a narcotic; phencyclidine, methamphetamine, or cocaine, including the isomers, salts, compounds, salts of

isomers, or derivatives of phencyclidine, methamphetamine, or cocaine; or is in excess of one thousand pounds of marijuana. Such fine shall be of an amount that is at least sufficient to exhaust the assets utilized in, and the proceeds obtained by the offender from, the illegal possession, manufacture, or distribution of controlled substances. Such fine shall not include assets concerning which the attorney for the Commonwealth has filed a forfeiture petition or concerning which he has given notice to the court of his intent to file a forfeiture petition.

(3) Fines may be utilized as part of a county intermediate punishment sentence or as a non-confinement sentencing alternative (see restorative sanction § 303.9(f)).

(4) *Fines/Community Service Guidelines.* The following guidelines shall be considered by the court when ordering fines or community service as a Restorative Sanction without confinement. Community service, when ordered, is imposed as a condition of probation. A fine, when ordered, is imposed as a non-confinement sentencing alternative or as a condition of probation. The fines guidelines are determined by multiplying the number of hours recommended by the offender's hourly wage or the current minimum wage, whichever is higher, but may not exceed the statutory maximum fine authorized by law

(A) *OGS 1*

- i. PRS 0 25 hours-50 hours
- ii. PRS 1 50 hours-75 hours
- iii. PRS 2 75 hours-100 hours
- iv. PRS 3 100 hours-125 hours
- v. PRS 4 125 hours-150 hours
- vi. PRS 5 150 hours-175 hours

(B) *OGS 2*

- i. PRS 0 25 hours-50 hours
- ii. PRS 1 75 hours-100 hours
- iii. PRS 2 100 hours-125 hours
- iv. PRS 3 125 hours-150 hours
- v. PRS 4 150 hours-175 hours

(C) *OGS 3*

- i. PRS 0 50 hours-75 hours
- ii. PRS 1 150 hours-175 hours
- iii. PRS 2 225 hours-250 hours
- iv. PRS 3 300 hours-325 hours

(D) *OGS 4*

- i. PRS 0 100 hours-125 hours
- ii. PRS 1 225 hours-250 hours
- iii. PRS 2 300 hours-325 hours

(E) *OGS 5*

- i. PRS 0 225 hours-250 hours

(b) *Costs and fees.*

(1) Costs and fees may be added to any guideline sentence, as authorized by law. Relevant statutes include but are not limited to:

- (i) 18 Pa.C.S. § 1109 (relating to costs of any reward)
- (ii) 18 P.S. § 11.1101 (relating to Crime Victim's Compensation Fund costs)
- (iii) 18 P.S. § 11.1102 (relating to costs of offender supervision programs)

- (iv) 42 Pa.C.S. § 1725 (relating to fees and charges)
- (v) 42 Pa.C.S. § 1725.1 (relating to costs)
- (vi) 42 Pa.C.S. § 1725.2 (relating to costs of summary convictions)
- (vii) 42 Pa.C.S. § 1725.3 (relating to criminal laboratory user fees)
- (viii) 42 Pa.C.S. § 1726.1 (relating to forensic exam)
- (ix) 42 Pa.C.S. § 1726.2 (relating to criminal prosecution involving domestic violence)
- (x) 42 Pa.C.S. § 9728(c) (relating to costs, etc.)

(c) *Restitution.*

(1) Restitution shall be added to any guideline sentence, as authorized by law. Relevant statutes include but are not limited to:

- (i) 18 Pa.C.S. § 1106 (relating to injuries to person or property)
- (ii) 18 Pa.C.S. § 1107 (relating to theft of timber)
- (iii) 18 P.S. § 11.1302 (relating to restitution to the Office of Victim Services)
- (iv) 42 Pa.C.S. § 9720.1 (relating to identity theft)
- (v) 42 Pa.C.S. § 9721(c) (relating to mandatory restitution)

(2) Restitution may be imposed as a direct sentence or as a condition of probation or intermediate punishment, and is considered a non-confinement sentencing alternative (see restorative sanction § 303.9(f)).

§ 303.15. **Offense Listing.**

**CRIMES CODE OFFENSES**

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
901	Criminal attempt (Inchoate)	18 Pa.C.S. § 905	See § 303.3(c)	See § 303.8(b)
902	Criminal solicitation (Inchoate)	18 Pa.C.S. § 905	See § 303.3(c)	See § 303.8(b)
903	Criminal conspiracy (Inchoate)	18 Pa.C.S. § 905	See § 303.3(c)	See § 303.8(b)
907(a)	Possessing instruments of crime (criminal instruments)	M-1	3	m
907(b)	Possessing instruments of crime (weapon)	M-1	4	1
907(c)	Possessing instruments of crime (unlawful body armor)	F-3	5	1
908(a)	Prohibited offensive weapons	M-1	4	1
908.1(a)(1)	Use electric incapacitation device (intent to commit felony)	F-2	8	2
908.1(a)(1)	Use electric incapacitation device (no intent to commit felony)	M-1	5	1
908.1(a)(2)	Possess electric incapacitation device (intent to commit felony)	F-2	7	2
908.1(a)(2)	Possess electric incapacitation device (no intent to commit felony)	M-1	4	1
909(a)	Manufacture/etc.-master key for motor vehicle	M-1	3	m
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (>50 devices)	F-2	8	2
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (10-50 devices)	F-3	6	1
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (1st off)	M-1	4	m
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (2nd off)	F-3	6	1
910(a)(1)(i)	Manufacture/etc.-device for theft of telecommunications (3rd/subsq off)	F-2	8	2
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (>50 devices)	F-2	8	2
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (10-50 devices)	F-3	6	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (1st off)	M-1	4	m
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (2nd off)	F-3	6	1
910(a)(1)(ii)	Manufacture/etc.-device to conceal telecommunications (3rd/subsq off)	F-2	8	2
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (>50 devices)	F-2	8	2
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (10-50 devices)	F-3	6	1
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (1st off)	M-1	4	m
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (2nd off)	F-3	6	1
910(a)(2)(i)	Sell/etc. unlawful telecommunications device (3rd/subsq off)	F-2	8	2
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (>50 devices)	F-2	8	2
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (10-50 devices)	F-3	6	1
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (1st off)	M-1	4	m
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (2nd off)	F-3	6	1
910(a)(2)(ii)	Sell/etc. material for unlawful telecommunications device (3rd/subsq)	F-2	8	2
911(b)(1)	Corrupt organizations	F-1	8	3
911(b)(2)	Corrupt organizations-interest in/control of enterprise	F-1	8	3
911(b)(3)	Corrupt organizations-employee participation	F-1	8	3
911(b)(4)	Corrupt organizations-conspire	F-1	8	3
912(b)	Possession of weapon on school property	M-1	4	1
913(a)(1)	Possession of weapon in court facility	M-3	1	m
913(a)(2)	Possession of weapon in court facility (intend for crime)	M-1	3	1
2102(a)(1)	Desecration of flag (marks or writing)	M-3	1	m
2102(a)(2)	Desecration of flag (public view of defiled flag)	M-3	1	m
2102(a)(3)	Desecration of flag (manufactures for advertisement)	M-3	1	m
2102(a)(4)	Desecration of flag (defile/mutilate)	M-3	1	m
2103	Insults to national or Commonwealth flag	M-2	2	m
2502 Inchoate	—Attempt/solicitation/conspiracy to Murder (SBI)	18 Pa.C.S. § 1102(c)	14	4
2502 Inchoate	—Attempt/solicitation/conspiracy to Murder (No SBI)	18 Pa.C.S. § 1102(c)	13	4
2502(a)	Murder-1st degree	Murder of 1st Degree	18 Pa.C.S. § 1102(a)	4
2502(a)	Murder-1st degree (offender 15-<18 yrs)	Murder of 1st Degree	15	4
2502(a)	Murder-1st degree (offender <15 yrs)	Murder of 1st Degree	15	4
2502(b)	Murder-2nd degree	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2502(b)	Murder-2nd degree (offender 15-<18 yrs)	Murder of 2nd Degree	15	4
2502(b)	Murder-2nd degree (offender <15 yrs)	Murder of 2nd Degree	15	4
2502(c)	Murder-3rd degree	F-1	14	4
2502(c)	Murder-3rd degree (victim <13 yrs)	F-1	14	4
2503(a)(1)	Voluntary manslaughter (provocation from victim)	F-1	11	4
2503(a)(2)	Voluntary manslaughter (provocation from another)	F-1	11	4
2503(b)	Voluntary manslaughter (believe justified)	F-1	11	4
2504(a)	Involuntary manslaughter (victim <12 yrs)	F-2	8	2
2504(a)*	Involuntary manslaughter (with DUI conviction)	M-1	8	1
2504(a)*	Involuntary manslaughter (with BUI conviction)	M-1	8	1
2504(a)*	Involuntary manslaughter	M-1	6	1
2505(a)	Suicide, causing (as homicide/murder 1)	Murder of 1st Degree	18 Pa.C.S. § 1102(a)	4
2505(a)	Suicide, causing (as homicide/murder 2)	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
2505(a)	Suicide, causing (as homicide/murder 3)	F-1	14	4
2505(a)	Suicide, causing (as homicide/vol manslaughter)	F-1	11	4
2505(a)	Suicide, causing (as homicide/invol. manslaughter)	M-1	6	1
2505(a)	Suicide, causing (as homicide/invol. manslaughter-victim <12 yrs)	F-2	8	2
2505(a)	Suicide, causing (as homicide/invol. manslaughter-w/ DUI or BUI conv)	M-1	8	1
2505(b)	Suicide, aiding or soliciting (positive result)	F-2	6	2
2505(b)	Suicide, aiding or soliciting (no result)	M-2	2	m
2506(a)	Drug delivery resulting in death	F-1	13	4
2507 Inchoate	—Attempt/solicitation/conspiracy to Murder of law enforcement officer (SBI)	18 Pa.C.S. § 1102(c)	14	4
2507 Inchoate	—Attempt/solicitation/conspiracy to Murder of law enforcement officer (No SBI)	18 Pa.C.S. § 1102(c)	13	4
2507(a)	Murder of law enforcement officer-1st degree	Murder of 1st Degree	18 Pa.C.S. § 1102(a)	4
2507(a)	Murder of law enforcement officer-1st degree (offender 15-<18 yrs.)	Murder of 1st Degree	15	4
2507(a)	Murder of law enforcement officer-1st degree (offender <15 yrs.)	Murder of 1st Degree	15	4
2507(b)	Murder of law enforcement officer-2nd degree	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
2507(b)	Murder of law enforcement officer-2nd degree (offender 15-<18 yrs.)	Murder of 2nd Degree	15	4
2507(b)	Murder of law enforcement officer-2nd degree (offender <15 yrs.)	Murder of 2nd Degree	15	4
2507(c)(1)(i)	Manslaughter of law enforcement officer (1st degree/provocation by victim)	F-1	14	4
2507(c)(1)(ii)	Manslaughter of law enforcement officer (1st degree/provocation by another)	F-1	14	4
2507(c)(2)	Manslaughter of law enforcement officer (1st degree/believe justified)	F-1	14	4
2507(d)	Manslaughter of law enforcement officer (2nd degree)	F-2	9	4

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2604 Inchoate	—Attempt/solicitation/conspiracy to Murder of unborn child (SBI)	18 Pa.C.S. § 1102(c)	14	4
2604 Inchoate	—Attempt/solicitation/conspiracy to Murder of unborn child (No SBI)	18 Pa.C.S. § 1102(c)	13	4
2604(a)(1)	Murder of unborn child-1st degree	Murder of 1st Degree	18 Pa.C.S. § 1102(a)	4
2604(a)(1)	Murder of unborn child-1st degree (offender 15-<18 yrs.)	Murder of 1st Degree	15	4
2604(a)(1)	Murder of unborn child-1st degree (offender <15 yrs.)	Murder of 1st Degree	15	4
2604(b)(1)	Murder of unborn child-2nd degree	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
2604(b)(1)	Murder of unborn child-2nd degree (offender 15-<18 yrs.)	Murder of 2nd Degree	15	4
2604(b)(1)	Murder of unborn child-2nd degree (offender <15 yrs.)	Murder of 2nd Degree	15	4
2604(c)(1)	Murder of unborn child-3rd degree	F-1	14	4
2605(a)(1)	Voluntary manslaughter of unborn child (provocation from mother)	F-1	11	4
2605(a)(2)	Voluntary manslaughter of unborn child (provocation from another)	F-1	11	4
2605(b)	Voluntary manslaughter of unborn child (believe justified)	F-1	11	4
2606(a)*	Aggravated assault of unborn child (causes SBI)	F-1	11	4
2606(a)*	Aggravated assault of unborn child (attempts to cause SBI)	F-1	10	3
2701(a)(1)	Simple assault-attempt/cause BI	M-2	3	m
2701(a)(1)	Simple assault-attempt/cause BI (against child <12 by adult >=18)	M-1	4	1
2701(a)(1)	Simple assault-attempt/cause BI (mutual consent)	M-3	1	m
2701(a)(2)	Simple assault-cause BI w/ deadly weapon	M-2	3	m
2701(a)(2)	Simple assault-cause BI w/ deadly weapon (against child <12 by adult >=18)	M-1	4	1
2701(a)(2)	Simple assault-cause BI w/ deadly weapon (mutual consent)	M-3	1	m
2701(a)(3)	Simple assault-cause fear of SBI	M-2	3	m
2701(a)(3)	Simple assault-cause fear of SBI (against child <12 by adult >=18)	M-1	4	1
2701(a)(3)	Simple assault-cause fear of SBI (mutual consent)	M-3	1	m
2701(a)(4)	Simple assault-penetrate w/ hypodermic needle	M-2	3	m
2701(a)(4)	Simple assault-penetrate w/ hypodermic needle (against child <12 by adult >=18)	M-1	4	1
2701(a)(4)	Simple assault-penetrate w/ hypodermic needle (mutual consent)	M-3	1	m
2702(a)(1)*	Aggravated assault-cause SBI	F-1	11	4
2702(a)(1)*	Aggravated assault-attempt SBI	F-1	10	3
2702(a)(2)*	Aggravated assault-cause SBI to police/enumerated persons	F-1	11	4
2702(a)(2)*	Aggravated assault-attempt SBI to police/enumerated persons	F-1	10	3
2702(a)(3)	Aggravated assault-cause BI to police/enumerated persons	F-2	6	2



<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2702(a)(4)	Aggravated assault-cause BI w/ deadly weapon	F-2	8	2
2702(a)(5)	Aggravated assault-cause BI to teacher, etc	F-2	6	2
2702(a)(6)	Aggravated assault-cause fear of SBI	F-2	6	2
2702(a)(7)	Aggravated assault-use tear gas/electronic device ag. police, etc.	F-2	6	2
2702(a)(8)	Aggravated assault-attempt/cause BI (against child <6 by person >=18)	F-2	7	2
2702(a)(9)*	Aggravated assault-cause SBI (against child <13 by person >=18)	F-1	12	4
2702(a)(9)*	Aggravated assault-attempt SBI (against child <13 by person >=18)	F-1	11	4
2702.1(a)	Assault of law enforcement officer-discharge firearm (1st degree)	F-1	13	4
2703(a)	Assault by prisoner	F-2	7	2
2703.1	Aggravated harassment by prisoner	F-3	6	1
2704	Assault by life prisoner	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
2704 Inchoate	—Attempt/solicitation/conspiracy to assault by life prisoner (SBI)	18 Pa.C.S. § 1102(c)	14	4
2704 Inchoate	—Attempt/solicitation/conspiracy to assault by life prisoner (No SBI)	18 Pa.C.S. § 1102(c)	13	4
2705	Recklessly endangering another person	M-2	3	m
2706(a)(1)	Terroristic threats-intent to terrorize	M-1	3	m
2706(a)(1)	Terroristic threats-intent to terrorize/divert from activities	F-3	5	1
2706(a)(2)	Terroristic threats-cause evacuation of building	M-1	3	m
2706(a)(2)	Terroristic threats-cause evacuation of building/divert from activities	F-3	5	1
2706(a)(3)	Terroristic threats-serious public inconvenience	M-1	3	m
2706(a)(3)	Terroristic threats-serious public inconvenience/divert from activities	F-3	5	1
2707(a)	Propulsion of missiles into an occupied vehicle	M-1	3	m
2707(b)	Propulsion of missiles onto a roadway	M-2	2	m
2707.1(a)	Discharge of firearm into an occupied structure	F-3	10	1
2708(a)	Use of tear gas in labor dispute	M-1	3	m
2709(a)(1)	Harassment-subject other physical contact (prev. violation of order)	M-3	1	m
2709(a)(2)	Harassment-follow in public place (prev. violation of order)	M-3	1	m
2709(a)(3)	Harassment-course of conduct w/ no legitimate purpose (prev. violation of order)	M-3	1	m
2709(a)(4)	Harassment-lewd communication	M-3	1	m
2709(a)(5)	Harassment-repeated, anonymous communication	M-3	1	m
2709(a)(6)	Harassment-repeated communication: inconvenient hours	M-3	1	m
2709(a)(7)	Harassment-repeated communication: other	M-3	1	m
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (1st off)	M-1	4	m
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (2nd/subsq off)	F-3	6	1
2709.1(a)(1)	Stalking-repeated acts to cause fear of BI (prior crime of violence)	F-3	6	1



<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (1st off)	M-1	4	m
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (2nd/subsq off)	F-3	6	1
2709.1(a)(2)	Stalking-course of conduct to cause fear of BI (prior crime of violence)	F-3	6	1
2710	Ethnic Intimidation	18 Pa.C.S. § 2710(b)	See § 303.3(d)	See § 303.8(c)
2712(a)	Assault-sports official	M-1	3	m
2713(a)(1)	Neglect of care-dependent person-no treatment (cause SBI)	F-1	10	3
2713(a)(1)	Neglect of care-dependent person-no treatment (cause BI)	M-1	4	m
2713(a)(2)	Neglect of care-dependent person-physical/chemical restraint (cause SBI)	F-1	10	3
2713(a)(2)	Neglect of care-dependent person-physical/chemical restraint (cause BI)	M-1	4	m
2714	Unauthorized administration of intoxicant	F-3	8	1
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge	M-1	3	m
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge (divert from activities)	F-3	5	1
2715(a)(3)	Threat to use weapons of mass destruction-reports w/o knowledge (during emergency)	F-2	7	2
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement	M-1	3	m
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement (divert from activities)	F-3	7	1
2715(a)(4)	Threat to use weapons of mass destruction-threaten placement (during emergency)	F-2	7	2
2716(a)	Weapons of mass destruction-possession (1st off)	F-2	7	2
2716(a)	Weapons of mass destruction-possession (2nd/subsq off)	F-1	11	4
2716(b)(1)	Weapons of mass destruction-use (cause death)	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
2716(b)(1)	Weapons of mass destruction-use (cause injury/illness)	F-1	13	4
2716(b)(2)	Weapons of mass destruction-use (cause damage/disrupt water/food)	F-1	13	4
2716(b)(3)	Weapons of mass destruction-use (cause evacuation of building etc.)	F-1	13	4
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is F-1)	F-1	one point higher than object offense	4
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is F-2)	F-1	one point higher than object offense	3
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is F-3 or ungraded felony)	F-2	one point higher than object offense	See § 303.7(a)
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is M-1)	F-3	one point higher than object offense	See § 303.7(a)
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is M-2)	M-1	one point higher than object offense	See § 303.7(a)

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2717(a)(1)	Terrorism-intim/coerce population (where violent offense is M-3)	M-2	one point higher than object offense	See § 303.7(a)
2717(a)(2)	Terrorism-influence govt (where violent offense is F-1)	F-1	one point higher than object offense	4
2717(a)(2)	Terrorism-influence govt (where violent offense is F-2)	F-1	one point higher than object offense	3
2717(a)(2)	Terrorism-influence govt (where violent offense is F-3 or ungraded felony)	F-2	one point higher than object offense	See § 303.7(a)
2717(a)(2)	Terrorism-influence govt (where violent offense is M-1)	F-3	one point higher than object offense	See § 303.7(a)
2717(a)(2)	Terrorism-influence govt (where violent offense is M-2)	M-1	one point higher than object offense	See § 303.7(a)
2717(a)(2)	Terrorism-influence govt (where violent offense is M-3)	M-2	one point higher than object offense	See § 303.7(a)
2901(a)(1)	Kidnapping-for ransom (victim ≥18 yrs)	F-1	10	4
2901(a)(2)	Kidnapping-to facilitate a felony (victim ≥18 yrs)	F-1	10	4
2901(a)(3)	Kidnapping-to inflict terror, BI (victim ≥18 yrs)	F-1	10	4
2901(a)(4)	Kidnapping-to interfere w/ performance of pub. official (victim ≥18 yrs)	F-1	10	4
2901(a.1)(1)*	Kidnapping-minor, for ransom/etc. (victim 14-<18 yrs)	F-1	10	4
2901(a.1)(1)*	Kidnapping-minor, for ransom/etc. (victim <14 yrs)	F-1	10	4
2901(a.1)(2)*	Kidnapping-minor, to facilitate felony (victim 14-<18 yrs)	F-1	10	4
2901(a.1)(2)*	Kidnapping-minor, to facilitate felony (victim <14 yrs)	F-1	10	4
2901(a.1)(3)*	Kidnapping-minor, to inflict terror, BI (victim 14-<18 yrs)	F-1	10	4
2901(a.1)(3)*	Kidnapping-minor, to inflict terror, BI (victim <14 yrs)	F-1	10	4
2901(a.1)(4)*	Kidnapping-minor, to interfere w/ pub. official (victim 14-<18 yrs)	F-1	10	4
2901(a.1)(4)*	Kidnapping-minor, to interfere w/ pub. official (victim <14 yrs)	F-1	10	4
2902(a)(1)	Unlawful restraint-risk SBI	M-1	3	m
2902(a)(2)	Unlawful restraint-involuntary servitude	M-1	3	m
2902(b)(1)	Unlawful restraint-risk SBI (victim <18 yrs)	F-2	8	2
2902(b)(2)	Unlawful restraint-involuntary servitude (victim <18 yrs)	F-2	8	2
2902(c)(1)	Unlawful restraint by parent-risk SBI (victim <18 yrs)	F-2	8	2
2902(c)(2)	Unlawful restraint by parent-involuntary servitude (victim <18 yrs)	F-2	8	2
2903(a)	False imprisonment (victim ≥18 yrs)	M-2	2	m
2903(b)	False imprisonment (victim <18 yrs )	F-2	8	2
2903(c)	False imprisonment by parent (victim<18 yrs)	F-2	7	2

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
2904(a)	Interfere with custody of children	F-3	6	1
2904(a)	Interfere with custody of children-good cause/time <24 hrs.	M-2	3	m
2904(a)	Interfere with custody of children-w/ reckless disregard	F-2	8	2
2905(a)	Interfere with custody of committed person	M-2	4	m
2906(a)(1)	Criminal coercion-threat to commit crime	M-2	2	m
2906(a)(1)	Criminal coercion-threat to commit crime (felony)	M-1	3	m
2906(a)(2)	Criminal coercion-threat to accuse of crime	M-2	2	m
2906(a)(2)	Criminal coercion-threat to accuse of crime (felony)	M-1	3	m
2906(a)(3)	Criminal coercion-threat to expose secret	M-2	2	m
2906(a)(3)	Criminal coercion-threat to expose secret (felony)	M-1	3	m
2906(a)(4)	Criminal coercion-threaten official act	M-2	2	m
2906(a)(4)	Criminal coercion-threaten official act (felony)	M-1	3	m
2907	Disposition of ransom	F-3	5	1
2909(b)(1)	Concealment of whereabouts of a child-in Commonwealth	F-3	4	1
2909(b)(2)	Concealment of whereabouts of a child-parents in Commonwealth	F-3	4	1
2910(a)	Luring child into motor vehicle/structure	M-1	5	1
2910	Luring a child into motor vehicle/structure (child <13 yrs)	F-2	8	2
<b>[ 3002(a) ]</b>	<b>[ Trafficking of persons ]</b>	<b>[ F-2 ]</b>	<b>[ 9 ]</b>	<b>[ 2 ]</b>
<b>[ 3002(a) ]</b>	<b>[ Trafficking of persons (victim &lt;18 yrs) ]</b>	<b>[ F-1 ]</b>	<b>[ 10 ]</b>	<b>[ 4 ]</b>
<b>[ 3002(a) ]</b>	<b>[ Trafficking of persons-w/ BI ]</b>	<b>[ F-1 ]</b>	<b>[ 10 ]</b>	<b>[ 4 ]</b>
3011(a)(1)	Human trafficking-trafficking in individuals (recruits, entices, solicits, harbors, etc.)	F-2	9 [ 7 omnibus ]	2
3011(a)(2)	Human trafficking-trafficking in individuals (knowingly benefits financially)	F-2	9 [ 7 omnibus ]	4
3011(b)	Human trafficking-trafficking in minors (activities in (a) result in minor's sexual servitude)	F-1	12 [ 8 omnibus ]	4
3012(b)(1)*	Human trafficking-involuntary servitude (cause serious harm)	F-1	10 [ 8 omnibus ]	3
3012(b)(1)*	Human trafficking-involuntary servitude (threaten serious harm)	F-1	9 [ 8 omnibus ]	3
3012(b)(2)*	Human trafficking-involuntary servitude (physically restrain another)	F-1	10 [ 8 omnibus ]	3
3012(b)(2)*	Human trafficking-involuntary servitude (threaten to physically restrain another)	F-1	9 [ 8 omnibus ]	3
3012(b)(3)*	Human trafficking-involuntary servitude (kidnap)	F-1	11 [ 8 omnibus ]	4
3012(b)(3)*	Human trafficking-involuntary servitude (attempt to kidnap)	F-1	10 [ 8 omnibus ]	3
3012(b)(4)*	Human trafficking-involuntary servitude (abuse legal process)	F-1	10 [ 8 omnibus ]	3
3012(b)(4)*	Human trafficking-involuntary servitude (threaten to abuse legal process)	F-1	9 [ 8 omnibus ]	3
3012(b)(5)	Human trafficking-involuntary servitude (taking/retaining personal property)	F-1	10 [ 8 omnibus ]	3

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3012(b)(6)	Human trafficking-involuntary servitude (unlawful conduct of documents)	F-1	10 [ 8 omnibus ]	3
3012(b)(7)	Human trafficking-involuntary servitude (extortion)	F-1	10 [ 8 omnibus ]	3
3012(b)(8)	Human trafficking-involuntary servitude (fraud)	F-1	10 [ 8 omnibus ]	3
3012(b)(9)	Human trafficking-involuntary servitude (criminal coercion)	F-1	10 [ 8 omnibus ]	3
3012(b)(10)*	Human trafficking-involuntary servitude (duress through force)	F-1	10 [ 8 omnibus ]	3
3012(b)(10)*	Human trafficking-involuntary servitude (duress through threat of force)	F-1	9 [ 8 omnibus ]	3
3012(b)(11)	Human trafficking-involuntary servitude (debt coercion)	F-1	10 [ 8 omnibus ]	3
3012(b)(12)	Human trafficking-involuntary servitude (facilitate/restrict access to controlled substance)	F-1	10 [ 8 omnibus ]	3
3012(b)(13)	Human trafficking-involuntary servitude (cause believe harm/restraint to another)	F-1	10 [ 8 omnibus ]	3
3013(a)	Human trafficking-patronizing victim of sexual servitude	F-2	10 [ 7 omnibus ]	2
3014(1)	Human trafficking-unlawful conduct regarding documents (passport/other immigration document)	F-3	6 [ 5 omnibus ]	1
3014(2)	Human trafficking-unlawful conduct regarding documents (government ID document)	F-3	6 [ 5 omnibus ]	1
3015(a)(1)	Human trafficking-nonpayment of wages (<\$2,000)	M-3	2 [ 1 omnibus ]	m
3015(a)(2)(i)	Human trafficking-nonpayment of wages (=>\$2,000)	F-3	6 [ 5 omnibus ]	1
3015(a)(2)(ii)	Human trafficking-nonpayment of wages (2nd/subsq. violation)	F-3	6 [ 5 omnibus ]	1
3015(a)(2)(iii)	Human trafficking-nonpayment of wages (falsely denies amount due or validity of claim)	F-3	6 [ 5 omnibus ]	1
3016	Human trafficking-obstruction of justice; interfere with enforcement of Chapter 30	Same as corresponding offense under 18 Pa.C.S. Chapter 30	Same as corresponding offense under 18 Pa.C.S. Chapter 30	Same as corresponding offense under 18 Pa.C.S. Chapter 30
3121(a)(1)	Rape-forcible compulsion	F-1	12	4
3121(a)(1)	Rape-forcible compulsion (uses substance to impair)	F-1	13	4
3121(a)(2)	Rape-threat of forcible compulsion	F-1	12	4
3121(a)(2)	Rape-threat of forcible compulsion (uses substance to impair)	F-1	13	4
3121(a)(3)	Rape-unconscious victim	F-1	12	4
3121(a)(3)	Rape-unconscious victim (uses substance to impair)	F-1	13	4
3121(a)(4)	Rape-substantially impaired victim	F-1	12	4
3121(a)(4)	Rape-substantially impaired victim (uses substance to impair)	F-1	13	4
3121(a)(5)	Rape-mentally disabled victim	F-1	12	4

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3121(a)(5)	Rape-mentally disabled victim (uses substance to impair)	F-1	13	4
3121(c)	Rape-child (victim <13 yrs)	F-1	14	4
3121(d)	Rape-child w/ SBI (victim <13 yrs)	F-1	14	4
3122.1(a)(1)	Statutory sexual assault-victim <16 yrs (person 4-<8 yrs older)	F-2	7	2
3122.1(a)(2)	Statutory sexual assault-victim <16 yrs (person 8-<11 yrs older)	F-2	8	2
3122.1(b)	Statutory sexual assault-victim <16 yrs (person >=11 yrs older)	F-1	9	3
3123(a)(1)	IDSI-forcible compulsion	F-1	12	4
3123(a)(2)	IDSI-threat of forcible compulsion	F-1	12	4
3123(a)(3)	IDSI-unconscious victim	F-1	12	4
3123(a)(4)	IDSI-substantially impaired victim	F-1	12	4
3123(a)(5)	IDSI-mentally disabled victim	F-1	12	4
3123(a)(7)	IDSI-victim <16 yrs (person >=4 yrs older)	F-1	12	4
3123(b)	IDSI-child (victim <13 yrs)	F-1	14	4
3123(c)	IDSI-child w/ SBI (victim <13 yrs)	F-1	14	4
3124.1	Sexual assault	F-2	11	4
3124.2(a)	Institutional sexual assault-generally	F-3	6	1
3124.2(a.1)	Institutional sexual assault-minor (victim <18 yrs)	F-3	6	1
3124.2(a.2)	Institutional sexual assault-by school volunteer/employee	F-3	6	1
3124.2(a.3)	Institutional sexual assault-by child care volunteer/employee	F-3	6	1
<b>3124.3(a)</b>	<b>Sexual assault by sports official of non-profit association</b>	<b>F-3</b>	<b>6</b> <b>[ 5 omnibus ]</b>	<b>1</b>
<b>3124.3(b)</b>	<b>Sexual assault by volunteer or employee of non-profit association</b>	<b>F-3</b>	<b>6</b> <b>[ 5 omnibus ]</b>	<b>1</b>
3125(a)(1)	Aggravated indecent assault-w/o consent	F-2	10	4
3125(a)(1)	Aggravated indecent assault-of a child w/out consent (victim <13 yrs)	F-1	12	4
3125(a)(2)	Aggravated indecent assault-forcible compulsion	F-2	10	4
3125(a)(2)	Aggravated indecent assault-of a child/forcible compulsion (victim <13 yrs)	F-1	12	4
3125(a)(3)	Aggravated indecent assault-threat of forcible compulsion	F-2	10	4
3125(a)(3)	Aggravated indecent assault-of a child/threat of forcible compulsion (victim <13 yrs)	F-1	12	4
3125(a)(4)	Aggravated indecent assault-unconscious victim	F-2	10	4
3125(a)(4)	Aggravated indecent assault-of a child/unconscious victim (victim <13 yrs)	F-1	12	4
3125(a)(5)	Aggravated indecent assault-substantially impaired victim	F-2	10	4
3125(a)(5)	Aggravated indecent assault-of a child/substantially impaired victim (<13 yrs)	F-1	12	4
3125(a)(6)	Aggravated indecent assault-mentally disabled victim	F-2	10	4
3125(a)(6)	Aggravated indecent assault-of a child/mentally disabled victim (<13 yrs)	F-1	12	4
3125(a)(7)	Aggravated indecent assault-victim <13 yrs	F-2	10	4

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3125(a)(8)	Aggravated indecent assault-victim <16 yrs (person >=4 yrs older)	F-2	10	4
3126(a)(1)	Indecent assault-w/o consent	M-2	4	m
3126(a)(2)	Indecent assault-forcible compulsion	M-1	5	m
3126(a)(3)	Indecent assault-threat of forcible compulsion	M-1	5	m
3126(a)(4)	Indecent assault-unconscious victim	M-1	5	m
3126(a)(5)	Indecent assault-substantially impaired victim	M-1	5	m
3126(a)(6)	Indecent assault-mentally disabled victim	M-1	5	m
3126(a)(7)	Indecent assault-victim <13 yrs	M-1	5	1
3126(a)(7)	Indecent assault-victim <13 yrs (2nd/subsq)	F-3	6	1
3126(a)(7)	Indecent assault-victim <13 yrs/course of conduct	F-3	6	1
3126(a)(7)	Indecent assault-victim <13 yrs/touching victim's sexual parts w/ person's	F-3	6	1
3126(a)(7)	Indecent assault-victim <13 yrs/touching person's sexual parts w/ victim's	F-3	6	1
3126(a)(8)	Indecent assault-victim <16 yrs (person >=4 yrs older)	M-2	4	m
3127(a)	Indecent exposure	M-2	3	m
3127(a)	Indecent exposure-victim <16 yrs	M-1	4	1
3129	Sexual intercourse with animal	M-2	2	m
3130(a)(1)	Conduct relating to sex offenders-withhold information	F-3	5	1
3130(a)(2)	Conduct relating to sex offenders-harbor sex offender	F-3	5	1
3130(a)(3)	Conduct relating to sex offenders-conceal sex offender	F-3	5	1
3130(a)(4)	Conduct relating to sex offenders-provide false information	F-3	5	1
<b>3131(a)(1)</b>	<b>Unlawful dissemination of intimate image (person depicted is minor &lt;18 yrs)</b>	<b>M-1</b>	<b>3 [ omnibus ]</b>	<b>m</b>
<b>3131(a)(2)</b>	<b>Unlawful dissemination of intimate image (person depicted is not minor =&gt;18 yrs)</b>	<b>M-2</b>	<b>2 [ omnibus ]</b>	<b>m</b>
3301(a)(1)(i)*	Arson endangering persons-danger of death (person in building or BI results)	F-1	10	4
3301(a)(1)(i)*	Arson endangering persons-danger of death (no person in building and no BI)	F-1	9	4
3301(a)(1)(i)*	Arson endangering persons-danger of death (cause SBI to civilian)	F-1	11	4
3301(a)(1)(i)*	Arson endangering persons-danger of death (cause BI to firefighter, etc.)	F-1	11	4
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (person in building or BI results)	F-1	10	4
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (no person in building and no BI)	F-1	9	4
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (cause SBI to civilian)	F-1	11	4
3301(a)(1)(ii)*	Arson endangering persons-inhabited building (cause BI to firefighter, etc.)	F-1	11	4
3301(a)(2)	Arson endangering persons-cause death w/ intent (murder-1st degree)	Murder of 1st Degree	18 Pa.C.S. § 1102(a)	4
3301(a)(2)	Arson endangering persons-cause death (murder-2nd degree)	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
3301(a.1)(1)(i)*	Aggravated arson-attempt BI to civilian	F-1	10	4



<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3301(a.1)(1)(i)*	Aggravated arson-cause BI to civilian	F-1	11	4
3301(a.1)(1)(i)*	Aggravated arson-attempt SBI to civilian	F-1	11	4
3301(a.1)(1)(i)*	Aggravated arson-cause SBI to civilian	F-1	12	4
3301(a.1)(1)(i)*	Aggravated arson-attempt BI to firefighter, etc.	F-1	11	4
3301(a.1)(1)(i)*	Aggravated arson-cause BI to firefighter, etc.	F-1	12	4
3301(a.1)(1)(ii)	Aggravated arson-other felony arson (when person present inside property)	F-1	10	4
3301(a.1)(2)	Aggravated arson-fire/explosion causes death of any person	Murder of 2nd Degree	18 Pa.C.S. § 1102(b)	4
3301(a.2)(1)	Arson of historic resource-w/ intent (fire/explosion)	F-2	7	2
3301(a.2)(2)	Arson of historic resource-aids/pays (fire/explosion)	F-2	7	2
3301(c)(1)	Arson endangering property-intent to destroy unoccupied bldg	F-2	6	2
3301(c)(2)	Arson endangering property-endangers inhabited building	F-2	6	2
3301(c)(3)	Arson endangering property-intent to collect insurance	F-2	6	2
3301(d)(1)	Arson-reckless burning or exploding (endanger unoccupied bldg)	F-3	5	1
3301(d)(2)	Arson-reckless burning or exploding (endanger property >\$5000)	F-3	5	1
3301(e)(1)	Arson-failure to control/report (duty)	M-1	3	m
3301(e)(2)	Arson-failure to control/report (own property)	M-1	3	m
3301(f)	Arson-possess explosive material (intent to use)	F-3	5	1
3301(g)	Arson-failure to disclose true owner	M-3	1	m
3302(a)	Catastrophe-causing (intentionally)	F-1	10	3
3302(a)	Catastrophe-causing (recklessly)	F-2	6	2
3302(b)	Catastrophe-risking	F-3	4	1
3303(1)	Failure to prevent catastrophe-duty	M-2	2	m
3303(2)	Failure to prevent catastrophe-acted or assented to	M-2	2	m
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig (>\$5,000)	F-3	5	1
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig (>\$1,000)	M-2	2	m
3304(a)(1)	Criminal mischief-damage prop/intent/reckless/neglig (>\$500)	M-3	1	m
3304(a)(2)	Criminal mischief-tamper w/ property (>\$5,000)	F-3	5	1
3304(a)(2)	Criminal mischief-tamper w/ property (>\$1,000)	M-2	2	m
3304(a)(2)	Criminal mischief-tamper w/ property (>\$500)	M-3	1	m
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$5,000)	F-3	5	1
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$1,000)	M-2	2	m
3304(a)(3)	Criminal mischief-cause pecuniary loss (>\$500)	M-3	1	m
3304(a)(4)	Criminal mischief-graffiti (>\$5,000)	F-3	5	1
3304(a)(4)	Criminal mischief-graffiti (>\$1,000)	M-2	2	m
3304(a)(4)	Criminal mischief-graffiti (>\$150)	M-3	1	m
3304(a)(5)	Criminal mischief-damage property (>\$5,000)	F-3	5	1
3304(a)(5)	Criminal mischief-damage property (>\$1,000)	M-2	2	m
3304(a)(5)	Criminal mischief-damage property (>\$500)	M-3	1	m
3304(a)(6)	Criminal mischief-paintball (>\$5,000)	F-3	5	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3304(a)(6)	Criminal mischief-paintball (>\$1,000)	M-2	2	m
3304(a)(6)	Criminal mischief-paintball (>\$500)	M-3	1	m
3305	Tampering w/ fire apparatus/hydrants	M-3	1	m
3307(a)(1)	Institutional vandalism-place of worship (>\$5,000 or desecration)	F-3	5	1
3307(a)(1)	Institutional vandalism-place of worship (<=\$5,000)	M-2	2	m
3307(a)(2)	Institutional vandalism-cemetery (>\$5,000 or desecration)	F-3	5	1
3307(a)(3)	Institutional vandalism-school (>\$5,000 or desecration)	F-3	5	1
3307(a)(3)	Institutional vandalism-school (<=\$5,000)	M-2	2	m
3307(a)(3)	Institutional vandalism-cemetery (<=\$5,000)	M-2	2	m
3307(a)(4)	Institutional vandalism-adjacent grounds (>\$5,000 or desecration)	F-3	5	1
3307(a)(4)	Institutional vandalism-adjacent grounds (<=\$5,000)	M-2	2	m
3307(a)(5)	Institutional vandalism-personal property (>\$5,000 or desecration)	F-3	5	1
3307(a)(5)	Institutional vandalism-personal property (<=\$5,000)	M-2	2	m
3307(a.1)	Institutional vandalism-possess marking device on property	M-2	2	m
3309(a)	Agricultural vandalism (>\$5,000)	F-3	5	1
3309(a)	Agricultural vandalism (>\$1,000)	M-1	3	m
3309(a)	Agricultural vandalism (>\$500)	M-2	2	m
3309(a)	Agricultural vandalism (<=\$500)	M-3	1	m
3310(a)	Agricultural crop destruction	F-2	7	2
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is F-1)	F-1	14	4
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is F-2)	F-1	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is F-3/ungr fel)	F-2	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is M-1)	F-3	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is M-2)	M-1	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is M-3/ungr misd)	M-2	one point higher than object offense	See § 303.7(a)
3311(a)(1)(i)	Ecoterrorism-intimidate individual participation (if off is S)	M-3	one point higher than object offense	See § 303.7(a)
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is F-1)	F-1	14	4
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is F-2)	F-1	one point higher than object offense	See § 303.7(a)

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is F-3/ungr fel)	F-2	one point higher than object offense	See § 303.7(a)
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is M-1)	F-3	one point higher than object offense	See § 303.7(a)
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is M-2)	M-1	one point higher than object offense	See § 303.7(a)
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is M-3/ungr misd)	M-2	one point higher than object offense	See § 303.7(a)
3311(a)(1)(ii)	Ecoterrorism-intimidate individ. using animal/plant/etc. (if off is S)	M-3	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is F-1)	F-1	14	4
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is F-2)	F-1	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is F-3/ungr fel)	F-2	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is M-1)	F-3	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is M-2)	M-1	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is M-3/ungr misd)	M-2	one point higher than object offense	See § 303.7(a)
3311(a)(2)(i)	Ecoterrorism-obstruct individ. from activity (if off is S)	M-3	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is F-1)	F-1	14	4
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is F-2)	F-1	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is F-3/ungr fel)	F-2	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is M-1)	F-3	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is M-2)	M-1	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is M-3)	M-2	one point higher than object offense	See § 303.7(a)
3311(a)(2)(ii)	Ecoterrorism-obstruct individ. using animal/plant/etc. (if off is S)	M-3	one point higher than object offense	See § 303.7(a)
3312(a)(2)	Destruction of survey monument-call boundary into question	M-2	3	m
3313(a)	Illegal dumping of methamphetamine waste	F-3	5	1

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3502(a)(1)	Burglary-home/person present	F-1	9	4
3502(a)(2)	Burglary-home/no person present	F-1	7	3
3502(a)(3)	Burglary-not a home/person present	F-1	6	3
3502(a)(4)	Burglary-not a home/no person present	F-2	5	2
3502(a)(4)	Burglary-not a home/no person present (commit theft of drugs)	F-1	7	3
3503(a)(1)(i)	Criminal trespass-buildings	F-3	3	1
3503(a)(1)(ii)	Criminal trespass-buildings (break in)	F-2	4	2
3503(b)(1)(i)	Criminal trespass-defiant (notice by communication)	M-3	1	m
3503(b)(1)(ii)	Criminal trespass-defiant (notice posted)	M-3	1	m
3503(b)(1)(iii)	Criminal trespass-defiant (notice by fencing)	M-3	1	m
3503(b)(1)(iv)	Criminal trespass-defiant (notice posted/school grounds)	M-3	1	m
3503(b)(1)(v)	Criminal trespass-defiant (communication/leave school grounds)	M-1	3	m
<b>3503(b.1)(1)(iii)</b>	<b>Criminal trespass-simple trespasser (to take secondary metal)</b>	<b>M-1</b>	<b>3 [ omnibus ]</b>	<b>m</b>
3503(b.2)(1)(i)	Criminal trespass-agricultural trespass (posted land)	M-3	1	m
3503(b.2)(1)(ii)	Criminal trespass-agricultural trespass (defies order)	M-2	3	m
3503(b.3)(1)(i)	Agricultural biosecurity trespass-enter w/o license	M-3	1	m
3503(b.3)(1)(i)	Agricultural biosecurity trespass-enter w/o license (damage plant/animal)	M-1	3	m
3503(b.3)(1)(ii)	Agricultural biosecurity trespass-fail to perform measure (damage plant/animal)	M-1	3	m
3504(a)(1)(i)	Railroad vandalism to RR property-by disrupting train operation	M-3	1	m
3504(a)(1)(ii)	Railroad vandalism to RR property-by driving vehicle	M-3	1	m
3504(a)(1)(iii)	Railroad vandalism to RR property-by damaging property/equipment	M-3	1	m
3504(b)	Railroad protection-stowaways prohibited	M-3	1	m
3701(a)(1)(i)	Robbery-inflicts SBI	F-1	12	4
3701(a)(1)(i)	Robbery-inflicts SBI (drug-related)	F-1	13	4
3701(a)(1)(ii)	Robbery-threatens SBI	F-1	10	4
3701(a)(1)(ii)	Robbery-threaten SBI (drug-related)	F-1	11	4
3701(a)(1)(iii)	Robbery-commit/threaten any F1 or F2	F-1	9	4
3701(a)(1)(iii)	Robbery-commit/threaten any F1 or F2 (drug-related)	F-1	10	4
3701(a)(1)(iv)	Robbery-inflicts/threatens BI	F-2	7	2
3701(a)(1)(iv)	Robbery-inflicts/threatens BI (drug-related)	F-1	8	3
3701(a)(1)(v)	Robbery-takes property by force	F-3	5	1
3701(a)(1)(v)	Robbery-takes property by force (drug-related)	F-1	6	3
3701(a)(1)(vi)	Robbery-demand money from financial institution	F-2	7	2
3702(a)*	Robbery of motor vehicle-with SBI	F-1	12	4
3702(a)*	Robbery of motor vehicle-without SBI	F-1	9	4
3921(a)	Theft by unlaw taking-movable property (anhydrous ammonia)	F-2	8	2



<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3921(a)	Theft by unlaw taking-movable property (disaster)	F-2	8	2
3921(a)	Theft by unlaw taking-movable property (firearm)	F-2	8	2
3921(a)	Theft by unlaw taking-movable property (=>\$500,000)	F-1	8	3
3921(a)	Theft by unlaw taking-movable property (\$100,000-<\$500,000)	F-2	7	2
3921(a)*	Theft by unlaw taking-movable property (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3921(a)*	Theft by unlaw taking-movable property (>\$2,000-\$25,000)	F-3	5	1
3921(a)	Theft by unlaw taking-movable property (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3921(a)	Theft by unlaw taking-movable property (\$200-\$2,000/no threat)	M-1	3	m
3921(a)	Theft by unlaw taking-movable property (\$50-<\$200/no threat)	M-2	2	m
3921(a)	Theft by unlaw taking-movable property (<\$50/no threat)	M-3	1	m
3921(b)	Theft by unlaw taking-immovable property (anhydrous ammonia)	F-2	8	2
3921(b)	Theft by unlaw taking-immovable property (disaster)	F-2	8	2
3921(b)	Theft by unlaw taking-immovable property (firearm)	F-2	8	2
3921(b)	Theft by unlaw taking-immovable property (=>\$500,000)	F-1	8	3
3921(b)	Theft by unlaw taking-immovable property (\$100,000-<\$500,000)	F-2	7	2
3921(b)*	Theft by unlaw taking-immovable property (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3921(b)*	Theft by unlaw taking-immovable property (>\$2,000-\$25,000)	F-3	5	1
3921(b)	Theft by unlaw taking-immovable property (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3921(b)	Theft by unlaw taking-immovable property (\$200-\$2,000/no threat)	M-1	3	m
3921(b)	Theft by unlaw taking-immovable property (\$50-<\$200/no threat)	M-2	2	m
3921(b)	Theft by unlaw taking-immovable property (<\$50/no threat)	M-3	1	m
3922(a)(1)	Theft by deception-false impression (anhydrous ammonia)	F-2	8	2
3922(a)(1)	Theft by deception-false impression (firearm)	F-2	8	2
3922(a)(1)	Theft by deception-false impression (=>\$500,000)	F-1	8	3
3922(a)(1)	Theft by deception-false impression (>\$100,000-<\$500,000)	F-2	7	2
3922(a)(1)*	Theft by deception-false impression (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3922(a)(1)*	Theft by deception-false impression (>\$2,000-\$25,000)	F-3	5	1
3922(a)(1)	Theft by deception-false impression (<=\$2,000/from indiv./by threat/breach)	M-1	3	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3922(a)(1)	Theft by deception-false impression (\$200-\$2,000/no threat)	M-1	3	m
3922(a)(1)	Theft by deception-false impression (>\$50-\$200/no threat)	M-2	2	m
3922(a)(1)	Theft by deception-false impression (<\$50/no threat)	M-3	1	m
3922(a)(2)	Theft by deception-conceal information (anhydrous ammonia)	F-2	8	2
3922(a)(2)	Theft by deception-conceal information (firearm)	F-2	8	2
3922(a)(2)	Theft by deception-conceal information (=>\$500,000)	F-1	8	3
3922(a)(2)	Theft by deception-conceal information (\$100,000-<\$500,000)	F-2	7	2
3922(a)(2)*	Theft by deception-conceal information (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3922(a)(2)*	Theft by deception-conceal information (>\$2,000-\$25,000)	F-3	5	1
3922(a)(2)	Theft by deception-conceal information (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3922(a)(2)	Theft by deception-conceal information (\$200-\$2,000/no threat)	M-1	3	m
3922(a)(2)	Theft by deception-conceal information (\$50-<\$200/no threat)	M-2	2	m
3922(a)(2)	Theft by deception-conceal information (<\$50/no threat)	M-3	1	m
3922(a)(3)	Theft by deception-fail to correct (anhydrous ammonia)	F-2	8	2
3922(a)(3)	Theft by deception-fail to correct (firearm)	F-2	8	2
3922(a)(3)	Theft by deception-fail to correct (=>\$500,000)	F-1	8	3
3922(a)(3)	Theft by deception-fail to correct (\$100,000-<\$500,000)	F-2	7	2
3922(a)(3)	Theft by deception-fail to correct (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3922(a)(3)*	Theft by deception-fail to correct (>\$2,000-\$25,000)	F-3	5	1
3922(a)(3)	Theft by deception-fail to correct (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3922(a)(3)	Theft by deception-fail to correct (\$200-\$2,000/no threat)	M-1	3	m
3922(a)(3)	Theft by deception-fail to correct (\$50-<\$200/no threat)	M-2	2	m
3922(a)(3)	Theft by deception-fail to correct (<\$50/no threat)	M-3	1	m
3923(a)(1)	Theft by extortion-commit crime (anhydrous ammonia)	F-2	8	2
3923(a)(1)	Theft by extortion-commit crime (firearm)	F-2	8	2
3923(a)(1)	Theft by extortion-commit crime (=>\$500,000)	F-1	8	3
3923(a)(1)	Theft by extortion-commit crime (\$100,000-<\$500,000)	F-2	7	2
3923(a)(1)*	Theft by extortion-commit crime (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(1)*	Theft by extortion-commit crime (>\$2,000-\$25,000)	F-3	5	1
3923(a)(1)	Theft by extortion-commit crime (<=\$2,000/from indiv./by threat/breach)	M-1	4	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3923(a)(1)	Theft by extortion-commit crime (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(1)	Theft by extortion-commit crime (\$50-<\$200/no threat)	M-2	2	m
3923(a)(1)	Theft by extortion-commit crime (<\$50/no threat)	M-3	1	m
3923(a)(2)	Theft by extortion-accuse of crime (anhydrous ammonia)	F-2	8	2
3923(a)(2)	Theft by extortion-accuse of crime (firearm)	F-2	8	2
3923(a)(2)	Theft by extortion-accuse of crime (=>\$500,000)	F-1	8	3
3923(a)(2)	Theft by extortion-accuse of crime (\$100,000-<\$500,000)	F-2	7	2
3923(a)(2)*	Theft by extortion-accuse of crime (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(2)*	Theft by extortion-accuse of crime (>\$2,000-\$25,000)	F-3	5	1
3923(a)(2)	Theft by extortion-accuse of crime (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(2)	Theft by extortion-accuse of crime (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(2)	Theft by extortion-accuse of crime (\$50-<\$200/no threat)	M-2	2	m
3923(a)(2)	Theft by extortion-accuse of crime (<\$50/no threat)	M-3	1	m
3923(a)(3)	Theft by extortion-expose secret (anhydrous ammonia)	F-2	8	2
3923(a)(3)	Theft by extortion-expose secret (firearm)	F-2	8	2
3923(a)(3)	Theft by extortion-expose secret (=>\$500,000)	F-1	8	3
3923(a)(3)	Theft by extortion-expose secret (\$100,000-<\$500,000)	F-2	7	2
3923(a)(3)*	Theft by extortion-expose secret (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(3)*	Theft by extortion-expose secret (>\$2,000-\$25,000)	F-3	5	1
3923(a)(3)	Theft by extortion-expose secret (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(3)	Theft by extortion-expose secret (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(3)	Theft by extortion-expose secret (\$50-<\$200/no threat)	M-2	2	m
3923(a)(3)	Theft by extortion-expose secret (<\$50/no threat)	M-3	1	m
3923(a)(4)	Theft by extortion-official action (anhydrous ammonia)	F-2	8	2
3923(a)(4)	Theft by extortion-official action (firearm)	F-2	8	2
3923(a)(4)	Theft by extortion-official action (=>\$500,000)	F-1	8	3
3923(a)(4)	Theft by extortion-official action (\$100,000-<\$500,000)	F-2	7	2
3923(a)(4)*	Theft by extortion-official action (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(4)*	Theft by extortion-official action (>\$2,000-\$25,000)	F-3	5	1
3923(a)(4)	Theft by extortion-official action (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(4)	Theft by extortion-official action (\$200-\$2,000/no threat)	M-1	4	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3923(a)(4)	Theft by extortion-official action (\$50-<\$200/no threat)	M-2	2	m
3923(a)(4)	Theft by extortion-official action (<\$50/no threat)	M-3	1	m
3923(a)(5)	Theft by extortion-strike/boycott (anhydrous ammonia)	F-2	8	2
3923(a)(5)	Theft by extortion-strike/boycott (firearm)	F-2	8	2
3923(a)(5)	Theft by extortion-strike/boycott (=>\$500,000)	F-1	8	3
3923(a)(5)	Theft by extortion-strike/boycott (\$100,000-<\$500,000)	F-2	7	2
3923(a)(5)*	Theft by extortion-strike/boycott (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(5)*	Theft by extortion-strike/boycott (>\$2,000-\$25,000)	F-3	5	1
3923(a)(5)	Theft by extortion-strike/boycott (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(5)	Theft by extortion-strike/boycott (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(5)	Theft by extortion-strike/boycott (\$50-<\$200/no threat)	M-2	2	m
3923(a)(5)	Theft by extortion-strike/boycott (<\$50/no threat)	M-3	1	m
3923(a)(6)	Theft by extortion-testimony (anhydrous ammonia)	F-2	8	2
3923(a)(6)	Theft by extortion-testimony (firearm)	F-2	8	2
3923(a)(6)	Theft by extortion-testimony (=>\$500,000)	F-1	8	3
3923(a)(6)	Theft by extortion-testimony (\$100,000-<\$500,000)	F-2	7	2
3923(a)(6)*	Theft by extortion-testimony (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(6)*	Theft by extortion-testimony (>\$2,000-\$25,000)	F-3	5	1
3923(a)(6)	Theft by extortion-testimony (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(6)	Theft by extortion-testimony (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(6)	Theft by extortion-testimony (\$50-<\$200/no threat)	M-2	2	m
3923(a)(6)	Theft by extortion-testimony (<\$50/no threat)	M-3	1	m
3923(a)(7)	Theft by extortion-inflict harm (anhydrous ammonia)	F-2	8	2
3923(a)(7)	Theft by extortion-inflict harm (firearm)	F-2	8	2
3923(a)(7)	Theft by extortion-inflict harm (=>\$500,000)	F-1	8	3
3923(a)(7)	Theft by extortion-inflict harm (\$100,000-<\$500,000)	F-2	7	2
3923(a)(7)	Theft by extortion-inflict harm (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3923(a)(7)*	Theft by extortion-inflict harm (>\$2,000-\$25,000)	F-3	5	1
3923(a)(7)	Theft by extortion-inflict harm (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
3923(a)(7)	Theft by extortion-inflict harm (\$200-\$2,000/no threat)	M-1	4	m
3923(a)(7)	Theft by extortion-inflict harm (\$50-<\$200/no threat)	M-2	2	m
3923(a)(7)	Theft by extortion-inflict harm (<\$50/no threat)	M-3	1	m
3924	Theft of property-lost/mislaidd (anhydrous ammonia)	F-2	8	2

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3924	Theft of property-lost/mislaid (firearm)	F-2	8	2
3924	Theft of property-lost/mislaid (=>\$500,000)	F-1	8	3
3924	Theft of property-lost/mislaid (\$100,000-<\$500,000)	F-2	7	2
3924*	Theft of property-lost/mislaid (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3924*	Theft of property-lost/mislaid (>\$2,000-\$25,000)	F-3	5	1
3924	Theft of property-lost/mislaid (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3924	Theft of property-lost/mislaid (\$200-\$2,000/no threat)	M-1	3	m
3924	Theft of property-lost/mislaid (\$50-<\$200/no threat)	M-2	2	m
3924	Theft of property-lost/mislaid (<\$50/no threat)	M-3	1	m
3925(a)	Theft by receiving stolen property (anhydrous ammonia)	F-2	8	2
3925(a)	Theft by receiving stolen property (disaster)	F-2	8	2
3925(a)	Theft by receiving stolen property (firearm/receiver in business)	F-1	9	3
3925(a)	Theft by receiving stolen property (firearm/receiver not in business)	F-2	8	2
3925(a)	Theft of receiving stolen property (=>\$500,000)	F-1	8	3
3925(a)	Theft by receiving stolen property (\$100,000-<\$500,000)	F-2	7	2
3925*	Theft of receiving stolen property (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3925(a)*	Theft by receiving stolen property (>\$2,000-\$25,000)	F-3	5	1
3925(a)	Theft by receiving stolen property (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3925(a)	Theft by receiving stolen property (\$200-\$2,000/no threat)	M-1	3	m
3925(a)	Theft by receiving stolen property (\$50-<\$200/no threat)	M-2	2	m
3925(a)	Theft by receiving stolen property (<\$50/no threat)	M-3	1	m
3926(a)(1)	Theft of services-obtain service (anhydrous ammonia)	F-2	8	2
3926(a)(1)	Theft of services-obtain service (firearm)	F-2	8	2
3926(a)(1)	Theft of services-obtain service (=>\$500,000)	F-1	8	3
3926(a)(1)	Theft of services-obtain service (\$100,000-<\$500,000)	F-2	7	2
3926(a)(1)*	Theft of services-obtain service (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3926(a)(1)*	Theft of services-obtain service (>\$2,000-\$25,000)	F-3	5	1
3926(a)(1)	Theft of services-obtain service (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3926(a)(1)	Theft of services-obtain service (\$200-\$2,000/no threat)	M-1	3	m
3926(a)(1)	Theft of services-obtain service (\$50-<\$200/no threat)	M-2	2	m
3926(a)(1)	Theft of services-obtain service (<\$50/no threat)	M-3	1	m
3926(a)(1.1)	Theft of services-obtain telecommunications (anhydrous ammonia)	F-2	8	2



<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3926(a)(1.1)	Theft of services-obtain telecommunications (firearm)	F-2	8	2
3926(a)(1.1)	Theft of services-obtain telecommunications (=>\$500,000)	F-1	8	3
3926(a)(1.1)	Theft of services-obtain telecommunications (\$100,000-<\$500,000)	F-2	7	2
3926(a)(1.1)*	Theft of services-obtain telecommunications (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3926(a)(1.1)*	Theft of services-obtain telecommunications (>\$2,000-\$25,000)	F-3	5	1
3926(a)(1.1)	Theft of services-obtain telecommunications (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3926(a)(1.1)	Theft of services-obtain telecommunications (\$200-\$2,000/no threat)	M-1	3	m
3926(a)(1.1)	Theft of services-obtain telecommunications (\$50-<\$200/no threat)	M-2	2	m
3926(a)(1.1)	Theft of services-obtain telecommunications (<\$50/no threat)	M-2	2	m
3926(b)	Theft of services-divert service (anhydrous ammonia)	F-2	8	2
3926(b)	Theft of services-divert service (firearm)	F-2	8	2
3926(b)	Theft of services-divert service (=>\$500,000)	F-1	8	3
3926(b)	Theft of services-divert service (\$100,000-<\$500,000)	F-2	7	2
3926(b)*	Theft of services-divert service (>\$25,000-\$100,000/or motorized vehicle)	F-3	6	1
3926(b)*	Theft of services-divert service (>\$2,000-\$25,000)	F-3	5	1
3926(b)	Theft of services-divert service (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3926(b)	Theft of services-divert service (\$200-\$2,000/no threat)	M-1	3	m
3926(b)	Theft of services-divert service (\$50-<\$200/no threat)	M-2	2	m
3926(b)	Theft of services-divert service (<\$50/no threat)	M-3	1	m
3926(e)	Theft of services-transfer device/plan	M-3	1	m
3927(a)	Theft by failure-req. disposition funds (anhydrous ammonia)	F-2	8	2
3927(a)	Theft by failure-req. disposition funds (firearm)	F-2	8	2
3927(a)	Theft by failure-req. disposition funds (=>\$500,000)	F-1	8	3
3927(a)	Theft by failure-req. disposition funds (\$100,000-<\$500,000)	F-2	7	2
3927(a)*	Theft by failure-req. disposition funds (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3927(a)*	Theft by failure-req. disposition funds (>\$2,000-\$25,000)	F-3	5	1
3927(a)	Theft by failure-req. disposition funds (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3927(a)	Theft by failure-req. disposition funds (\$200-\$2,000/no threat)	M-1	3	m
3927(a)	Theft by failure-req. disposition funds (\$50-<\$200/no threat)	M-2	2	m
3927(a)	Theft by failure-req. disposition funds (<\$50/no threat)	M-3	1	m
3928(a)	Unauthorized use of auto	M-2	2	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3928(a)	Unauthorized use of auto (disaster)	F-2	8	2
3929(a)(1)	Retail theft-take merchandise (>\$1,000/or firearm/motor vehicle)	F-3	5	1
3929(a)(1)	Retail theft-take merchandise (1st/2nd off & >=\$150)	M-1	2	m
3929(a)(1)	Retail theft-take merchandise (2nd off & <\$150)	M-2	2	m
3929(a)(1)	Retail theft-take merchandise (3rd/subsq off)	F-3	3	1
3929(a)(1)	Retail theft-take merchandise (disaster)	F-2	8	2
3929(a)(2)	Retail theft-alter price (>\$1,000/or firearm/motor vehicle)	F-3	5	1
3929(a)(2)	Retail theft-alter price (1st/2nd off & >=\$150)	M-1	2	m
3929(a)(2)	Retail theft-alter price (2nd off & <\$150)	M-2	2	m
3929(a)(2)	Retail theft-alter price (3rd/subsq off)	F-3	3	1
3929(a)(2)	Retail theft-alter price (disaster)	F-2	8	2
3929(a)(3)	Retail theft-transfer container (>\$1,000/or firearm/motor vehicle)	F-3	5	1
3929(a)(3)	Retail theft-transfer container (1st/2nd off & >=\$150)	M-1	2	m
3929(a)(3)	Retail theft-transfer container (2nd off & <\$150)	M-2	2	m
3929(a)(3)	Retail theft-transfer container (3rd/subsq off)	F-3	3	1
3929(a)(3)	Retail theft-transfer container (disaster)	F-2	8	2
3929(a)(4)	Retail theft-under-rings (>\$1,000/or firearm/motor vehicle)	F-3	5	1
3929(a)(4)	Retail theft-under-rings (1st/2nd off & >=\$150)	M-1	2	m
3929(a)(4)	Retail theft-under-rings (2nd off & <\$150)	M-2	2	m
3929(a)(4)	Retail theft-under-rings (3rd/subsq off)	F-3	3	1
3929(a)(4)	Retail theft-under-rings (disaster)	F-2	8	2
3929(a)(5)	Retail theft-tamper w/ inventory tag (>\$1,000/or firearm/motor vehicle)	F-3	5	1
3929(a)(5)	Retail theft-tamper w/ inventory tag (1st/2nd off & >=\$150)	M-1	2	m
3929(a)(5)	Retail theft-tamper w/ inventory tag (2nd off & <\$150)	M-2	2	m
3929(a)(5)	Retail theft-tamper w/ inventory tag (3rd/subsq off)	F-3	3	1
3929(a)(5)	Retail theft-tamper w/ inventory tag (disaster)	F-2	8	2
3929.1(a)	Library Theft (1st/2nd off & >=\$150)	M-1	3	m
3929.1(a)	Library Theft (2nd off & <\$150)	M-2	2	m
3929.1(a)	Library Theft (3rd/Subsq off)	F-3	5	1
3929.2(a)	Unlawful possession-retail/library theft instruments	M-1	3	m
3929.3(a)	Organized retail theft (>=\$20,000)	F-2	7	2
3929.3(a)	Organized retail theft (\$5,000-\$19,999)	F-3	6	1
3930(a)(1)	Theft of trade secrets-by force	F-2	7	2
3930(a)(2)	Theft of trade secrets-willful entry of building	F-2	7	2
3930(a)(3)	Theft of trade secrets-willful access of computer	F-2	7	2
3930(b)(1)	Theft of trade secrets-unlawful possession	F-3	5	1
3930(b)(2)	Theft of trade secrets-unlawful conversion to own use	F-3	5	1
3931	Theft of unpublished drama, etc. (>\$2,000)	F-3	5	1
3931	Theft of unpublished drama, etc. (<=\$2,000/from indiv./by threat/breach)	M-1	3	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3931	Theft of unpublished drama, etc. (\$200-\$2,000/no threat)	M-1	3	m
3931	Theft of unpublished drama, etc. (\$50-<\$200/no threat)	M-2	2	m
3931	Theft of unpublished drama, etc. (<\$50/no threat)	M-3	1	m
3932(a)	Theft of leased property (anhydrous ammonia)	F-2	8	2
3932(a)	Theft of leased property (firearm)	F-2	8	2
3932(a)	Theft of leased property (=>\$500,000)	F-1	8	3
3932(a)	Theft of leased property (\$100,000-<\$500,000)	F-2	7	2
3932(a)*	Theft of leased property (>\$25,000-<\$100,000/or motorized vehicle)	F-3	6	1
3932(a)*	Theft of leased property (>\$2,000-\$25,000)	F-3	5	1
3932(a)	Theft of leased property (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3932(a)	Theft of leased property (\$200-\$2,000/no threat)	M-1	3	m
3932(a)	Theft of leased property (\$50-<\$200/no threat)	M-2	2	m
3932(a)	Theft of leased property (<\$50/no threat)	M-3	1	m
3934(a)	Theft from a motor vehicle (3rd/subsq w/in 5 yrs)	F-3	6	1
3934(a)	Theft from a motor vehicle (>\$200)	M-1	3	m
3934(a)	Theft from a motor vehicle (>=\$50-<\$200)	M-2	2	m
3934(a)	Theft from a motor vehicle (<\$50)	M-3	1	m
<b>3935(a)</b>	<b>Theft of secondary metal-value &lt;\$50 (1st or 2nd offense)</b>	<b>M-3</b>	<b>1</b> <b>[ omnibus ]</b>	<b>m</b>
<b>3935(a)</b>	<b>Theft of secondary metal-value \$50 to &lt;\$200 (1st or 2nd offense)</b>	<b>M-2</b>	<b>2</b> <b>[ omnibus ]</b>	<b>m</b>
<b>3935(a)</b>	<b>Theft of secondary metal-value \$200 to &lt;\$1,000 (1st or 2nd offense)</b>	<b>M-1</b>	<b>3</b> <b>[ omnibus ]</b>	<b>m</b>
<b>3935(a)</b>	<b>Theft of secondary metal-value =&gt;\$1,000 (1st or 2nd offense)</b>	<b>F-3</b>	<b>5</b> <b>[ omnibus ]</b>	<b>1</b>
<b>3935(a)</b>	<b>Theft of secondary metal (3rd or subsq offense)</b>	<b>F-3</b>	<b>5</b> <b>[ omnibus ]</b>	<b>1</b>
4101(a)(1)	Forgery-altered writing (money/stocks/govt docs/etc.)	F-2	4	2
4101(a)(1)	Forgery-altered writing (will//deed/other legal doc)	F-3	3	1
4101(a)(1)	Forgery-altered writing (other)	M-1	3	m
4101(a)(2)	Forgery-unauthorized writing (money/stocks/govt docs/etc.)	F-2	4	2
4101(a)(2)	Forgery-unauthorized writing (will//deed/other legal doc)	F-3	3	1
4101(a)(2)	Forgery-unauthorized writing (other)	M-1	3	m
4101(a)(3)	Forgery-utter forged writing (money/stocks/govt docs/etc.)	F-2	4	2
4101(a)(3)	Forgery-utter forged writing (will//deed/other legal doc)	F-3	3	1
4101(a)(3)	Forgery-utter forged writing (other)	M-1	3	m
4102	Simulating objects of antiquity	M-1	3	m
4103	Fraudulent destruction of recordable instruments	F-3	5	1
4104(a)	Tampering w/ records or identification	M-1	3	m
4105(a)(1)	Bad checks-issues/passes check (=>\$75,000)	F-3	5	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4105(a)(1)	Bad checks-issues/passes check (\$1,000-<\$75,000)	M-1	3	m
4105(a)(1)	Bad checks—issues/passes check (\$500-<\$1,000)	M-2	2	m
4105(a)(1)	Bad checks-issues/passes check (\$200-<\$500)	M-3	1	m
4105(a)(1)	Bad checks—issues/passes check (3rd/subsq off & <\$75,000)	M-1	3	m
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (=>\$75,000)	F-3	5	1
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (\$1,000-<\$75,000)	M-1	3	m
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (\$500-<\$1,000)	M-2	2	m
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (\$200-<\$500)	M-3	1	m
4105(a)(2)	Bad checks-issues/passes check in Commonwealth (3rd/subsq off & <\$75,000)	M-1	3	m
4106(a)(1)(i)	Access device fraud-altered/counterfeit device (>=\$500)	F-3	5	1
4106(a)(1)(i)	Access device fraud-altered/counterfeit device (\$50-<\$500)	M-1	4	m
4106(a)(1)(i)	Access device fraud-altered/counterfeit device (<\$50)	M-2	3	m
4106(a)(1)(ii)	Access device fraud-unauthorized use of device (>\$500)	F-3	5	1
4106(a)(1)(ii)	Access device fraud-unauthorized use of device (\$50-<\$500)	M-1	4	m
4106(a)(1)(ii)	Access device fraud-unauthorized use of device (<\$50)	M-2	3	m
4106(a)(1)(iii)	Access device fraud-device revoked/cancelled (>=\$500)	F-3	5	1
4106(a)(1)(iii)	Access device fraud-device revoked/cancelled (\$50-<\$500)	M-1	4	m
4106(a)(1)(iii)	Access device fraud-device revoked/cancelled (<\$50)	M-2	3	m
4106(a)(1)(iv)	Access device fraud-other (>=\$500)	F-3	5	1
4106(a)(1)(iv)	Access device fraud-other (\$50-<\$500)	M-1	4	m
4106(a)(1)(iv)	Access device fraud-other (<\$50)	M-2	3	m
4106(a)(2)	Access device fraud-publishes/makes/sells illegal device	F-3	5	1
4106(a)(3)	Access device fraud-knowingly possesses illegal device	M-3	2	m
4106.1(a)(1)	Unlawful device-making equipment (produces/traffics)	F-3	6	1
4106.1(a)(2)	Unlawful device-making equipment (possesses)	M-1	4	m
4107(a)(1)	Deceptive business practices-false weight/measure (>\$2,000)	F-3	5	1
4107(a)(1)	Deceptive business practices-false weight/measure (\$200-\$2,000)	M-1	3	m
4107(a)(1)	Deceptive business practices-false weight/measure (<\$200/amt unk)	M-2	2	m
4107(a)(1)	Deceptive business practices-false weight/measure (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(1)	Deceptive business practices-false weight/measure (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1

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4107(a)(1)	Deceptive business practices-false weight/measure (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(2)	Deceptive business practices-sells < rep. quantity (>\$2,000)	F-3	5	1
4107(a)(2)	Deceptive business practices-sells < rep. quantity (\$200-\$2,000)	M-1	3	m
4107(a)(2)	Deceptive business practices-sells < rep. quantity (<\$200/amt unk)	M-2	2	m
4107(a)(2)	Deceptive business practices-sells < rep. quantity (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(2)	Deceptive business practices-sells < rep. quantity (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(2)	Deceptive business practices-sells < rep. quantity (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(3)	Deceptive business practices-take > rep. quantity (>\$2,000)	F-3	5	1
4107(a)(3)	Deceptive business practices-take > rep. quantity (\$200-\$2,000)	M-1	3	m
4107(a)(3)	Deceptive business practices-take > rep. quantity (<\$200/amt unk)	M-2	2	m
4107(a)(3)	Deceptive business practices-take > rep. quantity (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(3)	Deceptive business practices-take > rep. quantity (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(3)	Deceptive business practices-take > rep. quantity (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(4)	Deceptive business practices-sell adulterated goods (>\$2,000)	F-3	5	1
4107(a)(4)	Deceptive business practices-sell adulterated goods (\$200-\$2,000)	M-1	3	m
4107(a)(4)	Deceptive business practices-sell adulterated goods (<\$200/amt unk)	M-2	2	m
4107(a)(4)	Deceptive business practices-sell adulterated goods (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(4)	Deceptive business practices-sell adulterated goods (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(4)	Deceptive business practices-sell adulterated goods (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(5)	Deceptive business practices-false advertisement (>\$2,000)	F-3	5	1
4107(a)(5)	Deceptive business practices-false advertisement (\$200-\$2,000)	M-1	3	m
4107(a)(5)	Deceptive business practices-false advertisement (<\$200/amt unk)	M-2	2	m
4107(a)(5)	Deceptive business practices-false advertisement (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(5)	Deceptive business practices-false advertisement (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(5)	Deceptive business practices-false advertisement (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(6)	Deceptive business practices-false statement to obtain credit (>\$2,000)	F-3	5	1
4107(a)(6)	Deceptive business practices-false statement to obtain credit (\$200-\$2,000)	M-1	3	m



<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4107(a)(6)	Deceptive business practices-false statement to obtain credit (<\$200/amt unk)	M-2	2	m
4107(a)(6)	Deceptive business practices-false statement to obtain credit (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(6)	Deceptive business practices-false statement to obtain credit (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(6)	Deceptive business practices-false statement to obtain credit (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(7)	Deceptive business practices-false statement to sell securities (>\$2,000)	F-3	5	1
4107(a)(7)	Deceptive business practices-false statement to sell securities (\$200-\$2,000)	M-1	3	m
4107(a)(7)	Deceptive business practices-false statement to sell securities (<\$200/amt unk)	M-2	2	m
4107(a)(7)	Deceptive business practices-false statement to sell securities (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(7)	Deceptive business practices-false statement to sell securities (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(7)	Deceptive business practices-false statement to sell securities (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(8)	Deceptive business practices-false statement to investor (>\$2,000)	F-3	5	1
4107(a)(8)	Deceptive business practices-false statement to investor (\$200-\$2,000)	M-1	3	m
4107(a)(8)	Deceptive business practices-false statement to investor (<\$200/amt unk)	M-2	2	m
4107(a)(8)	Deceptive business practices-false statement to investor (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(8)	Deceptive business practices-false statement to investor (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(8)	Deceptive business practices-false statement to investor (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107(a)(9)	Deceptive business practices-false statement via phone (>\$2,000)	F-3	5	1
4107(a)(9)	Deceptive business practices-false statement via phone (\$200-\$2,000)	M-1	3	m
4107(a)(9)	Deceptive business practices-false statement via phone (<\$200/amt unk)	M-2	2	m
4107(a)(9)	Deceptive business practices-false statement via phone (>\$2,000 & victim >=60 yrs)	F-2	7	2
4107(a)(9)	Deceptive business practices-false statement via phone (\$200-\$2,000 & victim >=60 yrs)	F-3	5	1
4107(a)(9)	Deceptive business practices-false statement via phone (<\$200/amt unk & victim >=60 yrs)	M-1	3	m
4107.1(a)	Deception relating to kosher food products	M-3	1	m
4107.2(a)(1)	Deception minority/women's business-fraud to obtain certif.	F-3	4	1
4107.2(a)(2)	Deception minority/women's business-false statement to deny certif.	F-3	4	1
4107.2(a)(3)	Deception minority/women's business-obstruct investigation for certif.	F-3	4	1
4107.2(a)(4)	Deception minority/women's business-fraudulent obtain public money	F-3	4	1

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4108(a)	Commercial bribery/breach of duty-corrupt employee/agent/fiduciary	M-2	2	m
4108(b)	Commercial bribery/breach of duty-corrupt disinterested person	M-2	2	m
4108(c)	Commercial bribery/breach of duty-solicitation	M-2	2	m
4109(a)(1)	Rigging publicly exhibited contest-confer benefit/threaten injury	M-1	3	m
4109(a)(2)	Rigging publicly exhibited contest-tamper w/ person/animal/thing	M-1	3	m
4109(b)	Rigging publicly exhibited contest-solicit/accept benefit for rigging	M-1	3	m
4109(c)	Rigging publicly exhibited contest-participate in rigged contest	M-1	3	m
4110	Defrauding secured creditors	M-2	2	m
4111	Fraud in Insolvency	M-2	2	m
4111(1)	Fraud in insolvency-destroys/etc. property to obstruct creditor claim	M-2	2	m
4111(2)	Fraud in insolvency-falsify writing/record of property	M-2	2	m
4111(3)	Fraud in insolvency-knowingly misrepresent/refuse to disclose property	M-2	2	m
4112	Receiving deposits in failing financial institution	M-2	2	m
4113(a)	Misapplication of entrusted property (>\$50)	M-2	2	m
4113(a)	Misapplication of entrusted property (<=\$50)	M-3	1	m
4114	Securing execution of documents by deception	M-2	2	m
4115	Falsely impersonating persons privately employed	M-2	2	m
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (100+ motion pict./1000+ recordings)	F-3	5	1
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (100+ motion pict./1000+ recordings and 2nd/subsq off)	F-2	7	2
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (any other 1st off)	M-1	3	m
4116(b)(1)	Copying; recording devices-knowingly transfer sounds for profit (any other 2nd/subsq off)	F-3	5	1
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (100+ motion pict./1000+ recordings)	F-3	5	1
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (100+ motion pict./1000+ recordings and 2nd/subsq off)	F-2	7	2
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (any other 1st off)	M-1	3	m
4116(b)(2)	Copying; recording devices-manufacture/etc. w/ knowledge of transfer (any other 2nd/subsq off)	F-3	5	1
4116(d)	Copying; recording devices-sell/rent illegal recording device (100+ motion pict./1000+ recordings)	F-3	5	1
4116(d)	Copying; recording devices-sell/rent illegal recording device (100+ motion pict./1000+ recordings and 2nd/subsq off)	F-2	7	2
4116(d)	Copying; recording devices-sell/rent illegal recording device (any other 1st off)	M-1	3	m

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4116(d)	Copying; recording devices-sell/rent illegal recording device (any other 2nd/subsq off)	F-3	5	1
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (100+ motion pict./1000+ recordings)	F-3	5	1
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (100+ motion pict./1000+ recordings and 2nd/subsq off)	F-2	7	2
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (any other 1st off)	M-1	3	m
4116(d.1)(1)	Copying; recording devices-sell/rent live recording w/o owner consent (any other 2nd/subsq off)	F-3	5	1
4116(e)	Copying; recording devices-mfr. name on packaging (100+ motion pict./1000+ recordings)	F-3	5	1
4116(e)	Copying; recording devices-mfr. name on packaging (100+ motion pict./1000+ recordings & 2nd/subsq off)	F-2	7	2
4116(e)	Copying; recording devices-mfr. name on packaging (any other 1st off)	M-1	3	m
4116(e)	Copying; recording devices-mfr. name on packaging (any other 2nd/subsq off)	F-3	5	1
4116.1(a)	Unlawful use of recording device in movie theater (1st off)	M-1	3	m
4116.1(a)	Unlawful use of recording device in movie theater (2nd/subsq off)	F-3	4	1
4117(a)(1)	Insurance fraud-false document to gvt. agency for ins. rate	F-3	4	1
4117(a)(2)	Insurance fraud-false insurance claim	F-3	4	1
4117(a)(3)	Insurance fraud-assist/conspire/etc. in false insurance claim	F-3	4	1
4117(a)(4)	Insurance fraud-unlicensed agent activity	F-3	4	1
4117(a)(5)	Insurance fraud-knowingly benefits from proceeds	F-3	4	1
4117(a)(6)	Insurance fraud-health care facility allows insurance fraud	F-3	4	1
4117(a)(7)	Insurance fraud-borrows/uses another's ins. ID w/ intent to defraud	F-3	4	1
4117(a)(8)	Insurance fraud-direct/indirect solicitation for pecuniary gain	F-3	4	1
4117(b)(1)	Insurance fraud-unlawful compensation by attorney	M-1	3	m
4117(b)(2)	Insurance fraud-unlawful compensation by provider	M-1	3	m
4117(b)(3)	Insurance fraud-unlawful compensation for patient referral	M-1	3	m
4117(b)(4)	Insurance fraud-false insurance application	M-1	3	m
4118	Washing vehicle titles	F-3	4	1
4119(a)(1)	Trademark counterfeiting-mfr.	M-1	3	m
4119(a)(1)	Trademark counterfeiting-mfr. (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(1)	Trademark counterfeiting-mfr. (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(2)	Trademark counterfeiting-sells	M-1	3	m
4119(a)(2)	Trademark counterfeiting-sells (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1

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4119(a)(2)	Trademark counterfeiting-sells (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(3)	Trademark counterfeiting-offers for sale	M-1	3	m
4119(a)(3)	Trademark counterfeiting-offers for sale (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(3)	Trademark counterfeiting-offers for sale (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(4)	Trademark counterfeiting-displays	M-1	3	m
4119(a)(4)	Trademark counterfeiting-displays (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(4)	Trademark counterfeiting-displays (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(5)	Trademark counterfeiting-advertises	M-1	3	m
4119(a)(5)	Trademark counterfeiting-advertises (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(5)	Trademark counterfeiting-advertises (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(6)	Trademark counterfeiting-distributes	M-1	3	m
4119(a)(6)	Trademark counterfeiting-distributes (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(6)	Trademark counterfeiting-distributes (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4119(a)(7)	Trademark counterfeiting-transport	M-1	3	m
4119(a)(7)	Trademark counterfeiting-transport (prev conv/>100 items-<1000 items/>\$2,000-<\$10,000 value)	F-3	5	1
4119(a)(7)	Trademark counterfeiting-transport (2+ prev conv/mfr. of items/>=1000 items/>\$10,000 value)	F-2	7	2
4120(a)	Identity theft (>=\$2,000)	F-3	5	1
4120(a)	Identity theft (<\$2,000)	M-1	3	m
4120(a)	Identity theft (3rd/subsq off)	F-2	7	2
4120(a)	Identity theft (furtherance of conspiracy)	F-3	5	1
4120(a)	Identity theft (>=\$2,000 and victim >=60 yrs/care-dependent)	F-2	7	2
4120(a)	Identity theft (<\$2,000 and victim >=60 yrs/care-dependent)	F-3	5	1
4120(a)	Identity theft (3rd/subsq off and victim >=60 yrs/care-dependent)	F-1	8	3
4120(a)	Identity theft (furtherance of conspiracy and victim >=60 yrs/care-dependent)	F-2	7	2
4120(a)	Identity theft (<\$2,000 and victim <18 yrs)	F-3	5	1
4120(a)	Identity theft (>=\$2,000 and victim <18 yrs)	F-2	7	2
4120(a)	Identity theft (3rd/subsq off and victim <18 yrs)	F-1	8	3
4120(a)	Identity theft (furtherance of conspiracy and victim <18 yrs)	F-2	7	2
4301(a)	Bigamy (by married person)	M-2	3	m
4301(b)	Bigamy (knowing other person committing bigamy)	M-2	3	m
4302(a)	Incest (victim >18 yrs.)	F-2	9	4
4302(b)(1)	Incest-of a minor (victim <13 yrs.)	F-2	9	4

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4302(b)(2)	Incest-of a minor (victim 13-18 yrs. and offender at least 4 yrs. older)	F-2	9	4
4303(a)	Concealing death of child	M-1	3	m
4304(a)(1)	Endangering welfare of children-violate duty of care	M-1	5	1
4304(a)(1)	Endangering welfare of children-violate duty of care (course of conduct)	F-3	6	1
4304(a)(2)	Endangering welfare of children-official prevents/interferes w/ reporting	M-1	5	1
4304(a)(2)	Endangering welfare of children-official prevents/interferes w/ reporting (course of conduct)	F-3	6	1
4305	Dealing in infant children	M-1	4	1
4701(a)(1)	Bribery in official & political matters-pecuniary benefit as public servant	F-3	5	1
4701(a)(2)	Bribery in official & political matters-benefit for judicial/admin./legis. proceedings	F-3	5	1
4701(a)(3)	Bribery in official & political matters-benefit for legal duty as public servant	F-3	5	1
4702(a)(1)	Threats-to influence decision as public servant	M-2	2	m
4702(a)(1)	Threats-to influence decision as public servant (threat to commit crime)	F-3	5	1
4702(a)(2)	Threats-to influence decision in judicial/admin. proceedings	M-2	2	m
4702(a)(2)	Threats-to influence decision in judicial/admin. proceedings (threat to commit crime)	F-3	5	1
4702(a)(3)	Threats-harm for legal duty as public servant	M-2	2	m
4702(a)(3)	Threats-harm for legal duty as public servant (threat to commit crime)	F-3	5	1
4703	Retaliation for past official action	M-2	2	m
4902(a)	Perjury	F-3	5	1
4903(a)(1)	False swearing in official matters-in official proceeding	M-2	2	m
4903(a)(2)	False swearing in official matters-to mislead public servant	M-2	2	m
4903(b)	False swearing-statement required to be sworn	M-3	1	m
4904(a)(1)	Unsworn falsification to authorities-written statement	M-2	2	m
4904(a)(2)	Unsworn falsification to authorities-relies on false writing	M-2	2	m
4904(a)(3)	Unsworn falsification to authorities-relies on false specimen/map/boundary, etc.	M-2	2	m
4904(b)	Unsworn falsification to authorities-statement under penalty	M-3	1	m
4905(a)	False alarms to agency of public safety	M-1	3	m
4905(a)	False alarms to agency of public safety (state of emergency)	F-3	5	1
4906(a)	False reports-falsely incriminate another	M-2	2	m
4906(a)	False reports-falsely incriminate another (report of theft/loss of firearm)	M-1	3	m
4906(a)	False reports-falsely incriminate another (state of emergency)	M-1	3	m
4906(b)(1)	False reports-fictitious report to law enforcement	M-3	1	m



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4906(b)(1)	False reports-fictitious report to law enforcement (report of theft/loss of firearm)	M-2	2	m
4906(b)(1)	False reports-fictitious report to law enforcement (state of emergency)	M-2	2	m
4906(b)(2)	False Reports-fictitious report of information	M-3	1	m
4906(b)(2)	False Reports-fictitious report of information (report of theft/loss of firearm)	M-2	2	m
4906(b)(2)	False Reports-fictitious report of information (state of emergency)	M-2	2	m
4906.1	False reports of child abuse	M-2	2	m
4909	Witness or informant taking bribe	F-3	5	1
4910(1)	Tampering w/ physical evidence-intent to impair availability	M-2	2	m
4910(2)	Tampering w/ physical evidence-false record etc.	M-2	2	m
4911(a)(1)	Tampering w/ public records-false entry/govt. doc	M-2	2	m
4911(a)(1)	Tampering w/ public records-false entry/govt. doc. (to defraud)	F-3	4	1
4911(a)(2)	Tampering w/ public records-presenting false document	M-2	2	m
4911(a)(2)	Tampering w/ public records-presenting false document (to defraud)	F-3	4	1
4911(a)(3)	Tampering w/ public records-intent to impair doc. availability	M-2	2	m
4911(a)(3)	Tampering w/ public records-intent to impair doc. availability (to defraud)	F-3	4	1
4912	Impersonating a public servant	M-2	2	m
4913(a)	Impersonating a notary public	M-2	2	m
4913(a)	Impersonating a notary public (intent to harm/defraud)	M-1	3	m
4914(a)	False identification to law enforcement authorities	M-3	1	m
4915.1(a)(1)	Fail to register with PSP-15 yr. registration (1st off)	F-3	6	1
4915.1(a)(1)	Fail to register with PSP-15 yr. registration (2nd/subsq off)	F-2	8	2
4915.1(a)(1)	Fail to register with PSP-25 yr. registration (1st off)	F-2	8	2
4915.1(a)(1)	Fail to register with PSP-25 yr. registration (2nd/subsq off)	F-1	10	3
4915.1(a)(1)	Fail to register with PSP-lifetime registration (1st off)	F-2	8	2
4915.1(a)(1)	Fail to register with PSP-lifetime registration (2nd/subsq off)	F-1	10	3
4915.1(a)(2)	Fail to verify address/be photo'd-15 yr. registration (1st off)	F-3	6	1
4915.1(a)(2)	Fail to verify address/be photo'd-15 yr. registration (2nd/subsq off)	F-2	8	2
4915.1(a)(2)	Fail to verify address/be photo'd-25 yr. registration (1st off)	F-2	8	2
4915.1(a)(2)	Fail to verify address/be photo'd-25 yr. registration (2nd/subsq off)	F-1	10	3
4915.1(a)(2)	Fail to verify address/be photo'd-lifetime registration (1st off)	F-2	8	2
4915.1(a)(2)	Fail to verify address/be photo'd-lifetime registration (2nd/subsq off)	F-1	10	3

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4915.1(a)(3)	Fail to provide accurate information-15 yr. registration	F-2	8	2
4915.1(a)(3)	Fail to provide accurate information-25 yr. registration	F-1	10	3
4915.1(a)(3)	Fail to provide accurate information-lifetime registration	F-1	10	3
4915.1(a.1)(1)	Fail to register with PSP: transient-15 yr. registration (1st off)	F-3	6	1
4915.1(a.1)(1)	Fail to register with PSP: transient-15 yr. registration (2nd/subsq off)	F-2	8	2
4915.1(a.1)(1)	Fail to register with PSP: transient-25 yr. registration (1st off)	F-2	8	2
4915.1(a.1)(1)	Fail to register with PSP: transient-25 yr. registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(1)	Fail to register with PSP: transient-lifetime registration (1st off)	F-2	8	2
4915.1(a.1)(1)	Fail to register with PSP: transient-lifetime registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-15 yr. registration (1st off)	F-3	6	1
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-15 yr. registration (2nd/subsq off)	F-2	8	2
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-25 yr. registration (1st off)	F-2	8	2
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-25 yr. registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-lifetime registration (1st off)	F-2	8	2
4915.1(a.1)(2)	Fail to verify address/be photo'd: transient-lifetime registration (2nd/subsq off)	F-1	10	3
4915.1(a.1)(3)	Fail to provide accurate info.: transient-15 yr. registration	F-2	8	2
4915.1(a.1)(3)	Fail to provide accurate info.: transient-25 yr. registration	F-1	10	3
4915.1(a.1)(3)	Fail to provide accurate info.: transient-lifetime registration	F-1	10	3
4915.1(a.2)(1)	Fail to comply w/ SVP outpatient review/counseling	M-1	5	m
4915.1(a.2)(2)	Fail to comply w/ counseling req. from other jurisdiction	M-1	5	m
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (listed factor & F-2)	F-2	9	2
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (listed factor)	F-3	7	1
4952(a)(1)	Intimidation of witness/victim-refrain from reporting (general)	M-2	5	m
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (listed factor & F-2)	F-2	9	2
4952(a)(2)	Intimidation of witness/victim-false/misleading info. (listed factor)	F-3	7	1

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4952(a)(2)	Intimidation of witness/victim-false/misleading info. (general)	M-2	5	m
4952(a)(3)	Intimidation of witness/victim-Withhold Information, (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(3)	Intimidation of witness/victim-withhold info. (listed factor & F-2)	F-2	9	2
4952(a)(3)	Intimidation of witness/victim-withhold info. (listed factor)	F-3	7	1
4952(a)(3)	Intimidation of witness/victim-withhold info. (general)	M-2	5	m
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (listed factor & F-2)	F-2	9	2
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (listed factor)	F-3	7	1
4952(a)(4)	Intimidation of witness/victim-false info/refuse testimony (general)	M-2	5	m
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (listed factor & F-2)	F-2	9	2
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (listed factor)	F-3	7	1
4952(a)(5)	Intimidation of witness/victim-evade/ignore summons (general)	M-2	5	m
4952(a)(6)	Intimidation of witness/victim-absent from proceeding, (listed factor & F-1/Murder 1 or 2)	F-1	11	4
4952(a)(6)	Intimidation of witness/victim-absent from proceeding (listed factor & F-2)	F-2	9	2
4952(a)(6)	Intimidation of witness/victim-absent from proceeding (listed factor)	F-3	7	1
4952(a)(6)	Intimidation of witness/victim-absent from proceeding (general)	M-2	5	m
4953(a)	Retaliation against witness/victim-listed factor	F-3	8	1
4953(a)	Retaliation against witness/victim-general	M-2	5	m
4953.1(a)	Retaliation against prosecutor/judicial official-listed factor	F-2	9	2
4953.1(a)	Retaliation against prosecutor/judicial official-general	M-1	6	m
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc.	M-2	5	m
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (force, etc.)	F-2	7	2
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (benefit)	F-2	7	2
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (furtherance consp)	F-2	7	2
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (other person)	F-2	7	2
4958(a)(1)	Intimidation child abuse case-knowledge/intent to impede, etc. (prior conv)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/attempt refrain from/cause not report	M-2	5	m

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4958(a)(2)(i)	Intimidation child abuse cases-intimidate/ attempt refrain from/cause not report (force, etc.)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/ attempt refrain from/cause not report (benefit)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/ attempt refrain from/cause not report (furtherance consp)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/ attempt refrain from/cause not report (other person)	F-2	7	2
4958(a)(2)(i)	Intimidation child abuse cases-intimidate/ attempt refrain from/cause not report (prior conv)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/ attempt withhold information	M-2	5	m
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/ attempt withhold information (force, etc.)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/ attempt withhold information (benefit)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/ attempt withhold information (furtherance consp)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/ attempt withhold information (other person)	F-2	7	2
4958(a)(2)(ii)	Intimidation child abuse cases-intimidate/ attempt withhold information (prior conv)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/ attempt false/misleading information	M-2	5	m
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/ attempt false/misleading information (force, etc.)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/ attempt false/misleading information (benefit)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/ attempt false/misleading information (furtherance consp)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/ attempt false/misleading information (other person)	F-2	7	2
4958(a)(2)(iii)	Intimidation child abuse cases-intimidate/ attempt false/misleading information (prior conv)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/ attempt evade etc. request/legal process	M-2	5	m
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/ attempt evade etc. request/legal process (force)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/ attempt evade etc. request/legal process (benefit)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/ attempt evade etc. request/legal process (furtherance consp)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/ attempt evade etc. request/legal process (other person)	F-2	7	2
4958(a)(2)(iv)	Intimidation child abuse cases-intimidate/ attempt evade etc. request/legal process (prior conv)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/ attempt fail appear/participate legal process	M-2	5	m

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4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (force)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (benefit)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (furtherance consp)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (other person)	F-2	7	2
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/attempt fail appear/participate legal process (prior conv)	F-2	7	2
4958(b)	Retaliation child abuse cases	M-2	5	m
4958(b)	Retaliation child abuse cases (force)	F-2	8	2
4958(b)	Retaliation child abuse cases (benefit)	F-2	8	2
4958(b)	Retaliation child abuse cases (furtherance consp)	F-2	8	2
4958(b)	Retaliation child abuse cases (other person)	F-2	8	2
4958(b)	Retaliation child abuse cases (prior conv)	F-2	8	2
4958(b.1)	Obstruction child abuse cases	M-2	5	m
4958(b.1)	Obstruction child abuse cases (force)	F-2	7	2
4958(b.1)	Obstruction child abuse cases (benefit)	F-2	7	2
4958(b.1)	Obstruction child abuse cases (furtherance consp)	F-2	7	2
4958(b.1)	Obstruction child abuse cases (other person)	F-2	7	2
4958(b.1)	Obstruction child abuse cases (prior conv)	F-2	7	2
5101	Obstructing admin. of law/other govt. function	M-2	3	m
5102(a)	Obstructing/impeding justice by picketing	M-2	2	m
5103	Unlawfully listening into deliberations of jury	M-3	1	m
5104	Resisting arrest, etc.	M-2	2	m
5104.1(a)	Disarming law enforcement officer	F-3	5	1
5105(a)(1)	Hindering apprehension-harbors/conceals	M-2	2	m
5105(a)(1)	Hindering apprehension-harbors/conceals (charge is F1/F2)	F-3	4	1
5105(a)(2)	Hindering apprehension-provides aid to avoid apprehension	M-2	2	m
5105(a)(2)	Hindering apprehension-provides aid to avoid apprehension (charge is F1/F2)	F-3	4	1
5105(a)(3)	Hindering apprehension-conceal/destroy evidence	M-2	2	m
5105(a)(3)	Hindering apprehension-conceal/destroy evidence (charge is F1/F2)	F-3	4	1
5105(a)(4)	Hindering apprehension-warn of apprehension	M-2	2	m
5105(a)(4)	Hindering apprehension-warn of apprehension (charge is F1/F2)	F-3	4	1
5105(a)(5)	Hindering apprehension-false info. to law enforcement ofc.	M-2	2	m
5105(a)(5)	Hindering apprehension-false info. to law enforcement ofc. (charge is F1/F2)	F-3	4	1
5107(a)	Aiding consummation of crime	M-2	2	m
5107(a)	Aiding consummation of crime (principal off is F1/F2)	F-3	5	1
5108(a)	Compounding	M-2	2	m



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5109	Barratry-vex with unjust/vexatious suits	M-3	1	m
5110	Contempt of General Assembly	M-3	1	m
5111(a)(1)	Dealing in proceeds of unlawful activities-intent to promote act	F-1	8	3
5111(a)(2)	Dealing in proceeds of unlawful activities-designed to conceal proceeds	F-1	8	3
5111(a)(3)	Dealing in proceeds of unlawful activities-avoid transaction report req.	F-1	8	3
5112(a)	Obstructing emergency services	M-3	1	m
5121(a)	Permitting/facilitating escape	M-2	3	m
5121(a)	Escape	M-2	3	m
5121(a)*	Escape (from: halfway house, pre-release ctr., treatment ctr., work-release ctr., work-release, or failure to return from an authorized leave/furlough)	F-3	5	1
5121(a)*	Escape (all other specified escapes)	F-3	6	1
5121(a)*	Permitting/facilitating escape (from: halfway house, pre-release ctr., treatment ctr., work-release ctr., work-release, or failure to return from an authorized leave/furlough)	F-3	5	1
5121(a)*	Permitting/facilitating escape (all other specified escapes)	F-3	6	1
5122(a)(1)	Weapons/implements for escape-provide to inmate	M-1	8	m
5122(a)(2)	Weapons/implements for escape-possession by inmate	M-1	4	m
5123(a)	Contraband-provide controlled substance to inmate	F-2	7	2
5123(a.2)	Contraband-possession of controlled substance by inmate	F-2	7	2
5123(b)	Contraband-provide money to inmate	M-3	1	m
5123(c)	Contraband-provide other contraband to inmate	M-1	3	m
5123(c.1)	Contraband-provide telecom. device to inmate	M-1	5	m
5123(c.2)	Contraband-possession of telecom. device by inmate	M-1	3	m
5124(a)	Default in required appearance (felony)	F-3	4	1
5124(a)	Default in required appearance (non-felony)	M-2	2	m
5125	Absconding witness	M-3	1	m
5126(a)	Flight to avoid apprehension (felony)	F-3	5	1
5126(a)	Flight to avoid apprehension (misd.)	M-2	2	m
5131(a)(1)	Recruiting criminal gang member-solicit/cause/attempt cause (recruitee $\geq$ 16 yrs)	M-2	2	m
5131(a)(1)	Recruiting criminal gang member-solicit/cause/attempt cause (recruitee $<$ 16 yrs)	M-1	3	1
5131(a)(2)	Recruiting criminal gang member-inflict BI/physical menace/force (recruitee $\geq$ 16 yrs)	M-1	3	1
5131(a)(2)	Recruiting criminal gang member-inflict BI/physical menace/force (recruitee $<$ 16 yrs)	F-3	5	1
5131(a)(3)	Recruiting criminal gang member-inflict SBI (recruitee $\geq$ 16 yrs)	F-3	5	1
5131(a)(3)	Recruiting criminal gang member-inflict SBI (recruitee $<$ 16 yrs)	F-2	7	2

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5301(1)	Official oppression-subjects another to arrest, etc.	M-2	2	m
5301(2)	Official oppression-denies another enjoyment of rights	M-2	2	m
5302(1)	Speculating/wagering on official action-acquires pecuniary interest	M-2	2	m
5302(2)	Speculating/wagering on official action-speculates on information	M-2	2	m
5302(3)	Speculating/wagering on official action-aids another	M-2	2	m
5501(1)	Riot-intent to commit felony/misd.	F-3	4	1
5501(2)	Riot-intent to prevent/coerce official action	F-3	4	1
5501(3)	Riot-actor/other plans to use deadly weapon	F-3	4	1
5502	Failure to disperse upon official order	M-2	2	m
5503(a)(1)	Disorderly conduct-frightening/threatening behavior (substantial harm/persist after warning)	M-3	1	m
5503(a)(2)	Disorderly conduct-unreasonable noise (substantial harm/persist after warning)	M-3	1	m
5503(a)(3)	Disorderly conduct-obscene language (substantial harm/persist after warning)	M-3	1	m
5503(a)(4)	Disorderly conduct-hazardous condition (substantial harm/persist after warning)	M-3	1	m
5506	Loitering and prowling at night time	M-3	1	m
5507(a)	Obstructing highway, etc.-after warning	M-3	1	m
5508	Disrupting meetings and processions	M-3	1	m
5509(a)(1)	Desecration of venerated objects-intentional (public monument, etc.)	M-2	2	m
5509(a)(2)	Desecration of venerated objects-intentional (object of veneration)	M-2	2	m
5509(a)(3)	Desecration of venerated objects-sell veteran's marker	M-2	2	m
5509(a.1)	Desecration of venerated objects-historic burial lots	M-1	3	m
5510	Abuse of corpse	M-2	3	m
5511(a)(1)	Cruelty to animals-own dog that injures service dog	M-3	1	m
5511(a)(1)(i)	Cruelty to animals-kill/maim domestic animal	M-2	3	m
5511(a)(1)(ii)	Cruelty to animals-poisons domestic animal	M-2	3	m
5511(a)(1)(iii)	Cruelty to animals-harasses/injure etc. service/guide dog	M-2	3	m
5511(a)(2)(i)	Cruelty to animals-kill/maim zoo animal	F-3	5	1
5511(a)(2)(ii)	Cruelty to animals-poison zoo animal	F-3	5	1
5511(a)(2.1)(i)(a)	Cruelty to animals-kill/maim dog/cat/service dog (1st off)	M-1	3	m
5511(a)(2.1)(i)(a)	Cruelty to animals-kill/maim dog/cat/service dog (2nd/subsq off)	F-3	5	1
5511(a)(2.1)(i)(b)	Cruelty to animals-poison dog/cat (1st off)	M-1	3	m
5511(a)(2.1)(i)(b)	Cruelty to animals-poison dog/cat (2nd/subsq off)	F-3	5	1
5511(c)(1)	Cruelty to animals-neglect/mistreat animal in care (2nd/subsq off)	M-3	1	m
5511(e.1)	Cruelty to animals-transport equines in cruel manner (2nd/subsq off)	M-3	1	m
5511(h.1)(1)	Cruelty to animals-animal fighting (for amusement/gain)	F-3	5	1

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5511(h.1)(2)	Cruelty to animals-animal fighting (receives compensation)	F-3	5	1
5511(h.1)(3)	Cruelty to animals-animal fighting (owns fighting animal)	F-3	5	1
5511(h.1)(4)	Cruelty to animals-animal fighting (encourage/aid/assist)	F-3	5	1
5511(h.1)(5)	Cruelty to animals-animal fighting (wagers on fight outcome)	F-3	5	1
5511(h.1)(6)	Cruelty to animals-animal fighting (pays admission)	F-3	5	1
5511(h.1)(7)	Cruelty to animals-animal fighting (permits use of animal for fight)	F-3	5	1
5511.2(a)	Police animals-illegal to taunt	F-3	5	1
5511.2(b)	Police animals-illegal to torture	<b>[ F-3 ] F-2</b>	<b>7 [ omnibus ]</b>	<b>[ 1 ] 2</b>
5511.3	Assault w/ biological agent on animal/fowl/honey bee	F-2	7	2
5512(b)(1)	Lotteries-set up unlawful game	M-1	3	m
5512(b)(2)	Lotteries-manuf./etc. unlawful tickets	M-1	3	m
5512(b)(3)	Lotteries-publish advertisement	M-1	3	m
5513(a)(1)	Gambling devices-intentionally makes gambling device	M-1	3	m
5513(a)(2)	Gambling devices-allows assemble for gambling	M-1	3	m
5513(a)(3)	Gambling devices-solicits/invites person for gambling	M-1	3	m
5513(a)(4)	Gambling devices-allows gambling on premises	M-1	3	m
5513(a.1)(1)	Gambling devices-electronic video monitor: indirect or direct consideration	M-1	3	m
5513(a.1)(2)	Gambling devices-electronic video monitor: player eligible for prize	M-1	3	m
5514(1)	Pool selling and bookmaking-engage in	M-1	3	m
5514(2)	Pool selling and bookmaking-occupy place	M-1	3	m
5514(3)	Pool selling and bookmaking-receives bet on political outcome	M-1	3	m
5514(4)	Pool selling and bookmaking-custodian of property wagered (for gain)	M-1	3	m
5514(5)	Pool selling and bookmaking-knowingly permit premises to be used	M-1	3	m
5515(b)(1)	Prohibiting of paramilitary training-teaching	M-1	3	m
5515(b)(2)	Prohibiting of paramilitary training-assembles for training	M-1	3	m
5516(a)(1)	Facsimile weapons of mass destruction-terrifying/etc. individual	F-3	5	1
5516(a)(2)(i)	Facsimile weapons of mass destruction-reaction of org. wh/ deals w/ emergency	F-3	5	1
5516(a)(2)(ii)	Facsimile weapons of mass destruction-reaction of law enforcement agency	F-3	5	1
5516(a)(3)	Facsimile weapons of mass destruction-serious public inconvenience	F-3	5	1
5517(a)	Unauthorized school bus entry	M-3	1	m
5703	Interception of wire/oral communication	F-3	5	1
5703(1)	Interception of wire/oral communication-intentionally intercepts	F-3	5	1

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5703(2)	Interception of wire/oral communication-discloses contents	F-3	5	1
5703(3)	Interception of wire/oral communication-use contents	F-3	5	1
5705(1)	Possess/etc. of interception devices-intentionally possess/etc.	F-3	5	1
5705(2)	Possess/etc. of interception devices-intentionally sells/etc.	F-3	5	1
5705(3)	Possess/etc. of interception devices-intentionally manufactures/etc.	F-3	5	1
5705(4)	Possess/etc. of interception devices-intentionally advertises/etc.	F-3	5	1
5719	Unlawful use of order concerning intercepted communications	M-2	2	m
5741(a)(1)	Unlawf. access stored communications-access w/o authority-for gain (1st off)	M-3	1	m
5741(a)(1)	Unlawf. access stored communications-access w/o authority-for gain (2nd/subsq off)	M-2	2	m
5741(a)(2)	Unlawf. access stored communications-exceed authorization-for gain (1st off)	M-3	1	m
5741(a)(2)	Unlawf. access stored communications-exceed authorization-for gain (2nd/subsq off)	M-2	2	m
5771(a)	Prohibit pen register & trap/trace device	M-3	1	m
5901	Open lewdness	M-3	1	m
5902(a)(1)	Prostitution-business (1st/2nd off)	M-3	1	m
5902(a)(1)	Prostitution-business (3rd off)	M-2	3	m
5902(a)(1)	Prostitution-business (4th/subsq off)	M-1	4	m
5902(a)(1)	Prostitution-business (HIV positive/AIDS)	F-3	7	1
5902(a)(2)	Prostitution (1st/2nd off)	M-3	1	m
5902(a)(2)	Prostitution (3rd off)	M-2	3	m
5902(a)(2)	Prostitution (4th/subsq off)	M-1	4	m
5902(a)(2)	Prostitution (HIV positive/AIDS)	F-3	7	1
5902(b)(1)	Promoting prostitution-own house/business	F-3	5	1
5902(b)(2)	Promoting prostitution-procure prostitute for house	F-3	5	1
5902(b)(3)	Promoting prostitution-encourage prostitution	F-3	5	1
5902(b)(4)	Promoting prostitution-solicit patron	M-2	3	m
5902(b)(4)	Promoting prostitution-solicit patron (compel)	F-3	5	1
5902(b)(4)	Promoting prostitution-solicit patron (HIV positive/AIDS)	F-3	5	1
5902(b)(4)	Promoting prostitution-solicit patron (spouse/child/ward)	F-3	5	1
5902(b)(5)	Promoting prostitution-procure prostitute	M-2	3	m
5902(b)(5)	Promoting prostitution-procure prostitute (compel)	F-3	5	1
5902(b)(5)	Promoting prostitution-procure prostitute (HIV positive/AIDS)	F-3	5	1
5902(b)(5)	Promoting prostitution-procure prostitute (spouse/child/ward)	F-3	5	1
5902(b)(6)	Promoting prostitution-transport prostitute	M-2	3	m
5902(b)(6)	Promoting prostitution-transport prostitute (compel)	F-3	5	1

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5902(b)(6)	Promoting prostitution-transport prostitute (HIV positive/AIDS)	F-3	5	1
5902(b)(6)	Promoting prostitution-transport prostitute (spouse/child/ward)	F-3	5	1
5902(b)(7)	Promoting prostitution-provide place for prostitution	M-2	3	m
5902(b)(7)	Promoting prostitution-provide place for prostitution (compel)	F-3	5	1
5902(b)(7)	Promoting prostitution-provide place for prostitution (HIV positive/AIDS)	F-3	5	1
5902(b)(7)	Promoting prostitution-provide place for prostitution (spouse/child/ward)	F-3	5	1
5902(b)(8)	Promoting prostitution-receive benefit	M-2	3	m
5902(b)(8)	Promoting prostitution-receive benefit (compel)	F-3	5	1
5902(b)(8)	Promoting prostitution-receive benefit (HIV positive/AIDS)	F-3	5	1
5902(b)(8)	Promoting prostitution-receive benefit (spouse/child/ward)	F-3	5	1
5902(b.1)(1)*	Promoting prostitution of minor-business (16-<18 yrs)	F-3	6	1
5902(b.1)(1)*	Promoting prostitution of minor-business (<16 yrs)	F-3	8	1
5902(b.1)(2)*	Promoting prostitution of minor-procure (16-<18 yrs)	F-3	6	1
5902(b.1)(2)*	Promoting prostitution of minor-procure (<16 yrs)	F-3	8	1
5902(b.1)(3)*	Promoting prostitution of minor-induce (16-<18 yrs)	F-3	6	1
5902(b.1)(3)*	Promoting prostitution of minor-induce (<16 yrs)	F-3	8	1
5902(b.1)(4)*	Promoting prostitution of minor-solicit minor to patronize (16-<18 yrs)	F-3	6	1
5902(b.1)(4)*	Promoting prostitution of minor-solicit minor to patronize (<16 yrs)	F-3	8	1
5902(b.1)(5)*	Promoting prostitution of minor-procure minor prostitute for patron (16-<18 yrs)	F-3	6	1
5902(b.1)(5)*	Promoting prostitution of minor-procure minor prostitute for patron (<16 yrs)	F-3	8	1
5902(b.1)(6)*	Promoting prostitution of minor-transport minor for prostitution (16-<18 yrs)	F-3	6	1
5902(b.1)(6)*	Promoting prostitution of minor-transport minor for prostitution (<16 yrs)	F-3	8	1
5902(b.1)(7)*	Promoting prostitution of minor-provide place for prostitution (16-<18 yrs)	F-3	6	1
5902(b.1)(7)*	Promoting prostitution of minor-provide place for prostitution (<16 yrs)	F-3	8	1
5902(b.1)(8)*	Promoting prostitution of minor-receive benefit (16-<18 yrs)	F-3	6	1
5902(b.1)(8)*	Promoting prostitution of minor-receive benefit (<16 yrs)	F-3	8	1
5902(d)	Living off prostitutes	M-2	3	m
5902(d)	Living off prostitutes (compel)	F-3	5	1
5902(d)	Living off prostitutes (HIV positive/AIDS)	F-3	5	1
5902(d)	Living off prostitutes (spouse/child/ward)	F-3	5	1
5902(e)	Patronizing prostitutes (1st/2nd off)	M-3	1	m



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5902(e)	Patronizing prostitutes (3rd off)	M-2	3	m
5902(e)	Patronizing prostitutes (4th/subsq off)	M-1	4	m
5902(e)	Patronizing prostitutes (HIV positive/AIDS)	F-3	7	1
5903(a)(1)	Obscene materials-display (1st off & not for resale)	M-1	3	m
5903(a)(1)	Obscene materials-display (2nd/subsq off or for resale)	F-3	5	1
5903(a.1)	Obscene materials-disseminate via elec. comm. (1st off & not for resale)	M-1	3	m
5903(a.1)	Obscene materials-disseminate via elec. comm. att. evade prosec. (1st)(additional penalty)	M-1	3	m
5903(a.1)	Obscene materials-disseminate via elec. comm: att. evade prosec. (2nd)(additional penalty)	M-1	3	m
5903(a)(2)	Obscene materials-sell (1st off & not for resale)	M-1	3	m
5903(a)(2)	Obscene materials-sell (2nd/subsq off or for resale)	F-3	5	1
5903(a)(3)(i)	Obscene materials-design (1st off & not for resale)	M-1	3	m
5903(a)(3)(i)	Obscene materials-design (2nd/subsq off or for resale)	F-3	5	1
5903(a)(3)(ii)	Obscene materials-design: minor depicted (1st off & not for resale)	M-1	4	m
5903(a)(3)(ii)	Obscene materials-design: minor depicted (2nd/subsq off or for resale)	F-3	6	1
5903(a)(4)(i)	Obscene materials-prepare ad (1st off & not for resale)	M-1	3	m
5903(a)(4)(i)	Obscene materials-prepare ad (2nd/subsq off or for resale)	F-3	5	1
5903(a)(4)(ii)	Obscene materials-prepare ad: minor included (1st off & not for resale)	M-1	4	m
5903(a)(4)(ii)	Obscene materials-prepare ad: minor included (2nd/subsq off or for resale)	F-3	6	1
5903(a)(5)(i)	Obscene materials-produce performance (1st off & not for resale)	M-1	3	m
5903(a)(5)(i)	Obscene materials-produce performance (2nd/subsq off or for resale)	F-3	5	1
5903(a)(5)(ii)	Obscene materials-produce performance: minor included (1st off & not for resale)	M-1	4	m
5903(a)(5)(ii)	Obscene materials-produce performance: minor included (2nd/subsq off or for resale)	F-3	6	1
5903(a)(6)	Obscene materials-use minor to assist (1st off & not for resale)	M-1	4	m
5903(a)(6)	Obscene materials-use minor to assist (2nd/subsq off or for resale)	F-3	6	1
5903(a)(7)	Obscene materials-deliver to correctnl facility (1st off & not for resale)	M-1	3	m
5903(a)(7)	Obscene materials-deliver to correctnl facility (2nd/subsq off or for resale)	F-3	5	1
5903(a)(8)	Obscene materials-inmate possesses (1st off & not for resale)	M-1	3	m
5903(a)(8)	Obscene materials-inmate possesses (2nd/subsq off or for resale)	F-3	5	1
5903(a)(9)	Obscene materials-permit into correctnl inst (1st off & not for resale)	M-1	3	m

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5903(a)(9)	Obscene materials-permit into correctnl inst (2nd/subsq off or for resale)	F-3	5	1
5903(c)(1)	Obscene materials-disseminate pictures to minors (1st off)	F-3	5	1
5903(c)(1)	Obscene materials-disseminate pictures to minors (2nd/subsq off)	F-2	7	2
5903(c)(2)	Obscene materials-disseminate print/audio to minors (1st off)	F-3	5	1
5903(c)(2)	Obscene materials-disseminate print/audio to minors (2nd/subsq off)	F-2	7	2
5903(d)	Obscene materials-admit minor to show (1st off)	F-3	5	1
5903(d)	Obscene materials-admit minor to show (2nd/subsq off)	F-2	7	2
5903(f)	Obscene materials-require sale	M-1	3	m
5904	Public exhibition of insane/deformed person	M-2	2	m
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony (loaded/ammo available) ((a.1)(1))	F-2	10	2
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated felony (unloaded/no ammo available) ((a.1)(1))	F-2	9	2
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated misd. (loaded/ammo available) ((a.1)(1))	M-1	3	1
6105(a)(1)*	Firearms-persons not to possess: convicted of enumerated misd. (unloaded/no ammo available) ((a.1)(1))	M-1	3	1
6105(a)(1)*	Firearms-persons not to possess: accept w/PFA (loaded/ammo available) ((a.1)(2)(i))	M-3	2	m
6105(a)(1)*	Firearms-persons not to possess: accept w/PFA (unloaded/no ammo available) ((a.1)(2)(i))	M-3	1	m
6105(a)(1)*	Firearms-persons not to possess: fail to relinquish w/PFA (loaded/ammo available) ((a.1)(2))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: fail to relinquish w/PFA (unloaded/no ammo available) ((a.1)(2))	M-1	4	1
6105(a)(1)*	Firearms-persons not to possess: return to person w/PFA (loaded/ammo available) ((a.1)(5))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: return to person w/PFA (unloaded/no ammo available) (a.1)(5)	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: fugitive from justice (loaded/ammo available) ((c)(1))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: fugitive from justice (unloaded/no ammo available) ((c)(1))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: convicted of drug offense (loaded/ammo available) ((c)(2))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: convicted of drug offense (unloaded/no ammo available) ((c)(2))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: convicted of DUI (loaded/ammo available) ((c)(3))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: convicted of DUI (unloaded/no ammo available) ((c)(3))	M-1	5	1

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6105(a)(1)*	Firearms-persons not to possess: incompetent/mental illness (loaded/ammo available) ((c)(4))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: incompetent/mental illness (unloaded/no ammo available) ((c)(4))	M-1	4	1
6105(a)(1)*	Firearms-persons not to possess: alien (loaded/ammo available) ((c)(5))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: alien (unloaded/no ammo available) ((c)(5))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: active PFA (loaded/ammo available) ((c)(6))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: active PFA (unloaded/no ammo available) ((c)(6))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (loaded/ammo available) ((c)(7))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (unloaded/no ammo available) ((c)(7))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (loaded/ammo available) ((c)(8))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: adjudicated delinquent (unloaded/no ammo available) ((c)(8))	M-1	5	1
6105(a)(1)*	Firearms-persons not to possess: other under U.S.C. (loaded/ammo available) ((c)(9))	M-1	6	1
6105(a)(1)*	Firearms-persons not to possess: other under U.S.C. (unloaded/no ammo available) ((c)(9))	M-1	5	1
6106(a)(1)*	Firearms-carried w/o license: ineligible (loaded/ammo available)	F-3	9	1
6106(a)(1)*	Firearms-carried w/o license: ineligible (unloaded/no ammo available)	F-3	7	1
6106(a)(2)*	Firearms-carried w/o license: eligible (loaded/ammo available & crim act.)	F-3	9	1
6106(a)(2)*	Firearms-carried w/o license: eligible (unloaded/no ammo available & crim act.)	F-3	7	1
6106(a)(2)*	Firearms-carried w/o license (loaded/ammo available/no other crim. act.)	M-1	4	1
6106(a)(2)*	Firearms-carried w/o license (unloaded/no ammo available/ no other crim. act.)	M-1	3	1
6107(a)	Firearms-prohibited conduct during emergency	M-1	3	1
6108*	Firearms-carrying in Philadelphia (loaded/ammo available)	M-1	5	1
6108*	Firearms-carrying in Philadelphia (unloaded/no ammo available)	M-1	4	1
6110.1(a)	Firearms-possession by minor	M-1	3	1
6110.1(c)	Firearms-delivery to minor by adult	F-3	7	1
6110.2(a)*	Firearms-possession w/ altered mfr. num. (loaded/ammo available)	F-2	10	2
6110.2(a)*	Firearms-possession w/ altered mfr. num. (unloaded/no ammo available)	F-2	9	2
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs	M-2	2	m
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (2nd/subsq off)	F-2	9	2
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (false statements)	F-3	8	1

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6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (inappropriate use of crim history)	F-3	5	1
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (sell to ineligible)	F-3	8	1
6111(a)(1)	Firearms-sale/transfer: deliver before 48 hrs (unlawful crim history request)	F-3	5	1
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check	M-2	2	m
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (2nd/subsq off)	F-2	9	2
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (false statements)	F-3	8	1
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (inappropriate use of crim history)	F-3	5	1
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (sell to ineligible)	F-3	8	1
6111(a)(2)	Firearms-sale/transfer: deliver w/o crim history check (unlawful crim history request)	F-3	5	1
6111(b)(1)	Firearms-sale/transfer: full app/record of sale	M-2	2	m
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (2nd/subsq off)	F-2	9	2
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (false statements)	F-3	8	1
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (inappropriate use of crim history)	F-3	5	1
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (sell to ineligible)	F-3	8	1
6111(b)(1)	Firearms-sale/transfer: full app/record of sale (unlawful crim history request)	F-3	5	1
6111(b)(1.2)	Firearms-sale/transfer: transmit fee	M-2	2	m
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (2nd/subsq off)	F-2	9	2
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (false statements)	F-3	8	1
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (inappropriate use of crim history)	F-3	5	1
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (sell to ineligible)	F-3	8	1
6111(b)(1.2)	Firearms-sale/transfer: transmit fee (unlawful crim history request)	F-3	5	1
6111(c)	Firearms-sale/transfer: thru licensed dealer	M-2	2	m
6111(c)	Firearms-sale/transfer: thru licensed dealer (2nd/subsq off)	F-2	9	2
6111(c)	Firearms-sale/transfer: thru licensed dealer (false statements)	F-3	8	1
6111(c)	Firearms-sale/transfer: thru licensed dealer (inappropriate use of crim history)	F-3	5	1
6111(c)	Firearms-sale/transfer: thru licensed dealer (sell to ineligible)	F-3	8	1
6111(c)	Firearms-sale/transfer: thru licensed dealer (unlawful crim history request)	F-3	5	1
6111(g)(2)	Firearms-sale/transfer: to unqualified or ineligible person	F-3	8	1
6111(g)(2)	Firearms-sale/transfer: to unqualified or ineligible person (2nd/subsq off)	F-2	9	2

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6111(g)(4)	Firearms-sale/transfer: false statements, materials, ID	F-3	8	1
6111(g)(4)	Firearms-sale/transfer: false statements, materials, ID (2nd/subsq off)	F-2	9	2
6112	Firearms-dealer to be licensed	M-1	3	1
6113(a)(1)	Firearms-dealer license: sell in undesignated area	M-1	3	1
6113(a)(2)	Firearms-dealer license: fail to display license	M-1	3	1
6113(a)(3)	Firearms-dealer license: violation of act	M-1	3	1
6113(a)(4)	Firearms-dealer license: w/o knowledge of purchaser	M-1	3	1
6113(a)(5)	Firearms-dealer license: fail to keep record	M-1	3	1
6113(a)(6)	Firearms-dealer license: display firearm in public view	M-1	3	1
6115(a)	Firearms-lending prohibited	M-1	3	1
6116	Firearms-give false info/identity for purchase	M-1	3	1
6117(a)	Firearms-alter mfr. number/ID	F-2	7	2
6121(a)	Firearms-certain bullets prohibited	F-3	5	1
6122	Firearms-proof of license	M-1	3	1
6161(a)	Carrying explosives on conveyances	M-2	3	m
6162(a)	Shipping explosives	M-3	3	m
6301(a)(1)(i)	Corruption of minors	M-1	4	m
6301(a)(1)(ii)	Corruption of minors-course of conduct (of a sexual nature)	F-3	6	1
6301(a)(2)	Corruption of minors-encourage 2nd truancy in one year	M-3	1	m
6302(a)	Sale/lease of weapons/explosives (to minor)	M-1	4	m
6303(a)	Sale of starter pistols-to minors	M-1	4	m
6304(a)(1)	Sale/use of air rifles-sale or transfer (to minor)	M-3	1	m
6307(a)	Misrepresentation of age to secure alcohol (2nd/subsq off)	M-3	1	m
6309(a)	Representing that minor is of age	M-3	1	m
6310(a)	Inducement of minors to buy liquor/beer	M-3	1	m
6310.1(a)	Selling/furnishing liquor/beer to minors	M-3	1	m
6310.2(a)	Manufacture/sale of false ID card	M-2	2	m
6310.3(a)	Carrying a false ID card (2nd/subsq off)	M-3	1	m
6311(a)	Tattooing a minor (1st off)	M-3	1	m
6311(a)	Tattooing a minor (2nd/subsq off)	M-2	2	m
6311(b)	Body piercing a minor (1st off)	M-3	1	m
6311(b)	Body piercing a minor (2nd/subsq off)	M-2	2	m
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts (13-<18 yrs)	F-2	8	2
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts (<13 yrs or determination of prepubescence)	F-2	9	2
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts: when indecent contact depicted (13-<18 yrs)	F-1	10	3
6312(b)*	Sexual abuse of children-photographing/etc. sexual acts: when indecent contact depicted (<13 yrs or determination of prepubescence)	F-1	10	3
6312(c)*	Sexual abuse of children-dissemination (13-<18 yrs) (1st off)	F-3	6	1



<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
6312(c)*	Sexual abuse of children-dissemination (13-<18 yrs) (2nd/subsq off)	F-2	8	2
6312(c)*	Sexual abuse of children-dissemination (<13 yrs or determination of prepubescence) (1st off)	F-3	7	1
6312(c)*	Sexual abuse of children-dissemination (<13 yrs or determination of prepubescence) (2nd/subsq off)	F-2	9	2
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (13-<18 yrs) (1st offense)	F-2	9	2
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (13-<18 yrs) (2nd/subsq offense)	F-1	10	3
6312(c)*	Sexual abuse of children-dissemination: when indecent contact depicted (<13 yrs or determination of prepubescence) (1st offense)	F-2	9	2
6312(c)*	Sexual abuse of children-dissemination: indecent contact depicted (<13 yrs or determination of prepubescence) (2nd/subsq offense)	F-1	10	3
6312(d)*	Sexual abuse of children-possess child pornography (13-<18 yrs) (1st off)	F-3	6	1
6312(d)*	Sexual abuse of children-possess child pornography (13-<18 yrs) (2nd/subsq off)	F-2	8	2
6312(d)*	Sexual abuse of children-possess child pornography (<13 yrs or determination of prepubescence) (1st off)	F-3	7	1
6312(d)*	Sexual abuse of children-possess child pornography (<13 yrs or determination of prepubescence) (2nd/subsq off)	F-2	9	2
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (13-<18) (1st offense)	F-2	9	2
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (13-<18) (2nd/subsq offense)	F-1	10	3
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (<13 yrs or determination of prepubescence) (1st offense)	F-2	9	2
6312(d)*	Sexual abuse of children-possess child pornography: when indecent contact depicted (<13 yrs or determination of prepubescence) (2nd/subsq offense)	F-1	10	3
6318(a)(1)	Unlaw. contact w/ minor-sexual offenses (underlying offense=F-3 or greater)	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(1)	Unlaw. contact w/ minor-sexual offenses (underlying offense <F-3)	F-3	6	1
6318(a)(2)	Unlaw. contact w/ minor-open lewdness (underlying offense=F-3 or greater)	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(2)	Unlaw. contact w/ minor-open lewdness (underlying offense <F-3)	F-3	6	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
6318(a)(3)	Unlaw. contact w/ minor-prostitution (underlying offense=F-3 or greater)	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(3)	Unlaw. contact w/ minor-prostitution (underlying offense <F-3)	F-3	6	1
6318(a)(4)	Unlaw. contact w/ minor-sexual materials (underlying offense=F-3 or greater)	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(4)	Unlaw. contact w/ minor-sexual materials (underlying offense <F-3)	F-3	6	1
6318(a)(5)	Unlaw. contact w/ minor-sexual abuse (underlying offense=F-3 or greater)	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(5)	Unlaw. contact w/ minor-sexual abuse (underlying offense <F-3)	F-3	6	1
6318(a)(6)	Unlaw. contact w/ minor-sexual exploitation (underlying offense=F-3 or greater)	Same as underlying offense	same as underlying offense, or OGS 6, whichever is greater	same as underlying offense, or 1, whichever is greater
6318(a)(6)	Unlaw. contact w/ minor-sexual exploitation (underlying offense <F-3)	F-3	6	1
6319(a)	Solicitation of minors to traffic drugs-general	F-2	9	2
6319(b)	Solicitation of minors to traffic drugs-drug-free school zone	F-1	10	3
6320	Sexual exploitation of children	F-2	9	2
6321(b)	Transmission, sexually explicit image by minor-of another minor (victim >=12 yrs)	M-3	1	m
6321(c)(1)	Transmission, sexually explicit image by minor-w/ intent to harass: makes depiction of minor w/ nudity w/o knowledge and consent	M-2	3	m
6321(c)(2)	Transmission, sexually explicit image by minor-w/ intent to harass: transmits depiction of minor w/ nudity w/o knowledge and consent	M-2	3	m
6501(a)(1)	Scattering rubbish-upon land/stream (2nd/subsq off)	M-3	1	m
6501(a)(2)	Scattering rubbish-interferes w/ contents of receptacle (2nd/subsq off)	M-3	1	m
6501(a)(3)	Scattering rubbish-deposit trash on street (2nd/subsq off)	M-1	3	m
6501(a)(3)	Scattering rubbish-deposit trash on street (1st off)	M-2	2	m
6504	Public nuisances	M-2	2	m
6703	Dealing in military decorations	M-3	1	m
6707	False registration of domestic animals	M-3	1	m
6709(1)	Use of union labels-insignia	M-3	1	m
6709(2)	Use of union labels-nonunion product	M-3	1	m
6709(3)	Use of union labels-not authorized by union	M-3	1	m
6901	Extension of water line-w/o permit	M-3	1	m
6910(a)	Unauthorized sale of tickets	M-3	1	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
7102	Administer drugs to race horses	M-1	3	m
7103(a)	Horse racing	M-3	1	m
7104(a)	Fortune telling-for gain or lucre	M-3	1	m
7107(a)(1)	Unlawf. action by athlete agent-prior to eligibility expired	M-1	3	m
7107(a)(2)	Unlawf. action by athlete agent-give prior to eligibility expired	M-1	3	m
7107(a)(3)	Unlawf. action by athlete agent-agreement w/ univ. employee for referral	M-1	3	m
7302(a)	Sale of solidified alcohol	M-2	2	m
7302(b)	Labeling of solidified alcohol	M-1	3	m
7303(a)	Sale/illegal use of certain solvents-smell/inhale toxic subst	M-3	1	m
7303(c)	Sale/illegal use of certain solvents-possess solvent for toxic vapors	M-3	1	m
7303(d)	Sale/illegal use of certain solvents-sell solvent for toxic vapors	M-3	1	m
7306(a)	Incendiary devices	M-1	3	m
7307	Out-of-state convict made goods-sell/exchange	M-2	2	m
7308(a)	Unlawful advertising of insurance business	M-2	2	m
7309(a)	Unlawful coercion in contracting insurance	M-1	3	m
7310(a)	Furnishing free insurance as inducement for purchase	M-3	1	m
7311(a)	Unlawful collection agency practices-assignment of claims	M-3	1	m
7311(b)	Unlawful collection agency practices-appearance for creditor	M-3	1	m
7311(b.1)	Unlawful collection agency practices-unfair/deceptive methods	M-3	1	m
7311(c)	Unlawful collection agency practices-unlaw. furnish legal services	M-3	1	m
7311(d)	Unlawful collection agency practices-unlaw. service for debtor	M-3	1	m
7311(e)	Unlawful collection agency practices-unlaw. solicit job for attorney	M-3	1	m
7311(f)	Unlawful collection agency practices-unlaw. coercion/intimidation	M-3	1	m
7312(a)	Debt pooling	M-3	1	m
7313(a)	Buying/exchanging food stamps (>=\$1,000)	F-3	5	1
7313(a)	Buying/exchanging food stamps (<\$1,000)	M-1	3	m
7314(a)	Fraudulent traffic in food orders (>=\$1,000)	F-3	5	1
7314(a)	Fraudulent traffic in food orders (<\$1,000)	M-1	3	m
7316(a)	Keeping bucket-shop	M-3	1	m
7317(a)	Accessories in conduct of bucket-shop	M-3	1	m
7318(a)	Maintaining premises of bucket-shop	M-3	1	m
7319(b)	Bucket-shop contracts	M-3	1	m
7321(a)	Lie detector tests-require for employment	M-2	2	m
7322	Demanding property/money to secure employment	M-3	1	m
7323	Discrimination on account of U.S. armed forces uniform	M-2	2	m
7324(b)	Unlaw. sale of dissertations/etc.-sale of assistance	M-3	1	m

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
7324(c)	Unlaw. sale of dissertations/etc.-sale of assignment	M-3	1	m
7324(d)	Unlaw. sale of dissertations/etc.-distribution for sale	M-3	1	m
7326(a)	Disclosure of confidential tax information	M-3	1	m
7328(a)	Operation of unauthorized bottle club	M-3	1	m
7503(a)	Architects/engineers-interest in public works contracts	M-3	1	m
7504(a)	Appointment of special police	M-3	1	m
7507	Breach of privacy-use stress monitor w/o consent	M-2	2	m
7507.1(a)(1)	Invasion of privacy-view/photograph person w/o consent (single violation)	M-3	2	m
7507.1(a)(1)	Invasion of privacy-view/photograph person w/o consent (>1 violation)	M-2	3	m
7507.1(a)(2)	Invasion of privacy-view/photograph intimate parts w/o consent (single violation)	M-3	2	m
7507.1(a)(2)	Invasion of privacy-view/photograph intimate parts w/o consent (>1 violation)	M-2	3	m
7507.1(a)(3)	Invasion of privacy-transfer image (single violation)	M-3	2	m
7507.1(a)(3)	Invasion of privacy-transfer image (>1 violation)	M-2	3	m
7508.2(a)	Operate meth lab-cause chemical reaction	F-2	8	2
7508.2(a)	Operate meth lab-cause chemical reaction (w/in 1000 ft of school)	F-1	9	3
7509(a)	Furnishing drug-free urine: unlaw. sale	M-3	1	m
7509(b)	Furnishing drug-free urine: unlaw. use	M-3	1	m
7510(a)	Municipal housing code avoidance (4th off)	M-2	2	m
7510(a)	Municipal housing code avoidance (5th/subsq off)	M-1	3	m
7512(a)	Criminal use of communication facility	F-3	5	1
7515(a)(1)	Contingent compensation-compensate other	M-3	1	m
7515(a)(2)	Contingent compensation-agree to lobby	M-3	1	m
7516(a)	Greyhound racing-for remuneration	M-1	3	m
7517(b)	Commemorative service demonstration activities	M-3	1	m
7611(a)(1)	Unlawful use of computer-access w/ intent to disrupt function	F-3	7	1
7611(a)(2)	Unlawful use of computer-access/interfere/damage/destroy	F-3	7	1
7611(a)(3)	Unlawful use of computer-provide password/ID code/PIN/etc.	F-3	7	1
7612(a)	Disruption of computer service	F-3	7	1
7613(a)	Computer theft	F-3	7	1
7614(a)	Unlawful duplication (>\$2500)	F-2	7	2
7614(a)	Unlawful duplication (<=\$2500)	F-3	5	1
7615(a)(1)	Computer trespass-remove data/programs	F-3	7	1
7615(a)(2)	Computer trespass-cause malfunction	F-3	7	1
7615(a)(3)	Computer trespass-alter/erase data	F-3	7	1
7615(a)(4)	Computer trespass-transfer funds	F-3	7	1
7615(a)(5)	Computer trespass-cause physical injury to property	F-3	7	1
7616(a)(1)	Distribution of a computer virus-prevent/disrupt operation	F-3	7	1

<i>18 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
7616(a)(2)	Distribution of a computer virus-degrade/destroy performance	F-3	7	1
7622	Duty of internet provider-disable child porn access (1st off)	M-3	1	m
7622	Duty of internet provider-disable child porn access (2nd off)	M-2	2	m
7622	Internet service provider-disable child porn access (3rd/subsq off)	F-3	5	1
7641(a)	Computer-assisted remote harvesting of animals	M-3	1	m
7661(a)(1)	Unlaw. transmis. email-forge/falsify	M-3	1	m
7661(a)(1)	Unlaw. transmis. email-forge/falsify (malicious damage; >=\$2500)	F-3	7	1
7661(a)(1)	Unlaw. transmis. email-forge/falsify (reckless damage; >=\$2500)	M-1	5	m
7661(a)(2)(i)	Unlaw. transmis. email-sell software to falsify	M-3	1	m
7661(a)(2)(i)	Unlaw. transmis. email-sell software to falsify (malicious damage; >=\$2500)	F-3	7	1
7661(a)(2)(i)	Unlaw. transmis. email-sell software to falsify (reckless damage; >=\$2500)	M-1	5	m
7661(a)(2)(ii)	Unlaw. transmis. email-sell software w/ limited purpose	M-3	1	m
7661(a)(2)(ii)	Unlaw. transmis. email-sell software w/ limited purpose (malicious damage; >=\$2500)	F-3	7	1
7661(a)(2)(ii)	Unlaw. transmis. email-sell software w/ limited purpose (reckless damage; >=\$2500)	M-1	5	m
7661(a)(2)(iii)	Unlaw. transmis. email-sell software known to falsify	M-3	1	m
7661(a)(2)(iii)	Unlaw. transmis. email-sell software known to falsify (malicious damage; >=\$2500)	F-3	7	1
7661(a)(2)(iii)	Unlaw. transmis. email-sell software known to falsify (reckless damage; >=\$2500)	M-1	5	m
7702(1)	Owning/operating/conducting a chop shop	F-2	7	2
7702(2)	Owning/operating/conducting a chop shop-transfer/sell vehicle	F-2	7	2
7703	Altered or illegally obtained property-veh ID num	F-3	5	1
7704	Altered or illegally obtained property-disposition	F-3	5	1

\*=subcategorized offenses. See § 303.3(b).

m=other misdemeanor offense. See § 303.7(a)(5).

Inchoate=Inchoate to 4 point PRS offenses. See § 303.7(a)(5).

See §§ 303.7(c) and 303.8(b) for all other inchoates.

**MISCELLANEOUS OFFENSES  
(Child Abuse Reporting)**

<i>23 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4354(d)(2)	Willful failure to pay child support (special circumstances)	M-3	1	m
[ 6319(a)(1) ]	[ Failure to report or to refer suspected child abuse-willfully fails to report/F-1 or higher/direct knowledge of nature ]	[ F-3 ]	[ 5 ]	[ 1 ]
[ 6319(a)(1) ]	[ Failure to report or to refer suspected child abuse ]	[ M-2 ]	[ 2 ]	[ m ]



<i>23 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
<b>6319(a)(2)(i)</b>	<b>Failure to report or to refer suspected child abuse-willfully fails to report</b>	<b>F-3</b>	<b>5</b>	<b>1</b>
<b>6319(a)(2)(ii)</b>	<b>Failure to report or to refer suspected child abuse-abuse constitutes F-1 or higher</b>	<b>F-3</b>	<b>5</b>	<b>1</b>
<b>6319(a)(2)(iii)</b>	<b>Failure to report or to refer suspected child abuse-has direct knowledge of nature of abuse</b>	<b>F-3</b>	<b>5</b>	<b>1</b>
<b>6319(a)(3)</b>	<b>Failure to report or to refer suspected child abuse</b>	<b>M-2</b>	<b>2</b>	<b>m</b>
6319(b)	Failure to report or to refer suspected child abuse-continuing course of action	M-1	3	m
6319(b)	Failure to report or to refer suspected child abuse-continuing course of action (child abuse is F-1 or higher)	F-3	5	1
6319(c)	Failure to report or to refer suspected child abuse [ 2nd/subsq offense ] (2nd/subsq)	F-3	[ 5 ] 6	1
6319(c)	Failure to report or to refer suspected child abuse-child abuse is F-1 or higher (2nd subsq [ offense ])	F-2	7	2
<b>6346(b)</b>	<b>Willful failure to cooperate in investigation of suspected child abuse (1st violation)</b>	<b>M-3</b>	<b>2</b>	<b>m</b>
<b>6346(b)</b>	<b>Willful failure to cooperate in investigation of suspected child abuse (subsq violation)</b>	<b>M-2</b>	<b>3</b>	<b>m</b>

m=other misdemeanor offense. See § 303.7(a)(5).

#### OPERATION OF BOATS

<i>30 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5502(a)(1)	Oper. watercraft under influence-general impairment/incapable of safe operation (1st off)	M	1	m
5502(a)(1)	Oper. watercraft under influence-general impairment/incapable of safe operation (2nd off)	M	1	1
5502(a)(1)	Oper. watercraft under influence-general impairment/incapable of safe operation (3rd/subsq off)	M-2	3	1
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: refused testing (1st off)	M	1	m
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: refused testing (2nd off)	M-1	5	1
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: refused testing (3rd/subsq off)	M-1	5	1
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (1st off)	M	1	m
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (2nd off)	M	1	1
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (3rd off)	M-1	5	1
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/BI/SBI/death (4th/subsq off)	M-1	5	1
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (1st off)	M	1	m

<i>30 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (2nd off)	M	1	1
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (3rd off)	M-1	5	1
5502(a)(1)	Oper. watercraft under influence-incapable of safe operation: accident w/ damage (4th/subsq off)	M-1	5	1
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (1st off)	M	1	m
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (2nd off)	M	1	1
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (3rd off)	M-1	5	1
5502(a.1)	Oper. watercraft under influence-high rate of alcohol: BAC .10-<.16 (4th/subsq off)	M-1	5	1
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (1st off)	M	1	m
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (2nd off)	M	1	1
5502(a)(2)	Oper. watercraft under influence-general impairment: BAC .08-<.10 (3rd/subsq off)	M-2	3	1
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (1st off)	M	1	m
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (2nd off)	M-1	5	1
5502(a.2)	Oper. watercraft under influence-highest rate of alcohol: BAC >=.16 (3rd/subsq off)	M-1	5	1
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (1st off)	M	1	m
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (2nd off)	M-1	5	1
5502(a.3)(1)(i)	Oper. watercraft under influence-controlled substances: Sched I (3rd/subsq off)	M-1	5	1
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (1st off)	M	1	m
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (2nd off)	M-1	5	1
5502(a.3)(1)(ii)	Oper. watercraft under influence-controlled substances: Sched II/III (3rd/subsq off)	M-1	5	1
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (1st off)	M	1	m
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (2nd off)	M-1	5	1
5502(a.3)(1)(iii)	Oper. watercraft under influence-controlled substances: metabolite of Sched I/II/III (3rd/subsq off)	M-1	5	1
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (1st off)	M	1	m
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (2nd off)	M-1	5	1
5502(a.3)(2)	Oper. watercraft under influence-controlled substances & incapable of safe operation (3rd/subsq off)	M-1	5	1

<i>30 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (1st off)	M	1	m
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (2nd off)	M-1	5	1
5502(a.3)(3)	Oper. watercraft under influence-controlled substances & alcohol & incapable of safe operation (3rd/subsq off)	M-1	5	1
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (1st off)	M	1	m
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (2nd off)	M-1	5	1
5502(a.3)(4)	Oper. watercraft under influence-controlled substances: solvent, etc. (3rd/subsq off)	M-1	5	1
5502(a.4)	Oper. watercraft under influence-minor operator (1st off)	M	1	m
5502(a.4)	Oper. watercraft under influence-minor operator (2nd off)	M	1	1
5502(a.4)	Oper. watercraft under influence-minor operator (3rd off)	M-1	5	1
5502(a.4)	Oper. watercraft under influence-minor operator (4th/subsq off)	M-1	5	1
5502.1(a)	Homicide by watercraft while operating under influence	F-2	10	2
5502.2*	Homicide by watercraft (when there is a conviction for operating under the influence)	M-1	8	1
5502.2*	Homicide by watercraft (when there is not a conviction for operating under the influence)	M-1	6	1
5502.3(a)	Aggravated assault by watercraft while operating under influence	F-2	7	2
5507(a)	Duties of operators involved in boating accidents-stop	M-1	3	m
5507(a)	Duties of operators involved in boating accidents-stop (death)	F-3	5	1
5507(b)	Duties of operators involved in boating accidents-give information	M-1	3	m
5507(b)	Duties of operators involved in boating accidents-give information (death)	F-3	5	1
5507(c)	Duties of operators involved in boating accidents-render aid	M-1	3	m
5507(c)	Duties of operators involved in boating accidents-render aid (death)	F-3	5	1
5507(d)	Duties of operators involved in boating accidents-stay	M-1	3	m
5507(d)	Duties of operators involved in boating accidents-stay (death)	F-3	5	1

\*=subcategorized offenses. See § 303.3(b).

m=other misdemeanor offense. See § 303.7(a)(5).

## DRUG ACT OFFENSES

<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(1)	Manufacture/sale/delivery-adulterated controlled substance (1st off)	M	4	m
(a)(1)	Manufacture/sale/delivery-adulterated controlled substance (2nd/subsq off)	M	4	m
(a)(2)	Adulterate/misbrand-controlled substance (1st off)	M	4	m
(a)(2)	Adulterate/misbrand-controlled substance (2nd/subsq off)	M	4	m
(a)(3)	False/misleading advertisement (1st off)	M	4	m
(a)(3)	False/misleading advertisement (2nd/subsq off)	M	4	m
(a)(4)	Removal/disposal-detained substance (1st off)	M	5	m
(a)(4)	Removal/disposal-detained substance (2nd/subsq off)	M	5	m
(a)(5)	Adulterate/destroy label-controlled substance for sale (1st off)	M	4	m
(a)(5)	Adulterate/destroy label-controlled substance for sale (2nd/subsq off)	M	4	m
(a)(6)	Forge/counterfeit w/ mark/ID symbol (1st off)	M	5	m
(a)(6)	Forge/counterfeit w/ mark/ID symbol (2nd/subsq off)	M	5	m
(a)(7)	Place trademark on controlled substance to defraud (1st off)	M	5	m
(a)(7)	Place trademark on controlled substance to defraud (2nd/subsq off)	M	5	m
(a)(8)	Selling controlled substance w/ defrauded trademark (1st off)	M	5	m
(a)(8)	Selling controlled substance w/ defrauded trademark (2nd/subsq off)	M	5	m
(a)(9)	Selling trademark equipment to defraud (1st off)	M	5	m
(a)(9)	Selling trademark equipment to defraud (2nd/subsq off)	M	5	m
(a)(10)	Illegal sale of nonproprietary drug (1st off)	M	4	m
(a)(10)	Illegal sale of nonproprietary drug (2nd/subsq off)	M	4	m
(a)(11)	Illegal pharmacy operations (1st off)	M	5	m
(a)(11)	Illegal pharmacy operations (2nd/subsq off)	M	5	m
(a)(12)*	Acquisition of controlled substance by fraud-heroin (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-heroin (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-heroin (50-<100 g)	F	10	2
(a)(12)*	Acquisition of controlled substance by fraud-heroin (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-heroin (1-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-heroin (<1 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (>1000 pills)	F	13	3

<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (100-1000 pills)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (50-<100 pills)	F	10	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (10-<50 pills)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (1-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (1-<10 pills)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-other narcotics, Sched I & II (<1 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (10-<50 g)	F	8	3
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (5-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (2-<5 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-cocaine (<2 g)	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (2.5-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-methamphetamine (<2.5 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-PCP (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-PCP (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-PCP (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-PCP (2.5-<10 g)	F	7	2



<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(12)*	Acquisition of controlled substance by fraud-PCP (<2.5 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (>1000 g)	F	13	3
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (100-1000 g)	F	11	3
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (50-<100 g)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (10-<50 g)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (2.5-<10 g)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-MDMA (<2.5 g)	F	6	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (>1000 lbs.)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (>5000 plants)	F	10	3
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (50-1000 lbs.)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (51-5000 plants)	F	8	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (10-<50 lbs.)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (21-<51 plants)	F	7	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (1-<10 lbs.)	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (10-<21 plants)	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (<1 lb.)	F	3	2
(a)(12)*	Acquisition of controlled substance by fraud-marijuana (<10 plants)	F	3	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched I	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched II	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched III	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched IV	F	5	2
(a)(12)*	Acquisition of controlled substance by fraud-Sched V	M	3	m
(a)(13)	Dispense drugs to dependent person (1st off)	M	4	m
(a)(13)	Dispense drugs to dependent person (2nd/subsq off)	M	4	m
(a)(14)*	Delivery by practitioner-heroin (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-heroin (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-heroin (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-heroin (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-heroin (1-<10 g)	F	7	2

<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(14)*	Delivery by practitioner-heroin (<1 g)	F	6	2
(a)(14)*	Delivery by practitioner-other narcotics Sched I & II (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (>1000 pills)	F	13	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (100-1000 pills)	F	11	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (50-<100 pills)	F	10	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (10-<50 pills)	F	8	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (1-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (1-<10 pills)	F	7	2
(a)(14)*	Delivery by practitioner-other narcotics, Sched I & II (<1 g)	F	6	2
(a)(14)*	Delivery by practitioner-cocaine (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-cocaine (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-cocaine (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-cocaine (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-cocaine (5-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-cocaine (2-<5 g)	F	6	2
(a)(14)*	Delivery by practitioner-cocaine (<2 g)	F	5	2
(a)(14)*	Delivery by practitioner-methamphetamine (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-methamphetamine (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-methamphetamine (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-methamphetamine (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-methamphetamine (2.5-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-methamphetamine (<2.5 g)	F	6	2
(a)(14)*	Delivery by practitioner-PCP (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-PCP (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-PCP (50-<100 g)	F	10	3
(a)(14)*	Delivery by practitioner-PCP (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-PCP (2.5-<10 g)	F	7	2
(a)(14)*	Delivery by practitioner-PCP (<2.5 g)	F	6	2
(a)(14)*	Delivery by practitioner-MDMA (>1000 g)	F	13	3
(a)(14)*	Delivery by practitioner-MDMA (100-1000 g)	F	11	3
(a)(14)*	Delivery by practitioner-MDMA (50-<100 g)	F	10	3

<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(14)*	Delivery by practitioner-MDMA (10-<50 g)	F	8	2
(a)(14)*	Delivery by practitioner-MDMA (2.5-< 10 g)	F	7	2
(a)(14)*	Delivery by practitioner-MDMA (<2.5 g)	F	6	2
(a)(14)*	Delivery by practitioner-marijuana (>1000 lbs.)	F	10	3
(a)(14)*	Delivery by practitioner-marijuana (>5000 plants)	F	10	3
(a)(14)*	Delivery by practitioner-marijuana (50-1000 lbs.)	F	8	2
(a)(14)*	Delivery by practitioner-marijuana (51-5000 plants)	F	8	2
(a)(14)*	Delivery by practitioner-marijuana (10-<50 lbs.)	F	7	2
(a)(14)*	Delivery by practitioner-marijuana (21-<51 plants)	F	7	2
(a)(14)*	Delivery by practitioner-marijuana (1-<10 lbs.)	F	5	2
(a)(14)*	Delivery by practitioner-marijuana (10-<21 plants)	F	5	2
(a)(14)*	Delivery by practitioner-marijuana (<1 lb.)	F	3	2
(a)(14)*	Delivery by practitioner-marijuana (<10 plants)	F	3	2
(a)(14)*	Delivery by practitioner-Sched I	F	5	2
(a)(14)*	Delivery by practitioner-Sched II	F	5	2
(a)(14)*	Delivery by practitioner-Sched III	F	5	2
(a)(14)*	Delivery by practitioner-Sched IV	F	5	2
(a)(14)*	Delivery by practitioner-Sched V	M	3	m
(a)(15)	Illegal retail sale-controlled substance (1st off)	M	4	m
(a)(15)	Illegal retail sale-controlled substance (2nd/subsq off)	M	4	m
(a)(16)	Simple possession (1st off)	M	3	m
(a)(16)	Simple possession (2nd/subsq off)	M	3	m
(a)(16)	Simple possession-GHB (1st off)	F	5	2
(a)(16)	Simple possession-GHB (2nd/sub off)	F	5	2
(a)(17)	Dispense drugs w/o label by practitioner (1st off)	M	4	m
(a)(17)	Dispense drugs w/o label by practitioner (2nd/subsq off)	M	4	m
(a)(18)	Illegal sale container (1st off)	M	4	m
(a)(18)	Illegal sale container (2nd/subsq off)	M	4	m
(a)(19)	Intentional unauthorized purchase (1st off)	M	5	m
(a)(19)	Intentional unauthorized purchase (2nd/subsq off)	M	5	m
(a)(20)	Divulging trade secret (1st off)	M	4	m
(a)(20)	Divulging trade secret (2nd/subsq off)	M	4	m
(a)(21)	Failure to keep records (1st off)	M	2	m
(a)(21)	Failure to keep records (2nd/subsq off)	M	2	m
(a)(22)	Refusal of inspection (1st off)	M	2	m
(a)(22)	Refusal of inspection (2nd/subsq off)	M	2	m
(a)(23)	Unauthorized removal of seals	M	5	m
(a)(24)	Failure to obtain license (1st off)	M	2	m
(a)(24)	Failure to obtain license (2nd/subsq off)	M	2	m
(a)(25)	Manufacture by unauthorized party	M	5	m
(a)(26)	Distribution by registrant of Schedule I or II	M	5	m

<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(27)	Use of fictitious registration number	M	5	m
(a)(28)	Furnish false application material	M	5	m
(a)(29)	Production of counterfeit trademarks equipment	M	5	m
(a)(30)*	Possession with intent to deliver-heroin (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-heroin (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-heroin (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-heroin (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-heroin (1-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-heroin (<1 g)	F	6	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (>1000 pills)	F	13	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (100-1000 pills)	F	11	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (50-<100 pills)	F	10	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (10-<50 pills)	F	8	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (1-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (1-<10 pills)	F	7	2
(a)(30)*	Possession with intent to deliver-other narcotics, Sched I & II (<1 g)	F	6	2
(a)(30)*	Possession with intent to deliver-cocaine (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-cocaine (100-1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-cocaine (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-cocaine (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-cocaine (5-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-cocaine (2-<5 g)	F	6	2
(a)(30)*	Possession with intent to deliver-cocaine (<2 g)	F	5	2
(a)(30)*	Possession with intent to deliver-methamphetamine (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-methamphetamine (100-1000 g)	F	11	3

<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(30)*	Possession with intent to deliver-methamphetamine (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-methamphetamine (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-methamphetamine (2.5-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-methamphetamine (<2.5 g)	F	6	2
(a)(30)*	Possession with intent to deliver-PCP (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-PCP (100-<1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-PCP (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-PCP (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-PCP (2.5-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-PCP (<2.5 g)	F	6	2
(a)(30)*	Possession with intent to deliver-MDMA (>1000 g)	F	13	3
(a)(30)*	Possession with intent to deliver-MDMA (100-<1000 g)	F	11	3
(a)(30)*	Possession with intent to deliver-MDMA (50-<100 g)	F	10	3
(a)(30)*	Possession with intent to deliver-MDMA (10-<50 g)	F	8	2
(a)(30)*	Possession with intent to deliver-MDMA (2.5-<10 g)	F	7	2
(a)(30)*	Possession with intent to deliver-MDMA (<2.5 g)	F	6	2
(a)(30)*	Possession with intent to deliver-marijuana (>1000 lbs.)	F	10	3
(a)(30)*	Possession with intent to deliver-marijuana (>5000 plants)	F	10	3
(a)(30)*	Possession with intent to deliver-marijuana (50-1000 lbs.)	F	8	2
(a)(30)*	Possession with intent to deliver-marijuana (51-5000 plants)	F	8	2
(a)(30)*	Possession with intent to deliver-marijuana (10-<50 lbs.)	F	7	2
(a)(30)*	Possession with intent to deliver-marijuana (21-<51 plants)	F	7	2
(a)(30)*	Possession with intent to deliver-marijuana (1-<10 lbs.)	F	5	2
(a)(30)*	Possession with intent to deliver-marijuana (10-<21 plants)	F	5	2
(a)(30)*	Possession with intent to deliver-marijuana (<1 lb.)	F	3	2
(a)(30)*	Possession with intent to deliver-marijuana (<10 plants)	F	3	2
(a)(30)*	Possession with intent to deliver-Sched I (>=100 g)	F	[ 5 ] 7	2
<b>(a)(30)*</b>	<b>Possession with intent to deliver-Sched I (&lt;100 g)</b>	<b>F</b>	<b>5</b>	<b>2</b>
(a)(30)*	Possession with intent to deliver-Sched II	F	5	2



<i>35 Pa.C.S. § 780-113</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(30)*	Possession with intent to deliver-Sched III	F	5	2
(a)(30)*	Possession with intent to deliver-Sched IV	F	5	2
(a)(30)*	Possession with intent to deliver-Sched V	M	3	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish)	M	1	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): personal use	M	1	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): intent to distribute, not sell	M	1	m
(a)(31)	Possession-small amt. of marijuana (<=30 g/<=8 g hashish): distribution, not sale	M	1	m
(a)(32)	Possession-drug paraphernalia	M	1	m
(a)(33)	Possession w/ intent to deliver paraphernalia-under 18/3 yrs or more junior	M-2	4	m
(a)(33)	Possession w/ intent to deliver paraphernalia-not to a minor	M	3	m
(a)(34)	Place ad for sale of drug paraphernalia	M	1	m
(a)(34)	Place ad for sale of drug paraphernalia-GHB	F	5	2
(a)(35)(i)	Illegal sale of noncontrolled substance-intent to distribute	F	5	2
(a)(35)(ii)	Illegal sale of noncontrolled substance-represent as controlled substance	F	5	2
(a)(35)(iii)	Illegal sale of noncontrolled substance-distribute for redistribution	F	5	2
(a)(36)	Possession w/ intent to deliver-designer drugs	F	5	2
(a)(37)	Possession >30 doses-anabolic steroid (1st off)	M	4	m
(a)(37)	Possession >30 doses-anabolic steroid (2nd/subsq off)	M	4	m
(a)(38)(II)	Unlawful manufacture-methamphetamine (BI of child <18)	F-2	9	2
(a)(38)(I)	Unlawful manufacture-methamphetamine (child <18 present)	F-3	7	1
(a)(39)	Possess ephedrine, etc. w/ intent to manuf. methamphetamine (1st off)	M	2	m
(a)(39)	Possess ephedrine, etc. w/ intent to manuf. methamphetamine (2nd/subsq off)	M	2	m
(a)(40)	Retail sale-product containing ephedrine, etc. (1st off)	M	2	m
(a)(40)	Retail sale-product containing ephedrine, etc. (2nd/subsq off)	M	2	m

\*=subcategorized offenses. See § 303.3(b).

m=other misdemeanor offense. See § 303.7(a)(5).

<i>35 Pa.C.S. § 780-113.1</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(1)(i)	Possess liquefied ammonia-purpose other than agriculture/industrial	M	3	m
(a)(1)(ii)	Possess liquefied ammonia-unapproved container	M	3	m
(a)(2)	Possess liquefied ammonia-intent to manuf controlled substance	F	5	2
(a)(3)	Possess red phosphorous-intent to manuf controlled substance	F	5	2
(a)(4)	Possess esters/salts/etc. w/ intent to manuf controlled substance	F	5	2

<i>35 Pa.C.S. § 780-113.4</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
(a)(1)	Operate meth lab-create chemical reaction	F-2	7	2
(a)(3)	Operate meth lab-create chemical reaction (w/in 1000 ft. of school)	F-1	8	3
(b)(1)	Operate meth lab-stores/disposes substance used in manuf.	F-3	5	1

<i>35 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
6018.101— 6018.1002	Solid Waste Management Act			
	Knowingly transports, etc. hazardous waste without permit	F-1	9	1
	Transports, etc. hazardous waste without permit	F-2	7	2
	Violation of Act, DER Order, etc.	M-3	1	m
691.1—691.1001	Clean Streams Law			
	Violation of Act, DER Order, etc.	M-3	1	m
4001—4015	Air Pollution Control Act			
	Knowingly releases hazardous air pollutant	F-1	9	1
	Violation of Act, DER Order, etc.	M-2	2	m
	Negligently releases hazardous air pollution	M-3	1	m

m=other misdemeanor offense. See § 303.7(a)(5).

#### JUDICIAL CODE

<i>42 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4583.1(a)(1)	Agg. jury tampering-employ force/violence (charged crime Mur 1/Mur 2/F-1)	F-1	11	4
4583.1(a)(1)	Agg. jury tampering-employ force/violence (charged crime F-2)	F-2	9	2
4583.1(a)(1)	Agg. jury tampering-employ force/violence (any other charged crime)	F-3	7	1
4583.1(a)(2)	Agg. jury tampering-pecuniary/benefit (charged crime Mur 1/Mur 2/F-1)	F-1	11	4
4583.1(a)(2)	Agg. jury tampering-pecuniary/benefit (charged crime F-2)	F-2	9	2

<i>42 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
4583.1(a)(2)	Agg. jury tampering-pecuniary/benefit (any other charged crime)	F-3	7	1
4583.1(a)(3)	Agg. jury tampering-further conspiracy (charged crime Mur 1/Mur 2/F-1)	F-1	11	4
4583.1(a)(3)	Agg. jury tampering-further conspiracy (charged crime F-2)	F-2	9	2
4583.1(a)(3)	Agg. jury tampering-further conspiracy (any other charged crime)	F-3	7	1
4583.1(a)(4)	Agg. jury tampering-accept pecuniary benefit (charged crime Mur 1/Mur 2/F-1)	F-1	11	4
4583.1(a)(4)	Agg. jury tampering-accept pecuniary benefit (charged crime F-2)	F-2	9	2
4583.1(a)(4)	Agg. jury tampering-accept pecuniary benefit (any other charged crime)	F-3	7	1

## VEHICLE LAW OFFENSES

<i>75 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
1543(b)(1.1)(ii)	Drive w/ susp. lic. & BAC $\geq 0.02\%$ /or under influence of controlled subst. (2nd off)	M-3	1	m
1543(b)(1.1)(iii)	Drive w/ susp. lic. & BAC $\geq 0.02\%$ /or under influence of controlled subst. (3rd/subsq off)	M-1	3	m
1571(a.1)	Violations concerning licenses-agents issuing altered driver's license	F-3	5	1
1571(a)(5)	Violations concerning licenses-exhibit fictitious driver's license	M-1	3	m
3105(g)(2)	Unauth. operation of preemptive device	M-3	1	m
3367	Racing on highways (2nd/subsq off)	M	1	m
3712(a)	Abandonment of vehicles-on highway (3rd/subsq off)	M-3	1	m
3712(b)	Abandonment of vehicles-public/private property (3rd/subsq off)	M-3	1	m
3712.2(a)	Stripping abandoned vehicles (2nd/subsq off)	F-3	5	1
3712.2(a)	Stripping abandoned vehicles (1st off)	M-3	1	m
3732(a)*	Homicide by vehicle-w/DUI conviction & active work zone	F-3 <sup>1</sup>	10	1
3732(a)*	Homicide by vehicle-w/DUI conviction & conviction for 75-3325/75-3327	F-3 <sup>1</sup>	10	1
3732(a)*	Homicide by vehicle-w/ DUI conviction	F-3	8	1
3732(a)*	Homicide by vehicle-active work zone	F-3 <sup>1</sup>	8	1
3732(a)*	Homicide by vehicle-w/ conviction for 75-3325/75-3327	F-3 <sup>1</sup>	8	1
3732(a)*	Homicide by vehicle	F-3	6	1
3732.1(a)*	Aggravated assault by vehicle-w/ DUI conviction & active work zone	F-3 <sup>2</sup>	9	1
3732.1(a)*	Aggravated assault by vehicle-w/ DUI conviction & conviction for 75-3325/75-3327	F-3 <sup>2</sup>	9	1
3732.1(a)*	Aggravated assault by vehicle-w/ DUI conviction	F-3	7	1
3732.1(a)*	Aggravated assault by vehicle-active work zone	F-3 <sup>2</sup>	7	1
3732.1(a)*	Aggravated assault by vehicle-w/ conviction for 75-3325/75-3327	F-3 <sup>2</sup>	7	1

<i>75 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3732.1(a)*	Aggravated assault by vehicle	F-3	5	1
3733(a)	Fleeing or eluding police officer	M-2	2	m
3733(a)	Fleeing or eluding police officer-with DUI/cross state line/high-speed chase	F-3	5	1
3735(a)	Homicide by vehicle while DUI	F-2	10	2
3735.1(a)	Aggravated assault by vehicle while DUI	F-2	9	2
3742(a)	Accident involving death/personal injury-failure to stop (death)	F-2	9	2
3742(a)	Accident involving death/personal injury-failure to stop (SBI)	F-3	5	1
3742(a)	Accident involving death/personal injury-failure to stop (injury)	M-1	3	m
3742.1(a)*	Accident involving death/personal injury-not properly licensed (death)	F-3	6	1
3742.1(a)*	Accident involving death/personal injury-not properly licensed (SBI)	F-3	5	1
3742.1(a)	Accident involving death/personal injury-not properly licensed	M-2	2	m
3743(a)	Accident involving damage to attended vehicle or property	M-3	1	m
3802	Driving under the influence of alcohol or controlled substance (DUI) (See mandatory provisions § 303.9(i))			§ 303.7(a)
3802(a)(1)	DUI-general impairment/incapable of safe driving (1st off)	M	1	m
3802(a)(1)	DUI-general impairment/incapable of safe driving (2nd off)	M	1	1
3802(a)(1)	DUI-general impairment/incapable of safe driving (3rd/subsq off)	M-2	3	1
3802(a)(1)	DUI-general impairment/incapable of safe driving (minor occupant)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: refused testing (1st off)	M	1	m
3802(a)(1)	DUI-incapable of safe driving: refused testing (2nd off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: refused testing (3rd/subsq off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: refused testing (minor occupant)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: accident w/B/SBI/death (1st off)	M	1	m
3802(a)(1)	DUI-incapable of safe driving: accident w/B/SBI/death (2nd off)	M	1	1
3802(a)(1)	DUI-incapable of safe driving: accident w/B/SBI/death (3rd off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: accident w/B/SBI/death (4th/subsq off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: accident w/B/SBI/death (minor occupant)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (1st off)	M	1	m
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (2nd off)	M	1	1

<i>75 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (3rd off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (4th/subsq off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: damage to vehicle/property (minor occupant)	M-1	5	1
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (1st off)	M	1	m
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (2nd off)	M	1	1
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (3rd/subsq off)	M-2	3	1
3802(a)(2)	DUI-general impairment: BAC .08-<.10 (minor occupant)	M-1	5	1
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (1st off)	M	1	m
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (2nd off)	M	1	1
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (3rd off)	M-1	5	1
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (4th/subsq off)	M-1	5	1
3802(b)	DUI-high rate of alcohol: BAC .10-<.16 (minor occupant)	M-1	5	1
3802(c)	DUI-highest rate of alcohol: BAC >=.16 (1st off)	M	1	m
3802(c)	DUI-highest rate of alcohol: BAC >=.16 (2nd off)	M-1	5	1
3802(c)	DUI-highest rate of alcohol: BAC >=.16 (3rd/subsq off)	M-1	5	1
3802(c)	DUI-highest rate of alcohol: BAC >=.16 (minor occupant)	M-1	5	1
3802(d)(1)(i)	DUI-controlled substances: Sched I (1st off)	M	1	m
3802(d)(1)(i)	DUI-controlled substances: Sched I (2nd off)	M-1	5	1
3802(d)(1)(i)	DUI-controlled substances: Sched I (3rd/subsq off)	M-1	5	1
3802(d)(1)(i)	DUI-controlled substances: Sched I (minor occupant)	M-1	5	1
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (1st off)	M	1	m
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (2nd off)	M-1	5	1
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (3rd/subsq off)	M-1	5	1
3802(d)(1)(ii)	DUI-controlled substances: Sched II/III (minor occupant)	M-1	5	1
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (1st off)	M	1	m
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (2nd off)	M-1	5	1
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (3rd/subsq off)	M-1	5	1
3802(d)(1)(iii)	DUI-controlled substances: metabolite of Sched I/II/III (minor occupant)	M-1	5	1
3802(d)(2)	DUI-controlled substances & incapable of safe driving (1st off)	M	1	m
3802(d)(2)	DUI-controlled substances & incapable of safe driving (2nd off)	M-1	5	1
3802(d)(2)	DUI-controlled substances & incapable of safe driving (3rd/subsq off)	M-1	5	1



<i>75 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3802(d)(2)	DUI-controlled substances & incapable of safe driving (minor occupant)	M-1	5	1
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (1st off)	M	1	m
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (2nd off)	M-1	5	1
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (3rd/subsq off)	M-1	5	1
3802(d)(3)	DUI-controlled substances & alcohol & incapable of safe driving (minor occupant)	M-1	5	1
3802(d)(4)	DUI-controlled substances: solvent, etc. (1st off)	M	1	m
3802(d)(4)	DUI-controlled substances: solvent, etc. (2nd off)	M-1	5	1
3802(d)(4)	DUI-controlled substances: solvent, etc. (3rd/subsq off)	M-1	5	1
3802(d)(4)	DUI-controlled substances: solvent, etc. (minor occupant)	M-1	5	1
3802(e)	DUI-minor driver (1st off)	M	1	m
3802(e)	DUI-minor driver (2nd off)	M	1	1
3802(e)	DUI-minor driver (3rd off)	M-1	5	1
3802(e)	DUI-minor driver (4th/subsq off)	M-1	5	1
3802(e)	DUI-minor driver (minor occupant)	M-1	5	1
3802(f)(1)(i)	DUI-commercial vehicles (1st off)	M	1	m
3802(f)(1)(i)	DUI-commercial vehicles (2nd off)	M	1	1
3802(f)(1)(i)	DUI-commercial vehicles (3rd off)	M-1	6	1
3802(f)(1)(i)	DUI-commercial vehicles (4th/subsq off)	M-1	7	1
3802(f)(1)(i)	DUI-commercial vehicles (minor occupant)	M-1	5	1
3802(f)(1)(ii)	DUI-school vehicles (1st off)	M	1	m
3802(f)(1)(ii)	DUI-school vehicles (2nd off)	M	1	1
3802(f)(1)(ii)	DUI-school vehicles (3rd off)	M-1	6	1
3802(f)(1)(ii)	DUI-school vehicles (4th/subsq off)	M-1	7	1
3802(f)(1)(ii)	DUI-school vehicles (minor occupant)	M-1	5	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (1st off)	M	1	m
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (2nd off)	M	1	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (3rd off)	M-1	6	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (4th/subsq off)	M-1	7	1
3802(f)(2)	DUI-commercial/school vehicles & incapable of safe driving (minor occupant)	M-1	5	1
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (1st off)	M	1	m
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (2nd off)	M	1	1
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (3rd off)	M-1	6	1
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (4th/subsq)	M-1	7	1
3802(f)(3)	DUI-commercial/school vehicles & controlled substances (minor occupant)	M-1	5	1

<i>75 Pa.C.S. §</i>	<i>DESCRIPTION</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD SCORE POINTS</i>
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (1st off)	M	1	m
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (2nd off)	M	1	1
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (3rd off)	M-1	6	1
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (4th/subsq off)	M-1	7	1
3802(f)(4)	DUI-commercial/school vehicles & controlled substances & alcohol (minor occupant)	M-1	5	1
3808(a)(1)	Illegally operating motor vehicle not equipped with ignition interlock-no BAC	M	1	m
3808(a)(2)	Illegally operating motor vehicle not equipped with ignition interlock-BAC >=.025)	M-3	1	m
3808(b)	Tampering with ignition interlock system-using/providing breath sample	M	1	m
6308(d)	Investigation by police officers-records	M-3	1	m
6503.1	Habitual offenders	M-2	2	m
7111	Deal in titles/plates for stolen vehicles	M-1	3	m
7112	False report of theft or conversion of vehicle	M-3	1	m
7121	False application for title or registration	M-1	3	m
7122	Altered/forged/counterfeit title/plates	M-1	3	m
8306(b)	Willful violation-hazardous materials transportation regs (1st off)	M-3	1	m
8306(c)	Subsq willful violation-hazardous materials transportation regs (w/in 2 yrs)	M-2	2	m

\*=subcategorized offenses. See § 303.3(b).

m=other misdemeanor offense. See § 303.7(a)(5).

<sup>1</sup> statutory maximum increased by 5 years if offense occurred in active work zone (maximum=12 years)  
 statutory maximum increased by 5 years if also convicted of 75 § 3325 or 75 § 3327 (maximum=12 years)

<sup>2</sup> statutory maximum increased by 2 years if offense occurred in active work zone (maximum=9 years)  
 statutory maximum increased by 2 years if also convicted of 75 § 3325 or 75 § 3327 (maximum=9 years)

**OMNIBUS ASSIGNMENTS**

<i>OMNIBUS ASSIGNMENTS</i>	<i>STATUTORY CLASS</i>	<i>§ 303.3 OFFENSE GRAVITY SCORE</i>	<i>§ 303.7 PRIOR RECORD POINTS</i>
Offenses not otherwise listed and new offenses:	F-1	8	3
	F-2	7	2
	F-3	5	1
	Felony Not Classified	5	1
	M-1	3	m
	M-2	2	m
	M-3	1	m
	Misdemeanor Not Classified	1	m

§ 303.16(a). Basic Sentencing Matrix.

Level	OGS	Example Offenses	Prior Record Score								AGG/ MIT
			0	1	2	3	4	5	RFEL	REVOC	
LEVEL 5 State Incar	14	Murder 3 Inchoate Murder (SBI) Rape (victim <13 yrs)	72-SL	84-SL	96-SL	120-SL	168-SL	192-SL	204-SL	SL	~/12
	13	Inchoate Murder (No SBI) Weapons Mass Destr-Use PWID Cocaine (>1,000 g)	60-78	66-84	72-90	78-96	84-102	96-114	108-126	240	+/- 12
	12	Rape-Forcible Compulsion IDSI-Forcible Compulsion Robbery-Inflicts SBI	48-66	54-72	60-78	66-84	72-90	84-102	96-114	120	+/- 12
	11	Agg Asslt-Cause SBI Voluntary Manslaughter Sexual Assault PWID Cocaine (100-1,000 g)	36-54 BC	42-60	48-66	54-72	60-78	72-90	84-102	120	+/- 12
	10	Kidnapping Agg Indecent Assault F2 Arson-Person in Building Hom by Vehicle-DUI & Work Zone PWID Cocaine (50-<100 g)	22-36 BC	30-42 BC	36-48 BC	42-54	48-60	60-72	72-84	120	+/- 12
	9	Sexual Exploitation of Children Robbery-Commit/Threat F1/F2 Burglary-Home/Person Present Arson-No Person in Building	12-24 BC	18-30 BC	24-36 BC	30-42 BC	36-48 BC	48-60	60-72	120	+/- 12
LEVEL 4 State Incar/ RIP trade	8 (F1)	Agg Assault-Cause BI w/DW Theft (Firearm) Identity theft (3rd/+ & Vic>=60 yrs) Hom by Veh-DUI or Work Zone) Theft (>\$100,000) PWID Cocaine (10-<50 g)	9-16 BC	12-18 BC	15-21 BC	18-24 BC	21-27 BC	27-33 BC	40-52	NA	+/- 9
LEVEL 3 State/ Cnty Incar RIP trade	7 (F2)	Robbery-Inflicts/Threatens BI Burglary-Home/No Person Present Statutory Sexual Assault Theft (>\$50,000-\$100,000) Identity Theft (3rd/subq) PWID Cocaine (5-<10 g)	6-14 BC	9-16 BC	12-18 BC	15-21 BC	18-24 BC	24-30 BC	35-45 BC	NA	+/- 6
	6	Agg Asslt-Cause Fear of SBI Homicide by Vehicle Burglary-Not a Home/Person Prsnt Theft (>\$25,000-\$50,000) Arson-Endanger Property PWID Cocaine (2<5 g)	3-12 BC	6-14 BC	9-16 BC	12-18 BC	15-21 BC	21-27 BC	27-40 BC	NA	+/- 6

Level	OGS	Example Offenses	Prior Record Score								AGG/ MIT
			0	1	2	3	4	5	RFEL	REVOC	
LEVEL 2 Cnty Incar RIP RS	5 (F3)	Burglary F2 Theft (>\$2000-\$25,000) Bribery PWID Marij (1<10 lbs)	RS-9	1-12 BC	3-14 BC	6-16 BC	9-16 BC	12-18 BC	24-36 BC	NA	+/-3
	4	Indecent Assault M2 Forgery (Money, Stocks) Weapon on School Property Crim Trespass F2	RS-3	RS-9	RS-<12	3-14 BC	6-16 BC	9-16 BC	21-30 BC	NA	+/-3
	3 (M1)	Simple Assault-Attempt/Cause BI Theft (\$200-\$2000) Carrying Explosives Simple Possession	RS-1	RS-6	RS-9	RS-<12	3-14 BC	6-16 BC	12-18 BC	NA	+/-3
LEVEL 1 RS	2 (M2)	Theft (\$50-<\$200) Retail Theft (1st/2nd Offense) Bad Checks (\$500-<\$1,000)	RS	RS-2	RS-3	RS-4	RS-6	1-9	6-<12	NA	+/-3
	1 (M3)	Most Misd. 3's; Theft (<\$50) DUI (M) Poss. Small Amount Marij.	RS	RS-1	RS-2	RS-3	RS-4	RS-6	3-6	NA	+/-3

1. Designated areas of the matrix indicate restrictive intermediate punishments may be imposed as a substitute for incarceration.
2. When restrictive intermediate punishments are appropriate, the duration of the restrictive intermediate punishment programs are recommended not to exceed the guideline ranges.
3. When the range is RS through a number of months (e.g. RS-6), RIP may be appropriate.
4. All numbers in sentence recommendations suggest months of minimum confinement pursuant to 42 Pa.C.S. 9755(b) and 9756(b).
5. Statutory classification (e.g., F1, F2, etc.) in brackets reflect the omnibus OGS assignment for the given grade.

Key:

BC	=	boot camp	RIP	=	restrictive intermediate punishments
CNTY	=	county	RS	=	restorative sanctions
INCAR	=	incarceration	SBI	=	serious bodily injury
PWID	=	possession with intent to deliver	SL	=	statutory limit (longest minimum sentence)
REVOC	=	repeat violent offender category	~	=	no recommendation (aggravated sentence would exceed statutory limit)
RFEL	=	repeat felony 1 and felony 2 offender category	< ; >	=	less than; greater than

**§ 303.16(b). Basic Sentencing Matrix for Offenders Under Age 18 Convicted of 1st or 2nd Degree Murder.**

<i>Sentencing Guideline Recommendations for Murder of 1st or 2nd Degree If Offender is Under Age 18 at the Time of the Offense and the Conviction Occurred After June 24, 2012</i>										
	OGS	Prior Record Score								Agg/Mit
		0	1	2	3	4	5	RFEL	REVOC	
<i>Murder of 1st Degree</i>										
Offender Age 15 to < 18	15	420-Life	456-Life	492-Life	552-Life	612-Life	672-Life	732-Life	LWOP	+/-60**
Offender Age <15	15	300-Life	324-Life	348-Life	396-Life	444-Life	492-Life	540-Life	LWOP	+/-48**
<i>Murder of 2nd Degree</i>										
Offender Age 15 to < 18	15	360-624	384-624	408-624	444-624	480-624	516-624	552-624	588-624	+/-36**
Offender Age <15	15	240-588	252-588	264-588	288-588	312-588	336-588	360-588	384-588	+/-24**

1. Murder of the 1st Degree also includes 1st Degree Murder of Unborn Child and 1st Degree Murder of Law Enforcement Officer
2. Murder of the 2nd Degree also includes 2nd Degree Murder of Unborn Child and 2nd Degree Murder of Law Enforcement Officer
3. LWOP = Life without Parole

4. The Offense Gravity Score (OGS) of 15 is assigned only for Murder 1 and Murder 2 when committed by offenders under age 18.

5. Commonwealth must provide reasonable notice to offender of its intention to seek a sentence of life imprisonment without parole for Murder of 1st Degree (18 Pa.C.S. § 1102.1(b)).

6. A mitigated sentence cannot be less than the mandatory minimum sentence established in statute (18 Pa.C.S. § 1102.1)

**§ 303.17(a). Deadly Weapon Enhancement/Possessed Matrix.**

Level	OGS	Deadly Weapon	Prior Record Score								
			0	1	2	3	4	5	RFEL	REVOC	AGG/MIT
Level 5	14	Possessed	81-SL	93-SL	105-SL	129-SL	177-SL	201-SL	213-SL	240	~- 12
	13	Possessed	69-87	75-93	81-99	87-105	93-111	105-123	117-135	240	+/-12
	12	Possessed	57-75	63-81	69-87	75-93	81-99	93-111	105-123	120	+/-12
	11	Possessed	45-63	51-69	57-75	63-81	69-87	81-99	93-111	120	+/-12
	10	Possessed	31-45	39-51	45-57	51-63	57-69	69-81	81-93	120	+/-12
	9	Possessed	21-33	27-39	33-45	39-51	45-57	57-69	69-81	120	+/-12
Level 4	8	Possessed	15-22	18-24	21-27	24-30	27-33	33-39	46-58	NA	+/-9
	7	Possessed	12-20	15-22	18-24	21-27	24-30	30-36	41-51	NA	+/-6
	6	Possessed	9-18	12-20	15-22	18-24	21-27	27-33	33-46	NA	+/-6
Level 3	5	Possessed	6-15	7-18	9-20	12-22	15-22	18-24	30-42	NA	+/-3
	4	Possessed	3-6	3-12	3-<15	6-17	9-19	12-19	24-33	NA	+/-3
	3	Possessed	3-4	3-9	3-12	3-<15	6-17	9-19	15-21	NA	+/-3
	2	Possessed	3-3	3-5	3-6	3-7	3-9	4-12	9-<15	NA	+/-3
	1	Possessed	3-3	3-4	3-5	3-6	3-7	3-9	6-9	NA	+/-3

1. Level 3 and Level 4 indicate restrictive intermediate punishments may be substituted for incarceration.
2. When county intermediate punishment is appropriate, the duration of the restrictive intermediate punishment program(s) shall not exceed the guideline ranges.
3. The mitigated recommendation is never less than three months (§ 303.10(a)).
4. All numbers in sentence recommendations suggest months of minimum confinement pursuant to 42 Pa.C.S. § 9755(b) and § 9756(b).
5. If the standard range includes the statutory limit, there is no aggravated recommendation.
6. If any recommendation is longer than the statutory limit, see § 303.9(g).

**§ 303.17(b). Deadly Weapon Enhancement/Used Matrix.**

Level	OGS	Deadly Weapon	Prior Record Score								
			0	1	2	3	4	5	RFEL	REVOC	AGG/MIT
Level 5	14	Used	90-SL	102-SL	114-SL	138-SL	186-SL	210-SL	222-SL	SL	~- 12
	13	Used	78-96	84-102	90-108	96-114	102-120	114-132	126-144	240	+/-12
	12	Used	66-84	72-90	78-96	84-102	90-108	102-120	114-132	120	+/-12
	11	Used	54-72	60-78	66-84	72-90	78-96	90-108	102-120	120	+/-12
	10	Used	40-54	48-60	54-66	60-72	66-78	78-90	90-102	120	+/-12
	9	Used	30-42	36-48	42-54	48-60	54-66	66-78	78-90	120	+/-12



Level	OGS	Deadly Weapon	Prior Record Score								
			0	1	2	3	4	5	RFEL	REVOC	AGG/MIT
Level 4	8	Used	21-28	24-30	27-33	30-36	33-39	39-45	52-64	NA	+/-9
	7	Used	18-26	21-28	24-30	27-33	30-36	36-42	47-57	NA	+/-6
	6	Used	15-24	18-26	21-28	24-30	27-33	33-39	39-52	NA	+/-6
	5	Used	12-21	13-24	15-26	18-28	21-28	24-30	36-48	NA	+/-3
Level 3	4	Used	6-9	6-15	6-<18	9-20	12-22	15-22	27-36	NA	+/-3
	3	Used	6-7	6-12	6-15	6-<18	9-20	12-22	18-24	NA	+/-3
	2	Used	6-6	6-8	6-9	6-10	6-12	7-15	12-<18	NA	+/-3
	1	Used	6-6	6-7	6-8	6-9	6-10	6-12	9-12	NA	+/-3

1. Level 3 and Level 4 indicate restrictive intermediate punishments may be substituted for incarceration.
2. When county intermediate punishment is appropriate, the duration of the restrictive intermediate punishment program shall not exceed the guideline ranges.
3. The mitigated recommendation is never less than six months (§ 303.10(a)).
4. All numbers in sentence recommendations suggest months of minimum confinement pursuant to 42 Pa.C.S. § 9755(b) and § 9756(b).
5. If the standard range includes the statutory limit, there is no aggravated recommendation.
6. If any recommendation is longer than the statutory limit, see § 303.9(g).

**§ 303.18(a). Youth Enhancement Matrix.**

Level	OGS	Prior Record Score									
		0	1	2	3	4	5	RFEL	REVOC	Agg/Mit	
5	14	NA	NA	NA	NA	NA	NA	NA	NA	NA	~/-12
	13	66-90	72-96	78-102	84-108	90-114	102-126	114-138	240	240	+/-12
	12	NA	NA	NA	NA	NA	NA	NA	NA	NA	+/-12
	11	42-66	48-72	54-78	60-84	66-90	78-102	90-114	120	120	+/-12
4	10	28-48	36-54	42-60	48-66	54-72	66-84	78-96	120	120	+/-12
	9	18-36	24-42	30-48	36-54	42-60	54-72	66-84	120	120	+/-12
	8	15-28	18-30	21-33	24-36	27-39	33-45	46-64	NA	NA	+/-9
	7	12-26	15-28	18-30	21-33	24-36	30-42	41-57	NA	NA	+/-6
3	6	9-24	12-26	15-28	18-30	21-33	27-39	33-52	NA	NA	+/-6
	5	6-21	7-24	9-26	12-28	15-28	18-30	30-48	NA	NA	+/-3
	4	6-15	6-21	6-<24	9-26	12-28	15-28	27-42	NA	NA	+/-3
	3	6-13	6-18	6-21	6-<24	9-26	12-28	18-30	NA	NA	+/-3

1. This enhancement may only be applied to violations of 35 P. S. § 780-113(a)(14) and (a)(30).
2. Levels 3 and 4 indicate restrictive intermediate punishments may be substituted for incarceration.
3. When county intermediate punishment is appropriate, the duration of the restrictive intermediate punishment program shall not exceed the guideline ranges.
4. The mitigated recommendation is never less than six months (§ 303.10(b)).
5. All numbers in sentence recommendations suggest months of minimum confinement pursuant to 42 Pa.C.S. § 9755(b) and § 9756(b).
6. If the standard range includes the statutory limit, there is no aggravated recommendation.
7. If any recommendation is longer than the statutory limit, see § 303.9(g).

§ 303.18(b). School Enhancement Matrix.

Level	OGS	Prior Record Score								Agg/Mit
		0	1	2	3	4	5	RFEL	REVOC	
5	14	NA	NA	NA	NA	NA	NA	NA	NA	~/-12
	13	72-102	78-108	84-114	90-120	96-126	108-138	120-150	240	+/-12
	12	NA	NA	NA	NA	NA	NA	NA	NA	+/-12
	11	48-78	54-84	60-90	66-96	72-102	84-114	96-120	120	+/-12
	10	34-60	42-66	48-72	54-78	60-84	72-96	84-108	120	+/-12
	9	24-48	30-54	36-60	42-66	48-72	60-84	72-96	120	+/-12
4	8	21-40	24-42	27-45	30-48	33-51	39-57	52-76	NA	+/-9
	7	18-38	21-40	24-42	27-45	30-48	36-54	47-69	NA	+/-6
	6	15-36	18-38	21-40	24-42	27-45	33-51	39-64	NA	+/-6
	5	12-33	13-36	15-38	18-40	21-40	24-42	36-60	NA	+/-3
	4	12-27	12-33	12-<36	15-38	18-40	21-40	33-54	NA	+/-3
	3	12-25	12-30	12-33	12-<36	15-38	18-40	24-42	NA	+/-3

1. This enhancement may only be applied to violations of 35 P.S. § 780-113(a)(14) and (a)(30).
2. Level 4 indicates restrictive intermediate punishments may be substituted for incarceration.
3. When county intermediate punishment is appropriate, the duration of the restrictive intermediate punishment program shall not exceed the guideline ranges.
4. The mitigated recommendation is never less than twelve months (§ 303.10(b)).
5. All numbers in sentence recommendations suggest months of minimum confinement pursuant to 42 Pa.C.S. § 9755(b) and § 9756(b).
6. If the standard range includes the statutory limit, there is no aggravated recommendation.
7. If any recommendation is longer than the statutory limit, see § 303.9(g).

## § 303.18(c). Youth and School Enhancement Matrix.

Level	OGS	Prior Record Score								Agg/Mit
		0	1	2	3	4	5	RFEL	REVOC	
5	14	NA	NA	NA	NA	NA	NA	NA	NA	~/-12
	13	78-114	84-120	90-126	96-132	102-138	114-150	126-162	240	+/-12
	12	NA	NA	NA	NA	NA	NA	NA	NA	+/-12
	11	54-90	60-96	66-102	72-108	78-114	90-120	102-120	120	+/-12
	10	40-72	48-78	54-84	60-90	66-96	78-108	90-120	120	+/-12
	9	30-60	36-66	42-72	48-78	54-84	66-96	78-108	120	+/-12
4	8	27-52	30-54	33-57	36-60	39-63	45-69	58-88	NA	+/-9
	7	24-50	27-52	30-54	33-57	36-60	42-66	53-81	NA	+/-6
	6	21-48	24-50	27-52	30-54	33-57	39-63	45-76	NA	+/-6
	5	18-45	19-48	21-50	24-52	27-52	30-54	42-72	NA	+/-3
	4	18-39	18-45	18-<48	21-50	24-52	27-52	39-66	NA	+/-3
	3	18-37	18-42	18-45	18-<48	21-50	24-52	30-54	NA	+/-3

1. This enhancement may only be applied to violations of 35 P.S. § 780-113(a)(14) and (a)(30).
2. Level 4 indicates restrictive intermediate punishments may be substituted for incarceration.
3. When county intermediate punishment is appropriate, the duration of the restrictive intermediate punishment program shall not exceed the guideline ranges.
4. The mitigated recommendation is never less than eighteen months (§ 303.10(b)).
5. All numbers in sentence recommendations suggest months of minimum confinement pursuant to 42 Pa.C.S. § 9755(b) and § 9756(b).
6. If the standard range includes the statutory limit, there is no aggravated recommendation.
7. If any recommendation is longer than the statutory limit, see § 303.9(g).

**Annex B**  
**DRAFT**  
**Table 1 Risk Scales by Offense Gravity Score**

Factor	Offense Gravity Score									
	OGS 1	OGS 2	OGS 3	OGS 4	OGS 5	OGS 6	OGS 7	OGS 8	OGS 9-14	
Gender	Male=1 Female=0	Male=1 Female=0	Male=1 Female=0	Male=1 Female=0	Male=1 Female=0	Male=1 Female=0	Male=1 Female=0	Male=1 Female=0	Male=1 Female=0	Male=1 Female=0
County	Alleg=1 All Other=0	Urban=1 Rural=0	Alleg=1 All Other=0	Urban=1 Rural=0	Urban=1 Rural=0	Urban=1 Rural=0	Urban=1 Rural=0	Urban=1 Rural=0	Urban=1 Rural=0	Urban=1 Rural=0
Age	<21=3 21-39=2 40-49=1 >49=0	<21=3 21-39=2 40-49=1 >49=0	<21=3 21-39=2 40-49=1 >49=0	<21=3 21-29=2 30-44=1 >44=0	<21=3 21-25=2 26-39=1 >39=0	<21=3 21-39=2 40-49=1 >49=0	<21=3 21-39=2 40-49=1 >49=0	<21=2 21-39=1 over 39=0	<21=3 21-29=2 30-49=1 >49=0	<21=3 21-29=2 30-49=1 >49=0
Current Offense			Property Fel=1 All other=0							
Number of Prior Arrests	None=0 1=1 2 to 4=2 5-9=3 over 9=4	None=0 1=1 2=2 3 to 6=3 over 6=4	None=0 1=1 2=2 3 to 4=3 5 to 7=4 over 7=5	None=0 1 to 2=1 3 to 8=2 over 8=3	None=0 1=1 2 to 4=2 5 to 7=3 over 7=4	None, 1=0 2=1 3 to 6=2 over 6=3	None=0 1=1 2 to 6=2 over 6=3	None=0 1 to 4=1 over 4=2	None=0 1=1 2 to 4=2 5 to 7=3 Over 7=4	None=0 1=1 2 to 4=2 5 to 7=3 Over 7=4
Prior Offense Type	Public Order=1 Drug=1	Drug=1	Property=1 Drug=1 Public Adm.=1	Drug=1	Drug=1 Public Adm.=1					
Multiple Charges			Yes=1 No=0	Yes=1 No=0	Yes=1 No=0	Yes=1 No=0	Yes=1 No=0	Yes=1 No=0	Yes=1 No=0	Yes=1 No=0
PRS										
Prior Juvenile Adjudication			Yes=1 No/Unknown=0	Yes=1 No/Unknown=0	Yes=1 No/Unknown=0	Yes=1 No/Unknown=0	Yes=1 No/Unknown=0	Yes=1 No/Unknown=0	Yes=1 No/Unknown=0	Yes=1 No/Unknown=0
Total Risk Scale Range by OGS	0-10	0-10	0-16	0-9	0-13	0-9	0-9	0-6	0-8	0-8
N=Number of offenders in sample.	n=6673	n=5687	n=18021	n=2328	n=6946	n=4126	n=2599	n=1140	n=3221	n=3221

OGS=Offense Gravity Score  
PRS=Prior Record Score

Factors used in the risk scale are listed on the left. The include: Gender, County of Offense, Age, Current Offense, Total Number of Prior Arrests, Prior Offense Type, Multiple Charges, Prior Record Score, and Any Prior Juvenile Adjudications.

Offense Gravity Scores are listed across the top. Offense Gravity Scores of 9 to 14 are grouped as one.

The points assigned to Factors are listed in each cell under the Offense Gravity Score. They do differ based on the Offense Gravity Score.

If a cell is blank, that Factor was not a significant predictor of recidivism and therefore was not used in the calculation of the Risk Score for that Offense Gravity Score.

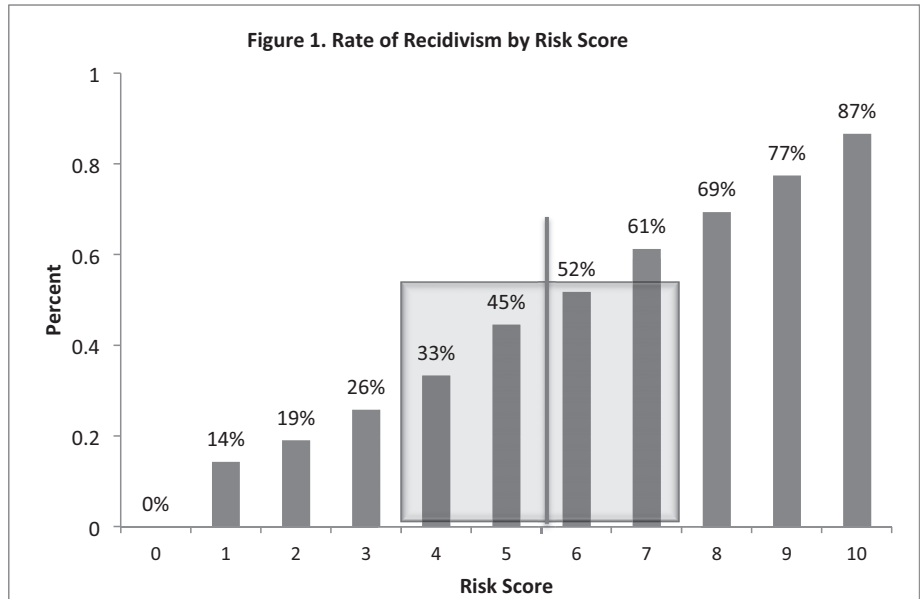
The range of the Risk Scale differs for each Offense Gravity Score.

The Risk Scale was developed based on extensive research. Interim reports were published by the Commission at each step. Visit the Commission's web site (<http://pasentencing.us> under Publications and Research) to review any of the 10 Interim Reports.

DRAFT

**Example of Presentation of Risk Information**  
**Table 2. Recidivism Rate by Risk Score for OGS 2**

Risk Scale		
Risk Score	Number	% Arrested
0	8	0
1	49	14.3
2	210	19.1
3	554	25.8
4	950	33.4
5	933	44.6
6	952	51.8
7	880	61.3
8	768	69.4
9	368	77.5
10	15	86.7
Total	5687	49.0
Mean		5.63
Median		6
SD		1.94
1 SD above		7.57
1SD Below		3.69



**Example**

<u>Offender One</u>	<u>Points</u>	<u>Risk Score</u>	<u>Recidivism Rate</u>
Male	1	7	61%
Urban county	1		
20 years old	3		
Two prior arrests (theft)	2		
Current conviction: theft of \$500.00	0		
No other current conviction	0		
<u>Offender Two</u>	<u>Points</u>	<u>Risk Score</u>	<u>Recidivism Rate</u>
Female	0	3	26%
Rural county	0		
25 years old	2		
One prior arrest (theft)	1		
Current conviction: theft of \$500.00	0		
No other current conviction	0		

The calculation of the offender’s risk score is based on the factors shown in Table 1.

Displayed is the number of points received by the offender.

The offender’s total risk score is the sum of points received across all Risk Factors. The sum may range from 0 to 10 for Offense Gravity Score 2.

The graph depicts the offender’s likelihood of being arrested within three years of release from incarceration or imposition of probation/county IP compared to other offenders with different risk scores.

The line represents the average (mean) risk score for all offenders. The shaded grey box represents one standard deviation above and below the mean. Approximately 68% of offenders fall within one standard deviation above and below the mean.

[Pa.B. Doc. No. 15-656. Filed for public inspection April 10, 2015, 9:00 a.m.]



# THE COURTS

## Title 201—RULES OF JUDICIAL ADMINISTRATION

[ 201 PA. CODE CH. 6 ]

## Title 207—JUDICIAL CONDUCT

### PART II. CONDUCT STANDARDS

[ 207 PA. CODE CH. 51 ]

#### Adoption of New Rules of Judicial Administration 601—607 and Rescission of Rules 16—22 and 81 of the Rules Governing Standards of Conduct of Magisterial District Judges; No. 383 Magisterial Rules Doc.

#### Order

#### *Per Curiam*

And Now, this 26th day of March, 2015, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rules 16—22 and 81 of the Rules Governing Standards of Conduct of Magisterial District Judges are rescinded and new Rules of Judicial Administration 601—607 are adopted in the following form.

To the extent that notice of proposed rulemaking would otherwise be required by Pa.R.J.A. No. 103, the immediate promulgation of the new Rules is found to be in the interests of justice and efficient administration.

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

#### Annex A

### TITLE 201. RULES OF JUDICIAL ADMINISTRATION

#### CHAPTER 6. MAGISTERIAL DISTRICT JUDGES

(*Editor's Note:* Chapter 6 is new and printed in regular type to enhance readability.)

Rule	
601.	Certification requirements of interested persons.
602.	Continuing education requirement.
603.	Continuing education requirement: senior magisterial district judges.
604.	Continuing education requirement: Philadelphia Municipal Court Traffic Division.
605.	Supervision of magisterial district courts by president judges.
606.	Transfer of dockets and other papers.
607.	Acts of assembly suspended.

#### Rule 601. Certification requirements of interested persons.

(a) Magisterial district judges and arraignment court magistrates who are not members of the bar of this Commonwealth must complete a course of training and instruction in the duties of their respective offices and pass an examination and be certified by the Administrative Office of Pennsylvania Courts prior to assuming office.

(b)(1) Any interested individual may apply to the Minor Judiciary Education Board to be enrolled in the course of training and instruction and take the examination to be certified.

(2) Any individual who has successfully completed the course of training and instruction and passed the examination, but who has not served as a magisterial district judge or arraignment court magistrate shall be certified for only a two-year period, and must complete the continuing education course every year in order to maintain his or her certification.

(c) Any individual certified under paragraph (b) who has not served as a magisterial district judge or arraignment court magistrate within two years will be required to take a review course as defined by the Minor Judiciary Education Board and pass an examination in order to maintain his or her certification by the Administrative Office of Pennsylvania Courts.

**Official Note:** The text of this rule is taken from Rule 19 of the Rules Governing Standards of Conduct of Magisterial District Judges, rescinded March 26, 2015, effective immediately. Rule 19 was amended in 2006 to limit to two years the period of certification for individuals who have successfully completed the certification course and examination but have not served as judges or arraignment court magistrates. The rule permits individuals who are certified to serve as judges or arraignment court magistrates but who have not done so within two years of certification to take a review course and pass an examination to maintain their certification for an additional two-year period. Admission to the review course and recertification examination under paragraph (c) may be limited by the availability of space. In addition, the rule requires that all certified individuals must attend the annual continuing education course to maintain certification.

Act 17 of 2013, signed by the Governor and immediately effective on June 19, 2013, effectively abolished the Traffic Court of Philadelphia and transferred most of its duties to a new Traffic Division of the Philadelphia Municipal Court. See 42 Pa.C.S. § 1121. Under Act 17, the Traffic Court of Philadelphia is composed of two judges serving on the court on the effective date of the Act and whose terms expire on December 31, 2017. See 42 Pa.C.S. § 1321. Because this Rule concerns the certification and recertification of persons not yet elected to judicial office, all references to the Traffic Court of Philadelphia have been removed.

#### Rule 602. Continuing education requirement.

(a) Every magisterial district judge shall complete a continuing education program each year equivalent to not less than 32 hours per year in such courses or programs as are approved by the Minor Judiciary Education Board. If a magisterial district judge fails to meet these continuing education requirements, the judge shall be subject to suspension by the Supreme Court until such time as evidence of compliance with such requirements is submitted by the Board, but in no event longer than six months at which time the failure to meet the continuing education requirements shall be grounds for the Supreme Court, after a hearing, to declare a vacancy in that district.

(b) The Minor Judiciary Education Board shall conduct at least one continuing education practicum course, consisting of not less than thirty-two hours, which each magisterial district judge, or senior magisterial district judge, whether law trained or non-law trained, within twelve months of first assuming office, shall be required to attend. The Board shall approve the length of the

program and the course of instruction. Practicum exercises will be a part of the course of instruction. Senior magisterial district judges may petition the Board for a waiver of this requirement.

(c) No judge who is suspended by Order of the Supreme Court of Pennsylvania or the Court of Judicial Discipline shall be permitted to attend any continuing education course or program approved by the Minor Judiciary Education Board during the term of suspension. Notwithstanding the attendance requirements set forth in paragraph (a), the judge shall be provided the opportunity to make up any required hours of continuing education once the period of suspension has expired and an Order has been issued returning the judge to active status.

(d) Paragraph (c) shall not apply to any judge suspended for failure to complete the program described in paragraph (a).

**Official Note:** The text of this rule is taken, in part, from Rule 20 of the Rules Governing Standards of Conduct of Magisterial District Judges, rescinded March 26, 2015, effective immediately.

**Rule 603. Continuing education requirement: senior magisterial district judges.**

(a) Any magisterial district judge who has been certified by the Administrative Office of Pennsylvania Courts as eligible to serve as a senior magisterial district judge shall be admitted to the continuing education program sponsored by the Minor Judiciary Education Board every year as required by Rule 602.

(b) In the event the Court Administrator of Pennsylvania notifies the Minor Judiciary Education Board that a senior magisterial district judge has not accepted an assignment for a continuous period of two years, the Minor Judiciary Education Board may refuse to enroll the senior magisterial district judge in the continuing education program.

**Official Note:** With regard to certification of senior judges, see Pa.R.J.A. No. 701.

The text of this rule is taken from Rule 21 of the Rules Governing Standards of Conduct for Magisterial District Judges, rescinded March 26, 2015, effective immediately.

**Rule 604. Continuing education requirement: Philadelphia Municipal Court Traffic Division.**

(a) Every judge of the Philadelphia Municipal Court Traffic Division shall complete a continuing education program each year equivalent to not less than twenty (20) hours per year in such courses or programs as are approved by the Minor Judiciary Education Board. If a judge of the Philadelphia Municipal Court Traffic Division fails to meet these continuing education requirements the judge shall be subject to suspension until such time as evidence of compliance with such requirements is submitted by the Minor Judiciary Education Board, but in no event for longer than six months at which time the failure to meet the continuing education requirements shall be grounds for removal.

(b) No judge of the Philadelphia Municipal Court Traffic Division who is suspended by Order of the Supreme Court of Pennsylvania or the Court of Judicial Discipline shall be permitted to attend any continuing education course or program approved by the Minor Judiciary Education Board during the term of suspension. Notwithstanding the attendance requirements set forth in paragraph (a), the judge shall be provided the opportunity to make up any required hours of continuing education once

the period of suspension has expired and an Order has been issued returning the judge to active status.

(c) Paragraph (b) shall not apply to any judge suspended for failure to complete the program described in paragraph (a).

(d) This Rule shall expire on January 1, 2018.

**Official Note:** The text of this rule is taken, in part, from Rule 22 of the Rules Governing Standards of Conduct for Magisterial District Judges, rescinded March 26, 2015, effective immediately.

Act 17 of 2013, signed by the Governor and immediately effective on June 19, 2013, effectively abolished the Traffic Court of Philadelphia and transferred most of its duties to a new Traffic Division of the Philadelphia Municipal Court. See 42 Pa.C.S. § 1121. Section 1121(a)(2) provides that the Traffic Division consists of four judges elected to the Traffic Court prior to the effective date of Act 17 and also that if a vacancy occurs in Traffic Division, it shall not be filled. Act 17 further provides that the Traffic Court of Philadelphia is composed of two judges serving on the court on the effective date of the Act and whose terms expire on December 31, 2017. See 42 Pa.C.S. § 1321. Sections 1121(a)(2) and 1321 expire when Traffic Court is officially abolished by amendment of the Pennsylvania Constitution or on January 1, 2018, whichever date occurs later. Consequently, this Rule will expire on January 1, 2018, when the terms end for the remaining judges elected to the Traffic Court of Philadelphia and assigned to the Philadelphia Municipal Court Traffic Division.

**Rule 605. Supervision of magisterial district courts by president judges.**

(A) The president judge of the court of common pleas of a judicial district shall exercise general supervision and administrative authority over magisterial district courts within the judicial district.

(B) The president judge's administrative authority over magisterial district courts within the judicial district includes but is not limited to, and shall be governed by, the following:

(1) *Records*—The president judge may designate a person to maintain personnel and other records in such form as directed by the president judge or required by general or local rule.

(2) *Meetings with Magisterial District Judges*—The president judge may require the attendance of magisterial district judges in the judicial district, individually or collectively, at meetings with the president judge or his or her representative.

(3) *Staff in the Magisterial District Courts*—

(a) Except where minimum job qualifications for staff in magisterial district courts are prescribed by the Supreme Court of Pennsylvania, the president judge may prescribe minimum job qualifications for staff in the magisterial district courts in the judicial district.

(b) The president judge may establish a classification system and job descriptions for all authorized staff in the magisterial district courts in the judicial district. The president judge may establish general procedures regarding the hiring, firing, supervision, and discipline of all authorized staff in the magisterial district courts in the judicial district.

(c) Subject to subparagraphs (a) and (b) above, magisterial district judges

(i) shall be responsible for the management of authorized staff in his or her court;

(ii) shall assign work among authorized staff in his or her court, and;

(iii) may select one authorized staff member as personal staff.

(d) In the interest of efficient administration of the judicial district, the president judge may

(i) transfer or reassign a staff member, other than personal staff who may be transferred or reassigned only with the consent of the magisterial district judge, from one magisterial district court in the judicial district to another, and;

(ii) hire and assign, as appropriate, temporary or floater staff.

(e) The president judge may establish a system of performance evaluation for staff in the magisterial district courts in the judicial district.

(f) The president judge may prescribe initial and ongoing training for staff in the magisterial district courts in the judicial district.

(4) *Magisterial District Judge Leave: Coverage During Leave*—

(a) The president judge may coordinate leave for magisterial district judges in the judicial district to assure access to justice and judicial resources.

(b) Subject to the provisions of subparagraph (a) above, magisterial district judges shall enjoy autonomy with respect to choosing when to take leave, subject to reasonable coordination by the president judge with the schedules of the other magisterial district judges in the judicial district.

(5) *Office hours*—In consultation with the magisterial district judges, the president judge may designate the ordinary hours of magisterial district courts in the judicial district in accordance with Rule 103 of the Rules and Standards with Respect to Offices of Magisterial District Judges and the efficient administration of justice.

(6) *Temporary Assignments: Transfer of Cases*—In consultation with the affected magisterial district judge(s), the president judge may order temporary assignments of magisterial district judges or reassignment of cases or certain classes of cases to other magisterial districts within the judicial district or to central courts within the judicial district.

(7) *Conduct of Magisterial District Judges*—When a complaint is received with respect to the conduct of a magisterial district judge, the president judge may, in his or her discretion, review the matter with the affected magisterial district judge and take any action the president judge deems appropriate to assure the efficient administration of justice including, where warranted, informing the appropriate disciplinary authority. Contemporaneous notice of any such action taken by the president judge resulting in reassignment of cases or otherwise affecting the duties of the magisterial district judge shall be given to the Supreme Court of Pennsylvania and the Court Administrator of Pennsylvania.

(8) *Procedural Audits*—The president judge may direct that procedural audits of a magisterial district court be conducted to assure compliance with general and local rules, administrative policies and procedures, and the clerical procedures adopted by the Administrative Office of Pennsylvania Courts for management of cases in the

Magisterial District Judge System. Such procedural audits shall be separate from the fiscal audits conducted by the county controller or state Auditor General which shall be limited in scope to the accounts of the magisterial district judge. Such procedural audits may be conducted by the district court administrator, an outside independent auditor, or such other person as the president judge may designate.

**Official Note:** The text of this rule is taken from Rule 17 of the Rules Governing Standards of Conduct for Magisterial District Judges, rescinded March 26, 2015, effective immediately.

This rule recognizes that magisterial district judges are the judicial officials charged with the legal and administrative responsibilities within their respective magisterial districts. Designed to further the efficient and effective administration of justice in the unified judicial system, this Rule contemplates a cooperative approach to the administration of the magisterial district courts, acknowledging judicial independence and the supervisory role of the president judges.

Rule 17 was amended in 2003 to more specifically outline the authority, powers, and responsibilities of the president judges with regard to management of the magisterial district judge system. In so doing, however, it was not intended that this be an exclusive list of powers and responsibilities, nor was it intended to limit the president judges' authority to the areas listed. Given the diverse needs of judicial districts throughout Pennsylvania, how president judges exercise this authority will recognizably be varied. In general, president judges have broad authority with regard to management of the magisterial district courts, but it seemed advisable that certain areas of authority and responsibility be specifically defined.

With regard to paragraph (B)(2), president judges or their representatives are encouraged to meet regularly with the magisterial district judges in the judicial district to foster and maintain open lines of communication regarding the management of the magisterial district judge system.

The term "authorized staff" as used in this Rule means staff positions that have been approved, funded, and hired in accordance with all applicable personnel policies and procedures.

Paragraphs (B)(3)(c) and (B)(4)(b) limit the president judges' authority in certain areas that are within the magisterial district judges' discretion. With regard to paragraph (B)(3)(c), see 42 Pa.C.S. §§ 102 and 2301(a)(1), and Canon 2, Rules 2.3(B), 2.8(B), 2.9(A)(3) and (D), 2.10(C), 2.12 and 2.13 of the Rules Governing Standards of Conduct of Magisterial District Judges. With regard to paragraph (B)(4)(b), see Canon 2, Rules 2.1 and 2.5, and Canon 3, Rules 3.1(A), 3.7(A)—(B), 3.8, 3.9, and 3.11(C) of the Rules Governing Standards of Conduct of Magisterial District Judges.

Paragraph (B)(3)(d)(i) gives president judges authority to transfer or reassign magisterial district court staff as needed, except for personal staff as provided in paragraph (B)(3)(c), who may be transferred or reassigned only with the consent of the affected magisterial district judge. It is contemplated that president judges would consult with and give sufficient notice to the affected magisterial district judges before making transfers.



Nothing in paragraph (B)(3)(f) is intended to circumvent any training program established or required by the Supreme Court of Pennsylvania or the Court Administrator of Pennsylvania.

As to paragraph (B)(6), compare Pa.R.Crim.P. 131(B), relating to central locations for preliminary hearings and summary trials. In addition, if the judicial district is part of a regional administrative unit, magisterial district judges may be assigned to any other judicial district in the unit. See Rule 701(E).

Nothing in paragraph (B)(7) is intended to contradict or circumvent the constitutionally established process for the suspension, removal, and discipline of magisterial district judges. See Pa. Const. art. V § 18; see also 207 Pa. Code Part III (Judicial Conduct Board Rules of Procedure) and Part IV (Court of Judicial Discipline Rules of Procedure). President judges do not have authority to suspend or discipline magisterial district judges.

**Rule 606. Transfer of dockets and other papers.**

(a) Upon the expiration of his or her term of office, the effective date of his or her resignation or removal from office, or upon his or her abandonment of the office or its duties, a magisterial district judge shall deliver all dockets and other official or like papers to the magisterial office established for the magisterial district in which the former or inactive magisterial district judge maintained his or her residence.

(b) If a magisterial district judge dies in office, his or her personal representatives shall make any delivery required under paragraph (a) of this rule.

**Official Note:** The text of this rule is derived from Rule 16 of the Rules Governing Standards of Conduct of Magisterial District Judges, rescinded March 26, 2015, effective immediately.

**Rule 607. Acts of assembly suspended.**

All Acts of Assembly or parts thereof inconsistent with Rules 601 through 606 of the Rules of Judicial Administration are suspended to the extent of such inconsistency.

**Official Note:** The text of this rule is derived from Rule 81 of the Rules Governing Standards of Conduct of Magisterial District Judges, rescinded March 26, 2015, effective immediately.

**TITLE 207. JUDICIAL CONDUCT**

**PART II. CONDUCT STANDARDS**

**CHAPTER 51. STANDARDS OF CONDUCT OF  
MAGISTERIAL DISTRICT JUDGES**

*(Editor's Note:* Rules 16—22 and 81 of the Rules Governing Standards of Conduct of Magisterial District Judges, which appear in 207 Pa. Code pages 51-39—51-45, serial pages (373735) to (373741), are reserved.)

**Rules 16—22. (Reserved).**

**Rule 81. (Reserved).**

[Pa.B. Doc. No. 15-657. Filed for public inspection April 10, 2015, 9:00 a.m.]

**PART II. CONDUCT STANDARDS**

**[ 207 PA. CODE CH. 33 ]**

**Formal Opinion 2015-1**

Notice is hereby given that the Ethics Committee of the Pennsylvania Conference of State Trial Judges has superseded Formal Opinion 98-1 Letters of Reference and has replaced it with Formal Opinion 2015-1 Letters of Reference which is set forth as follows.

EDWARD D. REIBMAN,

*Chairperson*

*Ethics Committee*

*Pennsylvania Conference of State Trial Judges*

**Annex A**

**TITLE 207. JUDICIAL CONDUCT**

**PART II. CONDUCT STANDARDS**

**CHAPTER 33. CODE OF JUDICIAL CONDUCT**

**Subchapter B. FORMAL OPINIONS**

**§ 15-1. Letters of Reference.**

The Ethics Committee of the Pennsylvania Conference of State Trial Judges (“the Committee”) regularly receives inquiries regarding the propriety of sending letters of reference and other similar communications. Because of the frequency of such inquiries, the Committee issued Formal Opinions 93-1 and 98-1 to provide guidance to judicial officers subject to the Code of Judicial Conduct with respect to such matters. By Order of the Supreme Court of Pennsylvania a new code of Judicial Conduct became effective July 1, 2014 (“New Code”). The Committee issues this Formal Opinion to bring its advice in conformity with the New Code, and it supersedes Formal Opinions 93-1 and 98-1.

Under the New Code the overarching principle embodied in Canon 1 is now mandatory. Therefore, as with any inquiry, a judge’s analysis of what conduct is or is not prohibited commences with the application of Canon 1 to the conduct.

Canon 1 of the Code of Judicial Conduct provides that:

A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

The Committee has recognized, as have other advisory bodies on judicial conduct throughout the country, that judges are sometimes requested to write letters of reference or similar communications on behalf of persons with whom the judge is familiar. New Rule 1.3 and Comment 2 thereto specifically address letters of reference and provide:

**Rule 1.3**

*Avoiding Abuse of the Prestige of Judicial Office*

A judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.

*Comment 2*

A judge may provide a reference or recommendation for an individual based upon the judge’s personal knowledge. The judge may use official letterhead if the judge indicates that the reference is personal and if there is no likelihood that the use of the letterhead would reasonably be perceived as an attempt to exert pressure by reasons of the judicial office.

In order to bring consistency to our decisions in this regard and provide guidance to judicial officers subject to the New Code, the Committee has adopted the following guidelines with regard to writing letters of reference:

(1) A judge should never write a letter of reference for a person he or she does not personally know.

(2) A judge may write a letter of reference if it is the type of letter that would be written in the ordinary course of business (e.g., a court employee seeking a reference with regard to the employee's work history) or a judge's personal relationship. The letter should include a statement of the source and extent of the judge's personal knowledge.

(3) The letter should ordinarily be addressed and mailed directly to the person or entity for whose information it is being written. On the other hand, if the judge is concerned that a letter addressed to a particular person or entity might be construed as the judge attempting to exert pressure by reason of the judicial office, e.g., in the case of a personal employee of the judge, such as a law clerk, who is seeking other employment, particularly with a lawyer or law firm before the court, the more general address and salutation of "To Whom It May Concern" may be used. Otherwise, the "blank check" letter "To Whom It May Concern" should be avoided as it can be abused more easily by being shopped around indiscriminately and beyond the judge's knowledge or control more so than a letter addressed to a particular person. If the law clerk is still employed by the Court, the law clerk must comply with Rules 1.11(d) and 1.12(b) of the Rules of Professional Conduct and advise the judge if the clerk is seeking employment with any lawyer or firm appearing in front of the judge. The judge will have to determine whether it is advisable to make a recommendation under those circumstances, but the better course would be to wait until the pending matter has concluded.

(4) Letters of reference may be written by a judge for someone whom the judge knows personally and not professionally, such as a relative or close friend, if they are the type that the judge would normally be requested to write as a result of the judge's personal relationship. The relationship should be such that the judge ordinarily would be disqualified from hearing that person's case.

(5) Any letter that may be written by a judge may be written on official stationery as permitted by Rule 1.3, Comment (2).

(6) The letter of reference may not be written if the judge has reason to believe the letter may be used for purposes of litigation.

(7) These guidelines are not intended to contravene Rule 1701(e) of the Rules of Judicial Administration, which remains in effect and provides: "No judge or magisterial district judge shall testify voluntarily as a character witness."

To summarize, letters of reference may be written by a judge if they are of the type that would be written in the ordinary course of business or personal relationships. A judge must take care, however, to be sure that a person with an insubstantial relationship to him or her is not attempting to use the judge's office to advance personal interests.

This Formal Opinion is intended to provide judicial officers subject to the New Code with broad guidance regarding one of the Committee's most frequent areas of inquiry. Judicial officers are reminded that to enjoy the rule of reliance on the Committee's advice, they should

make a written request for advice from the Committee tailored to the particular situation confronted. If a judicial officer subject to the Code has a question concerning the application of these guidelines, he or she should make a specific, written request for advice from a member of the Committee. The New Code provides that, although such opinions are not *per se* binding on the Judicial Conduct Board, the Court of Judicial Discipline, or the Supreme Court of Pennsylvania, action taken in reliance thereon shall be considered in determining whether discipline should be recommended or imposed.

[Pa.B. Doc. No. 15-658. Filed for public inspection April 10, 2015, 9:00 a.m.]

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

#### [ 231 PA. CODE CH. 1910 ]

#### Order Amending Rule 1910.16-6 of the Rules of Civil Procedure; No. 620 Civil Procedural Rules Doc.

#### Amended Order

#### *Per Curiam*

*And Now*, this 12th day of March, 2015, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been published for public comment in the *Pennsylvania Bulletin*, 44 Pa.B. 4340 (July 12, 2014):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1910.16-6 of the Pennsylvania Rules of Civil Procedure is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days on April 11, 2015.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 1910. ACTIONS FOR SUPPORT

#### Rule 1910.16-6. Support Guidelines. Adjustments to the Basic Support Obligation. Allocation of Additional Expenses.

Additional expenses permitted pursuant to this Rule 1910.16-6 may be allocated between the parties even if the parties' incomes do not justify an order of basic support.

\* \* \* \* \*

#### (b) *Health Insurance Premiums.*

(1) A party's payment of a premium to provide health insurance coverage on behalf of the other party and/or the children shall be allocated between the parties in proportion to their net incomes, including the portion of the premium attributable to the party who is paying it, as long as a statutory duty of support is owed to the party who is paying the premium. If there is no statutory duty of support owed to the party who is paying the premium, the portion attributable to that person must be deducted



from the premium as set forth in subdivision (2) below. **[ Premiums paid by a party to whom no duty of support is owed to cover himself or herself only and that are not necessary to cover the other party or a child as part of a support order shall not be apportioned between the parties. ]** If, prior to the entry of a divorce decree, a party's policy covers that party, a child and a spouse and the spouse has separate additional coverage not needed to cover the child and/or the other party, the cost of the spouse's insurance premium shall not be allocated between the parties. If, prior to the entry of a divorce decree, a party provides coverage for that party and a child, but not the spouse, and the spouse has separate coverage, both parties' premiums shall be allocated between the parties in proportion to their respective incomes. If, prior to the entry of a divorce decree, each spouse has his or her own health insurance that does not cover the other party, and there are no children subject to the order, the cost of both parties' premiums shall be allocated between the parties in proportion to their respective incomes. If health insurance coverage for a child who is the subject of the support proceeding is being provided and paid for by a third party resident of either party's household, the cost shall be allocated between the parties in proportion to their net incomes. If the obligor is paying the premium, then the obligee's share is deducted from the obligor's basic support obligation. If the obligee is paying the premium, then the obligor's share is added to his or her basic support obligation. Employer-paid premiums are not subject to allocation.

\* \* \* \* \*

(3) Pursuant to 23 Pa.C.S. § 4326(a), in every support proceeding, the court must ascertain each parent's ability to provide medical support for the parties' children and the support "order shall include a requirement for medical support to be provided by either or both parents, provided that such medical support is accessible to the children."

(i) The **[ non-custodial parent ] obligor** bears the initial responsibility of providing health care coverage for the children if it is available at a reasonable cost. "Reasonable cost" to an obligor shall be defined as an amount that does not exceed 5% of the obligor's net monthly income and, when added to the amount of basic child support plus additional expenses the obligor is ordered to pay, does not exceed 50% of the obligor's net monthly income. **If the obligee is providing the coverage, the reasonable amount of the obligor's share shall be defined as an amount that does not exceed 5% of the obligor's net monthly income and, when added to the amount of basic child support plus additional expenses the obligor is ordered to pay, does not exceed 50% of the obligor's net monthly income.**

\* \* \* \* \*

(c) *Unreimbursed Medical Expenses.* Unreimbursed medical expenses of the obligee or the children shall be allocated between the parties in proportion to their respective net incomes. Notwithstanding the prior sentence, there shall be no apportionment of unreimbursed medical expenses incurred by a party who is not owed a statutory duty of support by the other party. The court may direct that the obligor's share be added to his or her basic support obligation, or paid directly to the obligee or to the health care provider.

(1) For purposes of this subdivision, medical expenses are annual unreimbursed medical expenses in excess of \$250 per person. Medical expenses include insurance co-payments and deductibles and all expenses incurred for reasonably necessary medical services and supplies, including but not limited to surgical, dental and optical services, and orthodontia. Medical expenses do not include cosmetic, chiropractic, psychiatric, psychological or other services unless specifically directed in the order of court.

**Official Note:** While cosmetic, chiropractic, psychiatric, psychological or other expenses are not required to be apportioned between the parties, the court may apportion such expenses that it determines to be reasonable and appropriate under the circumstances.

(2) An annual limitation may be imposed when the burden on the obligor would otherwise be excessive.

(3) Annual expenses pursuant to this subdivision (c), shall be calculated on a calendar year basis. In the year in which the initial support order is entered, or in any period in which support is being paid that is less than a full year, the \$250 threshold shall be pro-rated. Documentation of unreimbursed medical expenses that either party seeks to have allocated between the parties shall be provided to the other party not later than March 31 of the year following the calendar year in which the final bill was received by the party seeking allocation. For purposes of subsequent enforcement, unreimbursed medical bills need not be submitted to the domestic relations section prior to March 31. Allocation of unreimbursed medical expenses for which documentation is not timely provided to the other party shall be within the discretion of the court.

**(4) If the trier of fact determines that out-of-network medical expenses were not obtained due to medical emergency or other compelling factors, the court may decline to assess any of such expenses against the other party.**

**[ (4) ] (5)** In cases involving only spousal support or alimony pendente lite, the parties' respective net incomes for purposes of allocating unreimbursed medical expenses shall be calculated after the amount of spousal support or alimony pendente lite is deducted from the obligor's income and added to the obligee's income.

\* \* \* \* \*

[Pa.B. Doc. No. 15-659. Filed for public inspection April 10, 2015, 9:00 a.m.]

**PART I. GENERAL**

**[ 231 PA. CODE CH. 200 ]**

**Proposed Reinstatement and Amendment of Pa.R.C.P. No. 230.2**

The Civil Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the reinstatement and amendment of Pa.R.C.P. No. 230.2 governing termination of inactive cases, for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of

those using the rules. They will neither constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Karla M. Shultz, Counsel  
Civil Procedural Rules Committee  
Supreme Court of Pennsylvania  
Pennsylvania Judicial Center  
PO Box 62635  
Harrisburg, PA 17106-2635  
FAX: 717-231-9526  
civilrules@pacourts.us

All communications in reference to the proposal should be received by May 29, 2015. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Civil Procedural  
Rules Committee*

PETER J. HOFFMAN,  
*Chair*

### Annex A

## TITLE 231. RULES OF CIVIL PROCEDURE

### PART I. GENERAL

#### CHAPTER 200. BUSINESS OF COURTS

##### Rule 230.2. Termination of Inactive Cases.

(a) **[ The court may ] At least once a year, the court shall initiate proceedings to terminate [ a case ] cases in which there has been no activity of record for two years or more [ by serving a notice of proposed dismissal of court case ], and shall report such information to the Court Administrator of Pennsylvania on a form supplied by the Administrative Office of Pennsylvania Courts or in such format as requested from time to time by the Administrative Office of Pennsylvania Courts.**

**Official Note:** This rule provides an administrative method for the termination of inactive cases.

(b)(1) **[ The ] For each case identified pursuant to subdivision (a), the court shall serve [ the notice ] a notice of proposed termination on counsel of record, and on the parties if not represented, [ sixty ] thirty days prior to the date of the proposed termination. The notice shall contain the date of the proposed termination and the procedure to avoid termination.**

(2) The notice shall be served **[ by mail ] electronically pursuant to Rule 205.4(g)(1), or pursuant to Rule 440 on counsel of record and on the parties, if not represented, at the last address of record. [ If the mailed notice is returned, the notice shall be served by advertising it in the legal publication, if any, designated by the court for the publication of legal notices or in one newspaper of general circulation within the county. ]**

**Official Note:** If the notice mailed to an attorney is returned by the postal service, the prothonotary should check **[ a legal directory or contact the Administra-**

**tive Office of Pennsylvania Courts ] the website of the Disciplinary Board of the Supreme Court of Pennsylvania, www.padisiplinaryboard.org, for a current address. [ Otherwise, publication in the legal newspaper or a newspaper of general circulation within the county is required under this rule if the mailed notice is returned. ]**

See subdivision **[ (e) ] (f)** for the form of notice.

(c) If no statement of intention to proceed has been filed **on or before the date of the proposed termination**, the prothonotary shall enter an order as of course terminating the matter **[ with prejudice ]** for failure to prosecute.

**Official Note:** The prothonotary may not enter an order terminating the action until more than **[ sixty ] thirty** days after service of the notice of proposed termination.

A court officer may certify to the prothonotary those matters which have been inactive and in which no statement of intention to proceed has been filed.

(d)(1) If an action has been terminated pursuant to this rule, an aggrieved party may petition the court to reinstate the action.

(2) If the petition is filed within **[ thirty ] sixty** days after the entry of the order of termination on the docket, the court shall grant the petition and reinstate the action.

**Official Note:** The provision under subdivision (d)(2) for filing a petition within **[ thirty ] sixty** days is not intended to set a standard for timeliness in proceedings outside this rule.

(3) If the petition is filed more than **[ thirty ] sixty** days after the entry of the order of termination on the docket, the court shall grant the petition and reinstate the action upon a showing that

(i) the petition was timely filed following the entry of the order for termination and

(ii) there is a reasonable explanation or a legitimate excuse for the failure to file both

(A) the statement of intention to proceed prior to the entry of the order of termination on the docket and,

(B) the petition to reinstate the action within **[ thirty ] sixty** days after the entry of the order of termination on the docket.

**Official Note:** The provision under subdivision (d)(2) for filing a petition within **[ thirty ] sixty** days of the entry of the order of termination on the docket is not a standard of timeliness. Rather, the filing of the petition during that time period eliminates the need to make the showing otherwise required by subdivision (d)(3).

**(e) Any case which is reinstated pursuant to subdivision (d) shall be subject to termination with prejudice upon a subsequent termination pursuant to subdivision (a). No subsequent reinstatements will be granted.**

**[ (e) ] (f)** The notice required by subdivision (b) shall be in the following form:

(Caption)

#### NOTICE OF PROPOSED TERMINATION OF COURT CASE

The court intends to terminate this case without further notice because the docket shows no activity in the case for at least two years.

You may stop the court from terminating the case by filing a Statement of Intention to Proceed. The Statement of Intention to Proceed should be filed with the Prothonotary of the Court at

\_\_\_\_\_ Address  
 on or before \_\_\_\_\_ .  
 Date

**IF YOU FAIL TO FILE THE REQUIRED STATEMENT OF INTENTION TO PROCEED, THE CASE WILL BE TERMINATED BY THE PROTHONOTARY WITHOUT FURTHER NOTICE.**

BY THE COURT;

\_\_\_\_\_ Date of this Notice \_\_\_\_\_ Officer

**[ (f) The Statement of Intention to Proceed shall be in the following form: ]**

**(g) The statement of intention to proceed shall be in the following form:**

(Caption)

Statement of Intention to Proceed

To the Court:

\_\_\_\_\_ intends to proceed with the above captioned matter.

Date: \_\_\_\_\_  
 \_\_\_\_\_ Attorney for \_\_\_\_\_

**(h) Upon receipt of a statement of intention to proceed, the court may schedule a status conference and establish appropriate timelines to insure a timely and efficient disposition of the case.**

**EXPLANATORY COMMENT**

In 2014, the Supreme Court of Pennsylvania made efforts to reduce the inventory of civil cases on the dockets of the Courts of Common Pleas. To expedite that process, it suspended Rule 230.2 governing the termination of inactive cases. Originally adopted in 2003, Rule 230.2 implemented the general policy provisions of Rule of Judicial Administration 1901(a) governing the prompt disposition of matters and the termination of inactive cases. While Pa.R.J.A. No. 1901(a) provided general guidelines for conducting an administrative purge, Rule 230.2 set forth a procedural mechanism for a court to perform an administrative purge of cases that had remained on the civil docket for two or more years with no evidence of any activity.

The Civil Procedural Rules Committee has reviewed suspended Rule 230.2 and is proposing amendments intended to ensure that the civil dockets reflect the current inventory of active cases and to encourage attorneys to expeditiously litigate their cases. The proposed amendments will streamline the procedure for the trial court to conduct an administrative purge of inactive cases.

Several concerns with Rule 230.2 were identified. The rule did not specify how often a court should conduct an administrative purge; it only provided a procedure should a court decide to conduct an administrative purge. In order to ensure that the civil case inventory is accurate, the proposed amendment in subdivision (a) will require a court to conduct an administrative purge at least once a year. The court will also be required to report such

information to the Court Administrator of Pennsylvania with a form supplied by the Administrative Office of Pennsylvania Courts.

A second problem identified with Rule 230.2 was the provision for service of the notice of proposed termination in subdivision (b). In subdivision (b)(1), the rule required service of the notice of proposed termination on counsel of record or unrepresented parties at least sixty days prior to the date of termination. To expedite the process, the proposed amendment to subdivision (b)(1) will shorten that time frame and require the notice to be served to at least thirty days prior to the date of termination.

The suspended rule did not provide for modern, efficient methods for giving notice to counsel or unrepresented parties that cases were identified as having no activity on the docket for the previous two years. Subdivision (b)(2) provided for the notice to be served by mail pursuant to Rule 440 at the last address of record. In the event that the notice was returned, publication was required in the legal publication designated by the court for such notices. In conjunction with the shortened time frame in subdivision (b)(1), the proposed amendment of subdivision (b)(2) will update the method for giving notice by allowing the notice to be served electronically pursuant to Rule 205.4 governing electronic filing. The ability to serve notice by mail pursuant to Rule 440 is retained, but publication in the legal journal when a notice has been returned has been eliminated.

A third problem identified with Rule 230.2 was the filing of statements of intention to proceed in order to keep a case active, but then not requiring any further obligation on counsel or an unrepresented party to move the case forward to resolution. Subdivision (c) of the suspended rule required an attorney or unrepresented party to file a statement of intention to proceed before the termination date stated in the notice in order to prevent the purging of the case from the docket. If no statement of intention to proceed was filed, the prothonotary was directed to enter an order terminating the matter for failure to prosecute. In the proposal, this provision has been retained. However, new subdivision (h) will encourage the trial court to manage its cases by scheduling a status conference and establishing appropriate timelines to insure a timely and efficient disposition of the case.

Importantly, the proposed amendment of Rule 230.2 will retain its post-termination procedure set forth in subdivision (d), which allows a party to petition the court to reinstate the action. The suspended rule provided certain requirements for reinstatement depending whether the petition is filed within thirty days or beyond thirty days. While the requirements remain unchanged, subdivision (d) will be amended to provide for sixty days rather than thirty days. New subdivision (e), however, will limit reinstatements of a case. If any case, previously reinstated, is terminated pursuant to this rule it would be terminated with prejudice. No additional reinstatements would be granted. This provision is intended to encourage the efficient litigation of cases and not let them languish on the docket.

*By the Civil Procedural Rules Committee*

PETER J. HOFFMAN,  
*Chair*

[Pa.B. Doc. No. 15-660. Filed for public inspection April 10, 2015, 9:00 a.m.]



# Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CH. 4 ]

## Proposed Amendments of Rule 452

The Criminal Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the amendment of Rule 452 (Collateral), for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They neither will constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

Jeffrey M. Wasileski, Counsel  
Supreme Court of Pennsylvania  
Criminal Procedural Rules Committee  
601 Commonwealth Avenue, Suite 6200  
Harrisburg, PA 17106-2635  
fax: (717) 231-9521  
e-mail: criminalrules@pacourts.us

All communications in reference to the proposal should be received by no later than Friday, May 29, 2015. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

*By the Criminal Procedural  
Rules Committee*

PAUL M. YATRON,  
*Chair*

### Annex A

#### TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 4. PROCEDURES IN SUMMARY CASES

##### PART E. General Procedures in Summary Cases Rule 452. Collateral.

(A) The issuing authority shall fix the amount of collateral, if any, to be deposited to insure a defendant's appearance at the summary trial, which amount shall not exceed the full amount of the fine and costs.

(B) The collateral deposited shall be in United States currency or a cash equivalent.

(C) The collateral deposited may be forfeited after conviction at the summary trial and applied to payment of the fine [ and ], costs, and restitution.

#### Comment

The term "collateral" is intended to convey the dual purpose of the amount of money that is deposited. First, the amount deposited is used as bail to secure the defendant's appearance at the summary trial. Second, the amount deposited is used as security, and may be forfeited in the event of a conviction to satisfy any fine [ and ], costs, and restitution.

A defendant may not be penalized or denied a hearing because he or she cannot pay the full amount of the fine and costs as collateral.

Although this rule permits an issuing authority to fix collateral in an amount up to the full amount of fine and costs the issuing authority is not required to fix collateral or any particular amount of collateral, and may set an amount less than the fine and costs. The issuing authority may also release the defendant on recognizance when the issuing authority has reasonable grounds to believe that the defendant will appear or the defendant is without adequate resources to deposit collateral. To request a lower amount of collateral or to be released on recognizance, the defendant must appear personally before the issuing authority to enter a plea, as provided in Rules 408, 413, and 423.

For the purpose of paragraph (B), any guaranteed arrest bond certificate issued by an automobile club or association pursuant to 40 P.S. § 837 (1959) would constitute a "cash equivalent."

**Paragraph (C) was amended in 2015 to clarify that collateral may be forfeited for the payment of restitution as well as for the fine and costs that have been assessed by an issuing authority. See 18 Pa.C.S. § 1106(d) for the authority of a magisterial district judge to impose restitution on a defendant.**

**Official Note:** Rule 81 adopted July 12, 1985, effective January 1, 1986; effective date extended to July 1, 1986; Comment revised February 1, 1989, effective July 1, 1989; Comment revised May 14, 1999, effective July 1, 1999; renumbered Rule 452 and Comment revised March 1, 2000, effective April 1, 2001; **amended** , **2015**, **effective** , **2015**.

#### *Committee Explanatory Reports:*

Final Report explaining the May 14, 1999 Comment revisions published with the Court's Order at 29 Pa.B. 2775 (May 29, 1999).

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).

**Report explaining the proposed addition of "restitution" to the list of items for which collateral may be forfeited after conviction published for comment at 45 Pa.B. 1846 (April 11, 2015).**

#### REPORT

##### *Proposed Amendments to Pa.R.Crim.P. 452*

##### **Collateral Retained for Restitution in Summary Cases**

Retention of summary case collateral has long been permitted under Rule 452(C) which states, "The collateral deposited may be forfeited after conviction at the summary trial and applied to payment of the fine and costs." Recently, the Committee has been presented with the question of whether collateral that had been previously set could be similarly applied to pay restitution awarded in summary cases. This question was prompted by the Court's recent adoption of amendments to Rule 528 (Monetary Condition for Release of Bail) and Rule 535 (Receipt for Deposit; Return of Deposit) that provided procedures in court cases for applying bail that would be otherwise returnable to case assessments including restitution. The suggestion was made to amend Rule 452 to include specific mention of restitution.

The language regarding forfeiture of collateral has been in Rule 452 (then Rule 81) since it was first adopted in

1985. It appears that this provision developed in consideration of the traditional summary citation case, usually involving traffic offenses, where the defendant is permitted to post collateral for a fixed fine and costs while awaiting the summary trial. This collateral then could be applied to the fine and costs if the defendant failed to appear or could be applied directly if the defendant were convicted. In these types of cases, restitution was rarely awarded. However, in developing the rule, the Committee does not appear to have considered other summary cases, such as non-traffic offenses, where there is no fixed fine and restitution can be a factor in the potential sentence.

Additionally, at the time, there was a question among some issuing authorities of their power to impose restitution as part of a summary sentence. Certainly, if there was previously a question on the authority of MDJs to award restitution, that has been addressed statutorily in paragraph (d) of Section 1106 of Title 18, the general restitution provision. Furthermore, the summary case rules contain numerous references to the award of restitution in summary cases. For example, Rule 403 (Contents of Citation), while not requiring restitution to be listed on the citation, contains Comment language making passing reference to the award of restitution as part of a summary sentence. Similarly, Rule 462 (Trial *De Novo*) references restitution as part of the sentence.

Furthermore, based on anecdotal reports, the collection of restitution by magisterial district judges in summary cases appears to have been a long-standing practice, particularly in non-traffic summaries such as criminal mischief, bad checks, retail theft and other crimes where there may have been loss of property or damages.

The allowance under Rule 452(C) that collateral may be forfeited to be applied to case assessments was, until recently, one of the major differences between summary collateral and court case bail. As noted in the Comment to Rule 452, collateral has a dual purpose as bail to secure the defendant's appearance at the summary trial, and as security for the payment of fines and costs. With the Court's recent approval of the changes to Rules 528 and 535 which permits returnable bail money to be retained to pay case assessments, that distinction has become less pronounced.

The Committee has concluded that there is not a compelling reason why collateral should not be used to satisfy restitution. Furthermore, it is inconsistent to permit the application of bail money to restitution in court cases but not collateral for restitution in summary cases. This is especially compelling in light of the Committee's recent examination of procedures to enhance the collection of restitution in court cases.<sup>1</sup>

Therefore, the proposed rule change would add the word "restitution" to the list of assessments to which collateral may be applied. Comment language would provide some additional detail including a cross-reference to the statutory authority for awarding restitution.

[Pa.B. Doc. No. 15-661. Filed for public inspection April 10, 2015, 9:00 a.m.]

<sup>1</sup> See 44 Pa.B. 2369 (April 19, 2014), that contains the Committee's proposal for new Rule 705.1 (Restitution), amendment of Rule 454 (Trial in Summary Cases), and revision of the Comments to Rules 455 (Trial in Defendant's Absence) and 704 (Procedure at Time of Sentencing) to standardize the procedures by which restitution is awarded in criminal cases.

## Title 25—LOCAL COURT RULES

### BUCKS COUNTY

#### Rescission of Rule of Criminal Procedure 4007\*(e)(2) and Promulgation of Rule of Criminal Procedure 535(G), (H), (I) and (J); AD-1-2015

##### Order

And Now, this 25th day of March, 2015, it is hereby Ordered and Decreed that Bucks County Rule of Criminal Procedure 4007\*(e) is rescinded and Bucks County Rule of Criminal Procedure 535(G), (H), (I) and (J) is promulgated as follows:

(G) *Authorization for Cash Bail.* A Magisterial District Judge shall allow, and the court may allow, defendants charged with a crime or crimes to furnish as bail with the Magisterial District Judge or clerk of court a sum of money in U.S. currency equal to 10 percent of the full amount of the bail fixed by the Magisterial District Judge or the Court. The Magisterial District Judge or the Court may require a third person to act as surety and may require the surety, as well as the defendant, to execute the required bail bond. The sum of money may be furnished by the defendant or by a third party, and the bail bond shall disclose who furnished the money. No surety company or professional bail bondsman, or agent thereof, shall act as third party surety under the provisions of this Rule. In the event a member of law enforcement is selected to act as surety, he or she will not be obligated to pay any sums of money in the event of bail forfeiture.

(H) When the conditions of the bail bond have been performed and the accused has been discharged from all obligations of the bail bond, the Clerk of Courts shall return the amount deposited less the balance to be retained by the Clerk of Courts as administrative costs, which shall be one hundred dollars (\$100.00). If the amount deposited is less than one hundred dollars (\$100.00), the Clerk of Courts shall retain as administrative costs the amount deposited with no balance to be refunded. The monies retained by the Court shall be considered as earned at the time the bail undertaking is executed. The retention fee withheld by the Magisterial District Judge or by the Clerk of Courts shall be for the use of the County and shall be received and accounted for by the Clerk of Courts. The retention fee withheld by the Magisterial District Judge shall be forwarded immediately to the Clerk of Courts upon receipt.

(I) In addition to the provisions of Pa.R.Cr.P. No. 535(E), if the Court orders the defendant to pay the fine and the costs of prosecution, the balance of the amount deposited pursuant to Section (G) above by the defendant or surety, if any, may be applied to the payment of said fine and costs upon written authorization of the depositor.

(J) Upon authorization in writing of the party who furnished the deposit, the Court or its designee may order whatever amount is repayable from such deposit to be paid as the depositor directs.

This Order shall be effective April 1, 2015.

By the Court

HONORABLE JEFFREY L. FINLEY,  
President Judge

[Pa.B. Doc. No. 15-662. Filed for public inspection April 10, 2015, 9:00 a.m.]



## CHESTER COUNTY

**Arrest Warrant Procedures in Juvenile Delinquency Cases and Designation of Issuing Authorities; Administrative Regulation No. 2-2015**

*And Now*, this 20th day of March, 2015, pursuant to Pennsylvania Rules of Juvenile Court Procedure Nos. 121 and 210.A, and consistent with prior Chester County Court of Common Pleas Administrative Regulation Nos. 1-2006 and 10-2010, it is hereby *Ordered* and *Decreed* that juvenile court local rule L-210.A shall be rescinded in its entirety and replaced in its entirety by the following, also numbered juvenile court local rule L-210.A.

All magisterial district judges of Chester County (Fifteenth Judicial District) are hereby designated as issuing authorities for arrest warrants for juveniles in delinquency cases.

Applications for Chester County juvenile arrest warrants made pursuant to Pa.R.J.C.P. 210.A, with approval of an attorney for the Commonwealth pursuant to Pa.R.J.C.P. 210.B and 231.B when required, shall be submitted to the local magisterial district judge during business hours and to the "on-call" magisterial district judge after business hours.

Pursuant to Pa.R.J.C.P. Nos. 121.C, the number of this local rule is keyed to Pa.R.J.C.P. 210.A, pertaining to arrest warrant procedures in juvenile delinquency cases and designation of issuing authorities.

*Effective Date*

In accordance with Pa.R.J.C.P. 121.F(4), this Administrative Regulation shall become effective thirty (30) days after publication of this order in the *Pennsylvania Bulletin*.

*Publication*

In accordance with Pa.R.J.C.P. 121.F, G and H, the Chester County Court Administrator is hereby directed to immediately perform the following tasks:

(1) One (1) certified copy of this Administrative Regulation shall be filed with the Administrative Office of the Pennsylvania Courts;

(2) One (1) copy of this Administrative Regulation shall be published on the UJS portal at: <http://ujportal.pacourts.us/localrules/ruleselection.aspx>;

(3) Two (2) certified copies of this Administrative Regulation, a copy of this Administrative Regulation on a computer diskette, CD-ROM, or as an electronic copy that complies with the requirements of 1 Pa. Code § 13.11(b)—(f), and a copy of the written notification received from the Juvenile Court Procedural Rules Committee providing that this Administrative Regulation is not inconsistent with the Pennsylvania Rules of Juvenile Court Procedure, shall be submitted to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*;

(4) One certified copy of this Administrative Regulation shall be sent to the Chester County Law Library and the Editor of the *Chester County Law Reporter* for publication;

(5) One certified copy of this Administrative Regulation shall be filed with the Chester County Clerk of Courts

Office and kept continuously available by that office for public inspection and copying.

*By the Court*

JACQUELINE CARROLL CODY,  
*President Judge*

[Pa.B. Doc. No. 15-663. Filed for public inspection April 10, 2015, 9:00 a.m.]

## WASHINGTON COUNTY

**Local Rule Amendments; 1901.1-1 Actions Pursuant to the Protection From Abuse Act; 1901.1-2 Commencement in Court; 1901.1-3 Emergency Relief by the Minor Judiciary; No. 2015-1****Order**

*And Now*, this 19th, day of March, 2015; *It Is Hereby Ordered* that the previously-stated local rules be amended as follows.

These rule changes will become effective thirty days after publication in the *Pennsylvania Bulletin*.

*By the Court*

KATHERINE B. EMERY,  
*President Judge*

**L-1901.1-1. Actions Pursuant to the Protection from Abuse Act.**

Pursuant to the authority set forth in the Protection from Abuse Act of December 19, 2009, P.J. 1240, as amended, 23 Pa.C.S. § 6101 et seq., the following practices, procedures, and rules are promulgated.

It is the purpose and policy of the Court of Common Pleas of Washington County, Pennsylvania, to implement and effectuate the Protection from Abuse Act and its amendments to protect victims from abuse, to streamline and facilitate enforcement; to establish duties upon the Prothonotary, the Sheriff, Magisterial District Judges, and police departments; and to provide for emergency relief.

**L-1901.1-2. Commencement in Court.**

a. Petitions for Protection from Abuse shall be presented to the assigned judge, who shall schedule a hearing on the petition. If the plaintiff petitions for a temporary order, and alleges immediate and present danger of abuse, the Court may conduct an ex parte proceeding and may enter a temporary order as it deems appropriate.

b. *Assistance and advice to individuals not represented by counsel*

1. Forms sufficient for this purpose shall be provided by the Washington County Prothonotary, Domestic Violence Services of Southwestern Pennsylvania, or other individual as designated by the court.

2. Clerical assistance to help with writing and filing the petition shall be provided by the Prothonotary, Domestic Violence Services of Southwestern Pennsylvania, or other individual as designated by the court.

3. The Prothonotary shall provide written instructions, in English and in Spanish, to the local domestic violence program, to the Southwestern Pennsylvania Legal Aid Society, and to the Washington County Bar Association Lawyer Referral Service.

4. Petitions shall be accepted by the common pleas court between 9:00 a.m. and 4:00 p.m., Monday through Friday, excepting court holidays.

5. The Prothonotary shall accept petitions, and any other filings, after normal business hours, when so directed by the common pleas court.

**L-1901.1-3. Emergency Relief by the Minor Judiciary.**

a. A petition for protection from abuse may be filed before the on-call magisterial district judge from 3:45 p.m. each day until 9:00 a.m. the next business day, Monday through Friday. The on-call magisterial district judge shall also accept a petition for protection from abuse from 3:45 p.m. the last day of the business week to 9:00 a.m. of the first day of the next business week.

b. An order issued under subsection (a) will expire at 4:00 p.m. on the next business day.

*c. Magisterial District Judge.*

1. The magisterial district judge shall certify the emergency order issued under subsection (a) and the petition to the Court.

2. The magisterial district judge shall advise the plaintiff that the plaintiff is responsible for picking up the certified record at the magisterial district judge's office on the next business day of court and filing it with the Prothonotary of Washington County.

3. The magisterial district judge shall advise the plaintiff regarding the procedure for initiating a contempt charge.

4. The magisterial district judge shall advise the plaintiff of the existence of programs for victims of domestic violence and the availability of legal assistance.

*d. Prothonotary.*

1. The Prothonotary shall accept the certified record from the magisterial district judge for filing and assign a case number.

2. The Prothonotary shall provide the plaintiff with a copy of the petition and emergency order and advise the plaintiff to take the documents to the Domestic Violence Services of Southwestern Pennsylvania.

*e. Assigned Judge.*

1. The assigned judge shall schedule hearings on protection orders issued under subsection (a), and shall review and continue in effect protection orders that are necessary to protect the plaintiff until the hearing.

2. The assigned judge may order service of the petition, emergency and temporary order by the Sheriff of Washington County pursuant to L-1901.1-4(b).

[Pa.B. Doc. No. 15-664. Filed for public inspection April 10, 2015, 9:00 a.m.]

# PROPOSED RULEMAKING

## LIQUOR CONTROL BOARD

[ 40 PA. CODE CH. 5 ]

### Responsible Alcohol Management Program

The Liquor Control Board (Board), under the authority of section 207(i) of the Liquor Code (47 P.S. § 2-207(i)), proposes to amend Chapter 5 (relating to duties and rights of licensees).

#### Summary

The Commonwealth expects holders of retail liquor and beer licenses to meet demanding standards of operation. Failure to do so may result in fines and other penalties that can culminate in the loss of the license. Training licensees and their employees to serve alcohol responsibly is seen to be one of the best ways to prevent these problems.

Section 471.1 of the Liquor Code (47 P.S. § 4-471.1) authorizes the Board to establish a training program for licensees. This training program is known as the Responsible Alcohol Management Program (RAMP) and is administered by the Board's Bureau of Alcohol Education (BAE). Although completion of RAMP training is usually voluntary, the act of June 28, 2011 (P.L. 55, No. 11) (Act 11) and the act of December 22, 2011 (P.L. 530, No. 113) (Act 113) made RAMP training and certification mandatory for certain licensees. As a result, there has been an increase in the number of persons who are interested in taking some or all of the RAMP training.

Since 2001, the Board has offered RAMP training and certification to licensees authorized to sell alcohol to the

public. The public and, perhaps more immediately, the neighbors of licensed establishments have benefitted from the practical and legal training that the BAE provides through these regulations to licensees and their employees.

RAMP training consists of five parts: 1) new employee orientation; 2) training for alcohol service personnel (also known as server/seller training); 3) manager/owner training; 4) displaying responsible alcohol service signage; and 5) certification. The Board is required under section 471.1 of the Liquor Code to conduct the manager/owner training, but may elect under section 471.1(a) of the Liquor Code to use certified instructors to teach the server/seller component of RAMP. The Board is authorized under section 471.1(b) of the Liquor Code to certify and decertify server/seller instructors. Section 471.1(a) of the Liquor Code provides that "[t]raining for alcohol service personnel shall be as set forth by the board, but at minimum it shall consist of training to prevent service of alcohol to minors and to visibly intoxicated persons."

There are approximately 15,000 active licenses in this Commonwealth that authorize the sale and service of alcohol for on-premises consumption, known collectively as retail licensees. There are approximately 1,200 licensed distributors and importing distributors of malt or brewed beverages, such as beer, constituting wholesale licensees. Each of these licensees may benefit from RAMP training.

Although completion of RAMP training is usually voluntary, Acts 11 and 113 have made RAMP training and certification mandatory for certain employees of licensees. As a result, there has been an increase in the number of persons who have become RAMP certified.

Year	2009	2010	2011	2012	2013
Number of Individuals RAMP Certified	23,999	24,022	26,563	30,157	31,946
Percentage increase from prior year		0.10%	9.57%	11.92%	5.60%

There are currently 32 instructors certified by the BAE who provide RAMP server/seller training. There are also seven approved RAMP server/seller online training courses which use BAE materials.

This proposed rulemaking would allow third parties to create their own curriculums and to submit them to the BAE for approval. The expected benefits include more opportunities for server/seller training which is needed to meet the growing demand for training.

Increasing the number of programs that may be offered as the equivalent of RAMP server/seller training will place an extra burden on the BAE. It will be required to evaluate the submitted programs and compare them to RAMP. Once the program is approved, the BAE will be responsible for evaluating the instructors who provide the training; this could mean a significant increase in the number of instructors the BAE must evaluate and certify. In addition, having a variety of programs could result in inconsistencies in the training experience.

These additional responsibilities can be addressed with an increase in staffing that can provide tighter oversight. An alcohol education specialist is a civil service position

at pay grade 6, for which the annual salary range is from \$39,257 to \$59,658. However, it is unlikely additional personnel will be needed. In addition, the benefit to the licensed community through increased training opportunities, resulting in more properly trained alcohol server/sellers, outweighs the cost of additional personnel.

#### Affected Parties

This proposed rulemaking will affect an entity that wishes to offer RAMP-equivalent server/seller training. As long as the proposed curriculum is equivalent to RAMP's standard curriculum, RAMP will allow that entity to provide server/seller training. This may indirectly affect anyone who wishes to or needs to take server/seller training, as there will likely be more options for this training.

#### Paperwork Requirements

This proposed rulemaking may increase paperwork for the BAE, since the BAE will need to evaluate proposed curriculums to determine if they are equivalent to the standard curriculum. The proposed rulemaking would not increase paperwork for anyone else in the regulated

community except for those entities that wish to provide server/seller training but are advised that their curriculum is deficient and changes must be made.

*Fiscal Impact*

The Board has offered RAMP training and certification since 2001. Because RAMP is mandated by section 471.1 of the Liquor Code, its costs cannot be avoided. The current annual cost of RAMP to the Board is approximately \$500,000. In the unlikely event that further staffing is needed by the BAE, increased staffing costs will be funded fully from liquor sales. Like all of the Board's operating costs, RAMP is fully funded from the proceeds of selling liquor, which are deposited into the State Stores Fund. The Board's operations and programs are not funded from a General Fund appropriation.

Under section 471.1 of the Liquor Code, licensees that have become RAMP-certified may be assessed reduced fines should they be found to have provided alcohol to a minor or visibly intoxicated person. Some licensees, because of the citations they have received and because their licensure is in jeopardy, are required to obtain and maintain RAMP certification. Training offered by other programs may happen to be more convenient for some licensees because more classes will be available. If there are more programs to choose from, the convenience for the licensee will increase, thus reducing the potential fiscal impact for the licensee.

This proposed rulemaking is not expected to result in costs or savings to local governments.

*Effective Date*

This proposed rulemaking will become effective upon final-form publication in the *Pennsylvania Bulletin*.

*Public Comments*

Interested persons are invited to submit written comments about the proposed rulemaking to Rodrigo Diaz, Executive Deputy Chief Counsel, or Norina Blynn, Assistant Counsel, Office of Chief Counsel, Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001 within 30 days after publication of this proposed rulemaking in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Public comments will be posted on the Independent Regulatory Review Commission's (IRRC) web site. Personal information will be redacted from the public comments received.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 11, 2015, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the House Liquor Control Committee and Senate Committee on Law and Justice. 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.

TIM HOLDEN,  
*Chairperson*

**Fiscal Note:** 54-79. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 40. LIQUOR**

**PART I. LIQUOR CONTROL BOARD  
CHAPTER 5. DUTIES AND RIGHTS OF  
LICENSEES**

**Subchapter I. RESPONSIBLE ALCOHOL  
MANAGEMENT PROGRAM  
COURSE OF STUDY**

**§ 5.211. Course of study for alcohol service personnel.**

(a) A standard curriculum for the course of study will be provided by the BAE.

(b) **The BAE is authorized to review curriculum submitted by another training provider and to certify the curriculum if it is equivalent to the BAE's standard curriculum.**

(1) **In the event that the training provider's curriculum is not equivalent to the BAE's standard curriculum, the BAE will advise the training provider as to subjects where the training provider's curriculum is deficient.**

(2) **The training provider has the opportunity to correct and resubmit its curriculum no more than two times.**

(3) **If the training provider's curriculum is still deficient after the second and final resubmission, the BAE will not accept submissions or resubmissions from the training provider for 1 year from the date that the BAE sent notification to the training provider that the second resubmission was deficient.**

**INSTRUCTORS**

**§ 5.232. Instructor responsibilities.**

Instructors have the responsibility to do the following:

(1) Using the standard curriculum provided by the BAE **or a curriculum certified by the BAE**, provide students with information regarding the current status of the law on issues regarding the sale or service of alcoholic beverages by licensees.

\* \* \* \* \*

**§ 5.233. Minimum standards of training.**

(a) Instructors shall conduct training sessions conforming to **either** the BAE's standard curriculum **or a curriculum certified by the BAE.**

\* \* \* \* \*

[Pa.B. Doc. No. 15-665. Filed for public inspection April 10, 2015, 9:00 a.m.]



# NOTICES

## BOARD OF COAL MINE SAFETY

### Meeting Date Change

The Board of Coal Mine Safety has rescheduled its June 9, 2015, meeting. The next meeting will be held on Tuesday, June 23, 2015, at 10 a.m. in the Department of Environmental Protection (Department), Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA.

Questions concerning the June 23, 2015, meeting can be directed to Allison D. Gaida, (724) 404-3147, agaida@pa.gov. The agenda and meeting materials for the meeting will be available through the Public Participation

Center on the Department’s web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select “Public Participation Center,” then “Advisory Committees,” then “Board of Coal Mine Safety”).

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Allison Gaida at (724) 404-3147, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department may accommodate their needs.

JOHN QUIGLEY,  
*Acting Chairperson*

[Pa.B. Doc. No. 15-666. Filed for public inspection April 10, 2015, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), 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 May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 31, 2015.

Under section 503.E of the Department of Banking and Securities Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department’s Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Interim Incorporations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-25-2015	Meridian Interim Bank Malvern Chester County	Withdrawn
	The purpose of Meridian Interim Bank, Malvern, is to merge with Meridian Bank, Malvern, to facilitate the proposed reorganization of Meridian Bank into a bank holding company structure whereby Meridian Bank will become the wholly-owned subsidiary of Meridian Corporation, a new holding company in formation.	

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-27-2015	GNB Financial Services, Inc. Gratz Dauphin County	Effective
	Application for approval to acquire 100% of FNBM Financial Corporation, Minersville, and thereby indirectly acquire 100% of The First National Bank of Minersville, Minersville.	



**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-27-2015	The Gratz Bank Gratz Dauphin County	Effective
	Application for approval to merge The First National Bank of Minersville, Minersville, with and into The Gratz Bank, Gratz.	
	As a result of the merger, the sole office of The First National Bank of Minersville, located at the following address, became a branch office of The Gratz Bank:	
	260 Sunbury Street Minersville Schuylkill County	

**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-25-2015	CNB Bank Clearfield Clearfield County	6600 North High Street Worthington Franklin County, Ohio	Approved
3-25-2015	Elderton State Bank Elderton Armstrong County	1906 River Road North Apollo Armstrong County	Approved
3-25-2015	Republic First Bank Philadelphia Philadelphia County	Egg Harbor and Ganttown Roads Sewell Gloucester County, NJ	Approved
3-25-2015	Somerset Trust Company Somerset Somerset County	8796 Lincoln Highway Bedford Bedford County	Approved
3-25-2015	Univest Bank and Trust Company Souderton Montgomery County	250 Plaza Drive Collegeville Montgomery County	Approved
3-26-2015	Univest Bank and Trust Company Souderton Montgomery County	1642 Fairmount Avenue Philadelphia Philadelphia County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-27-2015	Fidelity Savings and Loan Association Bristol Bucks County	704 State Street Croydon Bucks County	Closed
3-6-2015	Fidelity Deposit & Discount Bank Dunmore Lackawanna County	1451 Hillside Drive Clarks Summit Lackawanna County	Closed

**Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-25-2015	Republic First Bank Philadelphia Philadelphia County	<i>To:</i> 29-39 East Wynnewood Road Wynnewood Montgomery County  <i>From:</i> 233 East Lancaster Avenue Ardmore Montgomery County	Approved
3-25-2015	Royal Bank America Narberth Montgomery County	<i>To:</i> 151 York Road Willow Grove Montgomery County  <i>From:</i> 600 Old York Road Jenkintown Montgomery County	Approved

**CREDIT UNIONS  
Branch Applications  
De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-25-2015	TruMark Financial Credit Union Trevose Bucks County	4321-4403 Swamp Road Doylestown Bucks County	Approved

The Department's web site at [www.dobs.pa.gov](http://www.dobs.pa.gov) includes public notices for more recently filed applications.

ROBIN L. WIESSMANN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-667. Filed for public inspection April 10, 2015, 9:00 a.m.]

**DEPARTMENT OF  
CONSERVATION AND  
NATURAL RESOURCES**

**Delaware River Watershed Conservation Plan**

The Department of Conservation and Natural Resources (Department), Bureau of Recreation and Conservation (Bureau) has approved the Delaware River Watershed Conservation Plan (Plan) and is placing the Delaware River Watershed (Delaware County) covered in the Plan on the Pennsylvania Rivers Conservation Registry (Registry).

Delaware County submitted the Plan and other required information to gain Registry status.

After review of the Plan and other information, the Department has determined that the Pennsylvania Rivers Conservation Program (Program) requirements have been satisfied and places the following on the Registry:

- The land area located between I-95 and the Delaware River and includes areas of direct drainage between them in Delaware County—11.84 square miles.

- The Naamans Creek watershed from the headwaters to the Pennsylvania-Delaware Border in Delaware County—7.4 square miles.

- The Marcus Hook Creek watershed from the headwaters to its confluence with the Delaware River—5.2 square miles.

- The Stoney Creek watershed from the headwaters to its confluence with the Delaware River—0.8 square mile.

This action becomes effective April 11, 2015. Projects submitted to the Bureau, which are identified as part of the Plan, become eligible for implementation, development or acquisition grant funding through the Program.

A copy of the Final Plan is available for review at the Delaware County Planning Department, Toal Building, 2nd and Orange Streets, Media, PA 19063, (610) 891-5200, [planning\\_department@co.delaware.pa.us](mailto:planning_department@co.delaware.pa.us) and the Department of Conservation and Natural Resources, Rachel Carson State Office Building, 400 Market Street, 5th Floor, Harrisburg, PA 17101, (717) 783-2712.

CINDY ADAMS DUNN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-668. Filed for public inspection April 10, 2015, 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 regarding 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 (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<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

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
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 tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (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 NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the 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. A comment submittal 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 public hearings 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**

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0060411 (Sewage)	Thornhurst WWTF Magnolia Drive Thornhurst Township, PA 18346	Lackawanna County Thornhurst Township	Pond Creek (2-A)	Y

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA010361 SEW	Freedom Township Water & Sewer Authority 131 Municipal Street East Freedom, PA 16637	Blair County Freedom Township	Frankstown Branch Juniata River 11-A	Y

*Southwest Regional Office: Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0254215 (Sewage)	Horning Deep Mine SR 4015 Somerset, PA 15501	Somerset County Stonycreek Township	Glades Creek (18-E)	Y
PA0093262 (Sewage)	PENNDOT Bureau of Project Delivery PO Box 3060 Harrisburg, PA 17105-3060	Washington County North Bethlehem Township	Unnamed Tributary of Chartiers Creek (20-F)	Y
PA0205729 (Sewage)	Lindley John W & Lindley M Lynne SRSTP 208 Rural Valley Road Claysville, PA 15323	Washington County Blaine Township	Wolf Run (20-E)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0221481 (IW)	Norfolk Southern Meadville Yard Linden Alley Meadville, PA 16335	Crawford County Meadville City	French Creek (16-D)	Y
PA0223051 (Sewage)	Connoquenessing Borough STP State Route 68 Connoquenessing, PA 16270	Butler County Connoquenessing Borough	Unnamed Tributary to Connoquenessing Creek (20-C)	Y
PA0222852 (Sewage)	West Fallowfield Township STP 5530 Main Street Hartstown, PA 16131	Crawford County West Fallowfield Township	Patton Run (20-A)	Y
PA0091065 (Sewage)	Charles M. Truman SFTF 114 Cobham Lane Cabot, PA 16023	Butler County Winfield Township	Unnamed Tributary to the Little Buffalo Creek (18-F)	Y
PA0100315 (Sewage)	Farma Parks MHP 87 Hughley Road Greenville, PA 16125	Mercer County Perry Township	Unnamed Tributary to Little Shenango River (20-A)	Y
PA0101265 (Sewage)	Shangri La Trailer Park 1824 Williamsfield Road Jamestown, PA 16134-9802	Crawford County West Shenango Township	Unnamed Tributary to the Shenango River (20-A)	Y
PA0221759 (Sewage)	Robert L. Shuttleworth SFTF Jerry Road Wilcox, PA 15870	Elk County Jones Township	Unnamed Tributary to Swamp Creek (17-A)	Y
PA0263605 (sewage)	Brian & Cynthia Williams SFTF 26833 Highway 408 Cambridge Springs, PA 16403	Crawford County Rockdale Township	Unnamed Tributary to Dead Creek (16-A)	Y

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

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970*

**PA0011533 A-1**, IW, SIC Code 2911, **Philadelphia Energy Solutions Refinery and Marketing, LLC**, 3144 W. Passyunk Avenue, Philadelphia, PA 19145-5208. Facility Name: Girard Point Processing Area. This existing facility is located in City of Philadelphia, **Philadelphia County**.

Description of Existing Activity: An amendment of an NPDES permit for an existing discharge of treated wastewater from Girard Point Processing Area. The permit amendment includes revised condition associated with compliance schedule established under Clean Water Act Section 316(b) for cooling Water Intake Structure (CWIS), consistence with new 316(b) rule for "Existing Facilities" promulgated by EPA on October 14, 2014.

The receiving stream(s), Schuylkill River, is located in State Water Plan watershed 3-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is not in effect.

**PA0012629 A-2**, IW, SIC Code 2911, 5171, **Philadelphia Energy Solutions Refinery and Marketing, LLC**, 3144 W. Passyunk Avenue, Philadelphia, PA 19145-5208. Facility Name: Philadelphia Refinery Point Breeze Processing Area. This existing facility is located in City of Philadelphia, **Philadelphia County**.

Description of Existing Activity: An amendment of an NPDES permit for an existing discharge of treated wastewater from Girard Point Processing Area. The permit amendment includes revised condition associated with compliance schedule established under Clean Water Act Section 316(b) for cooling Water Intake Structure (CWIS), consistence with new 316(b) rule for "Existing Facilities" promulgated by EPA on October 14, 2014.

The receiving stream(s), Schuylkill River and Unnamed Tributary of Schuylkill River, is located in State Water Plan watershed 3-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is not in effect.

Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.

**PA0083429**, Sewage, SIC Code 4952, **West Cocalico Township Authority Lancaster County**, 156 B West Main Street, Reinholds, PA 17569-0095. Facility Name: West Cocalico Township Authority WWTP. This existing facility is located in West Cocalico Township, **Lancaster County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Little Cocalico Creek, is located in State Water Plan watershed 7-J and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.15 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
BOD <sub>5</sub> , Raw Sewage Influent	Report	Daily Max Report	XXX	Report	XXX	XXX
TSS, Raw Sewage Influent	Report	Daily Max Report	XXX	Report	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	31	50	XXX	25	40	50
Total Suspended Solids	38	56	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	12	XXX	XXX	9.5	XXX	19
Nov 1 - Apr 30	24	XXX	XXX	28.5	XXX	57
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	XXX	XXX

In addition, the permit contains the following major special conditions:

- none

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PA0008486, Industrial Waste**, SIC Code 2621, **Ahlstrom Filtration LLC**, 122 W Butler Street, Mount Holly Springs, PA 17065-1218. Facility Name: Ahlstrom Filtration LLC. This existing facility is located in Mount Holly Springs Borough, **Cumberland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated industrial waste and stormwater.

The receiving stream(s), Mountain Creek, is located in State Water Plan watershed 7-E and is classified for Trout Stocking and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.569 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Temperature (°F)						
Jul 1-31	XXX	XXX	XXX	Report	96.7	XXX
Jan 1 - Jun 30,	XXX	XXX	XXX	Report	110	XXX
Aug 1 - Nov 30						
Dec 1-31	XXX	XXX	XXX	Report	106	XXX
CBOD <sub>5</sub>	85	170	XXX	18	36	45
Total Suspended Solids	142	284	XXX	30	60	75



<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Phosphorus	9.5	19	XXX	2.0	4.0	5.0
Total Cadmium	Report	Report	XXX	Report	Report	Report
(Interim)	0.017	0.034	XXX	0.0012	0.0024	0.0030
(Final)	0.104	0.208	XXX	0.022	0.044	0.055
Total Copper	0.095	0.19	XXX	0.02	0.04	0.05
Pentachlorophenol	Report	XXX	XXX	Report	XXX	XXX
Nitrate-Nitrite as N	Avg Qrtly			Avg Qrtly		
Total Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
	Avg Qrtly			Avg Qrtly		

The proposed effluent limits for Outfalls 002 through 008 are based on a design flow of N/A MGD (stormwater).

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum</i>	<i>Instant. Maximum</i>
BOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

In addition, the permit contains the following major special conditions:

- Toxics Reduction Evaluation (TRE) for Total Cadmium

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PA0085863**, Industrial Waste, SIC Code 4953, **SC Holdings Inc.**, 100 Brandywine Boulevard, Suite 300, Newtown, PA 18940-4000. Facility Name: Harmony Grove Landfill. This existing facility is located in Dover Township, **York County**.

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

The receiving stream(s), Unnamed Tributary of Davidsburg Run, is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.040 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.20	XXX	0.65
BOD <sub>5</sub>	XXX	XXX	XXX	Report	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	3.0	6.0	7.5
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Trichloroethylene	XXX	XXX	XXX	Report	Report	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PA0008087**, Industrial Waste, SIC Code 2066, **Hershey Co.**, 19 E Chocolate Avenue, Hershey, PA 17033-1314. Facility Name: Hershey Foods East Offices. This existing facility is located in Derry Township, **Dauphin County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of non-contact cooling water and stormwater.

The receiving stream(s), Spring Creek, is located in State Water Plan watershed 7-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.26 MGDs.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Daily Average</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6	XXX	XXX	9
Temperature (°F)						
Feb 1-29	XXX	XXX	XXX	51	Report	XXX
Mar 1-31	XXX	XXX	XXX	56	Report	XXX
Apr 1-15	XXX	XXX	XXX	61	Report	XXX
Apr 16-30	XXX	XXX	XXX	68	Report	XXX
May 1 - Sep 30	XXX	XXX	XXX	75	Report	XXX
Oct 1-31	XXX	XXX	XXX	74	Report	XXX
Nov 1-15	XXX	XXX	XXX	68	Report	XXX
Nov 16-30	XXX	XXX	XXX	57	Report	XXX
Dec 1 - Jan 31	XXX	XXX	XXX	53	Report	XXX
Nitrate-Nitrite as N	XXX	XXX	XXX	Report Avg Mo	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Avg Mo	XXX	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Avg Mo	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report Avg Mo	XXX	XXX
Tetrachloroethylene	XXX	XXX	XXX	Report Avg Mo	Report	Report

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is in effect.

**PA0260479**, SIC Code 4941, **Coaldale Six Mile Run Water Corporation**, PO Box 152, Six Mile Run, PA 16679. Facility Name: Coaldale Six Mile Run Water Treatment Facility. This proposed facility is located in Broad Top Township, **Bedford County**.

Description of Proposed Activity: The application is for a renewal NPDES permit for a discharge of industrial wastewater.

The receiving stream(s), Unnamed Tributary to Sixmile Run, is located in State Water Plan watershed 11-D and is classified for Migratory Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005—0.0035 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Aluminum	Report	XXX	XXX	4	8	10
Total Iron	Report	XXX	XXX	2	4	5
Total Manganese	Report	XXX	XXX	1	2	2.5

The proposed effluent limits for Outfall 002 are based on a design flow of 0.000000 MGD (not intended to be used).

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0

The proposed effluent limits for Outfall 003 are based on a design flow of 0.0013 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Suspended Solids	XXX	XXX	XXX	30	60	75

In addition, the permit contains the following major special conditions:

- None

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA Waiver is not in effect because the discharge exists in a watershed subject to a Total Maximum Daily Load.

*Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.0530.*

**PA0232661**, SIC Code 4952, **Daub Gregory L**, 385 Greenville Road, Denver, PA 17517. Facility Name: Gregory L Daub SFTF. This proposed facility is located in Covington Township, **Clearfield County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of 1,550 gallons per day of treated sewage from a small flow treatment facility. The facility will replace an existing malfunctioning onlot system.

The receiving stream(s), Unnamed Tributary to Sandy Creek, is located in State Water Plan watershed 8-C and is classified for Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00155 MGD.

Parameters	Mass (lb/day)		Concentration (mg/l)		Instant. Maximum
	Average Monthly	Minimum	Average Monthly	Geo Mean	
Flow (MGD)	Report	XXX	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	1.0	XXX	1.5
BOD <sub>5</sub>	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	10	XXX	20
Fecal Coliform (No./100 ml)	XXX	XXX	200	XXX	XXX

In addition, the permit contains the following major special conditions:

- Annual Maintenance Report (AMR) form

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA Waiver is in effect.

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone: 412.442.4000.*

**PA0254932**, Sewage, **Consol PA Coal Co. LLC**, 1525 Pleasant Grove Road, Claysville, PA 15323. Facility Name: Enlow Fork Mine 4 North 1 Portal STP. This proposed facility is located in Morris Township, **Washington County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated Sewage.

The receiving stream(s), Unnamed Tributary to Short Creek, is located in State Water Plan watershed 19-B and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0087 MGD.

Parameters	Mass (lb/day)		Concentration (mg/l)		Instant. Maximum
	Average Monthly	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	0.0087	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX
Total Residual Chlorine	XXX	XXX	0.1	XXX	0.3
CBOD <sub>5</sub>	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)					
May 1 - Sep 30	XXX	XXX	XXX	200	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report
Ammonia-Nitrogen					
May 1 - Oct 31	XXX	XXX	XXX	3.5	7.0
Nov 1 - Apr 30	XXX	XXX	XXX	10.5	21.0
Total Phosphorus	XXX	XXX	XXX	XXX	Report

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

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

**PA0272884**, Industrial Waste, SIC Code 1311, **Vavco, LLC**, 101 Mahood Road, Suite 1, Butler, PA 16001-0795. Facility Name: Gilliland Lyons Plant. This proposed facility is located in Connoquenessing Township, **Butler County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated brine fluid from crude oil production (stripper wells).

The receiving stream(s), Little Connoquenessing Creek, is located in State Water Plan watershed 20-C and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0009 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Total Dissolved Solids	XXX	10,000	XXX	Report	Report	XXX
Total Dissolved Solids	5,000	XXX	XXX	XXX	XXX	XXX
	Annl Avg					
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Acidity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	XXX	XXX
Alkalinity, Total (as CaCO <sub>3</sub> )	XXX	XXX	XXX	Report	XXX	XXX
Effluent Net	XXX	XXX	0	XXX	XXX	XXX
Total Aluminum	Report	XXX	XXX	Report	XXX	XXX
Total Cadmium	0.00082	0.0012	XXX	0.11	0.16	0.27
Total Iron	XXX	XXX	XXX	3.5	XXX	7
Total Manganese	Report	XXX	XXX	Report	XXX	XXX
Sulfate	XXX	XXX	XXX	Report	XXX	XXX
Chloride	XXX	XXX	XXX	Report	XXX	XXX
Bromide	XXX	XXX	XXX	Report	XXX	XXX
Radium 226/228, Total (pCi/L)	XXX	XXX	XXX	Report	XXX	XXX

In addition, the permit contains the following major special conditions:

- Other Requirements
- Requirement to Use eDMR System
- Total Dissolved Solids Reporting
- Definitions

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is not in effect.

### III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**WQM Permit No. 3688468, Amendment No. 3**, Sewerage, **Paradise Township Sewer Authority**, 2 Township Drive, PO Box 40, Paradise, PA 17562.

This proposed facility is located in Paradise Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of rehabilitation and improvements at the wastewater treatment plant including the control building chemical feed room, relocation of the facility headworks structure, interior and exterior piping and electrical work.

**WQM Permit No. 6774414 Amendment 2**, Sewerage, **New Life For Girls, Inc.**, 5925 Lewisberry Road, PO Box 170, Dover, PA 17315.

This proposed facility is located in Dover Township, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the replacement of a failing package treatment plant with an extended aeration WWTP including an aeration zone, sludge digester/holding tank, clarifier, chlorine contact tank and post aeration tank.

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

**WQM Permit No. 0215003**, Sewage, **Robert Ulm**, 543 Twele Rd, Greenock, PA 15047.

This proposed facility is located in Lincoln Borough, **Allegheny County**.

Description of Proposed Action/Activity: Construction of a 0.0004 MGD SRSTP to serve the Robert Ulm Property.

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

**WQM Permit No. WQG01431501**, Sewage, **Diane & Michael Hornyak**, 2650 Teaberry Lane, Hermitage, PA 16148.

This proposed facility is located in Hermitage City, **Mercer County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to replace a malfunctioning on-lot system.

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

*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010915002	Bucks County Industrial Devel. Authority 11 Weldon Drive, Suite 100 Doylestown, PA 18901	Bucks	Sellersville Borough	East Branch Perkiomen Creek TSF-MF
PAI010915003	Brian Finney 7701 Carlton Road Coopersburg, PA 18036	Bucks	Durham Township	Cooks Creek EV-MF Unnamed Tributary to Delaware River WWF-MF
PAI011514044	RLD Atwater JV, LLC 124 Cedar Avenue Conshohocken, PA 19428	Chester	East Whiteland Township	Valley Creek EV-MF
PAI012315003	Anthony Sabatelli 524 Darlington Road Media, PA 19003	Delaware	Middletown Township	Chester Creek TSF-MF Rocky Run HQ-CWF-MF
PAI015115001	Trustees of the University of Pennsylvania 3101 Walnut Street Philadelphia, PA 19104	Philadelphia	City of Philadelphia	Schuylkill River WWF-MF

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Lackawanna County Conserve District, 1038 Montdale Road, Scott Twp., PA 18447*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023515001	Gouldsboro DG, LLC 361 Summit Boulevard Suite 110 Birmingham, AL 35243	Lackawanna	Clifton Township	Meadow Brook (EV, MF)

*Lehigh County Conserve District, Lehigh Ag Center, Suite 102, 4184 Dorney Park Rd, Allentown, PA 18104*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023915002	Cahill Properties Jalan LLC Robert Cahill 5 Ivy Court Easton, PA 18045	Lehigh	Upper Macungie Township	Cedar Creek (HQ-CWF, MF)

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701*

*Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041415003	Mount Nittany Realty Co 160 Circle Rd Bellefonte, PA 16823	Centre	Walker Township	Little Fishing Creek HQ-CWF, MF



*Lycoming County Conservation District: 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044115001	Daniel Kershner Sunoco Pipeline LP 525 Fritztown Rd Sinking Springs, PA 19608	Lycoming	Gamble Township	UNT to Wallis Run EV, TSF
PAI044115002	Daniel Kershner Sunoco Pipeline LP 525 Fritztown Rd Sinking Springs, PA 19608	Lycoming	Cascade & Gamble Twps.	UNT to Salt Run EV, TSF

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## VII. List of NOIs for NPDES and/or Other General Permit Types

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PAG-12            CAFOs

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### CAFO Notices of Intent Received

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*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Telephone: 717-705-4707.*

**PAG123802**, CAFO, **Country View Family Farms, LLC**, Green Valley Farm, 1301 Fulling Mill Road, Suite 3000, Middletown, PA 17057.

This proposed facility is located in North Codorus Township, **York County**.

Description of Size and Scope of Proposed Operation/Activity: 1,892.79 AEUs existing swine operation.

The receiving stream, UNT South Branch Codorus Creek, is in watershed 7-H, and classified for: WWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

**PAG123661**, CAFO, **Lamar M. Moyer**, 180 Endsloew Road, Marietta, PA 17547.

This proposed facility is located in East Donegal Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: An existing 353.21 AEUs Poultry (Broilers) operation.

The receiving stream, UNT Susquehanna River, is in watershed 7-G, and classified for: WWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

**PAG123587**, CAFO, **Ryan Rutt**, 524 North Garfield Road, Bernville, PA 19506.

This proposed facility is located in Penn Township, **Berks County**.

Description of Size and Scope of Proposed Operation/Activity: Existing Finishing Swine operation with a Broilers Poultry expansion totaling 878.8 AEUs.

The receiving stream, Licking Creek, is in watershed 3-C, and classified for: TSF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO general permit is a non-discharge NPDES permit. Where applicable, compliance with 40 CFR federal effluent limitation guidelines is required. The general permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and the Clean Stream Law constitutes compliance with the state narrative water quality standards.

## STATE CONSERVATION COMMISSION

### PROPOSED NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under 3 Pa.C.S. Chapter 5 and that have or anticipate submitting applications for new, amended or renewed

NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Based upon preliminary reviews, the State Conservation Commission (SCC) or County Conservation Districts (CCD) working under a delegation agreement with the SCC have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at <http://www.nacdnet.org/about/districts/directory/pa.phtml> or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

Persons wishing to comment on an NMP are invited to submit a statement outlining their comments on the plan to the CCD, with a copy to the SCC for each NMP, within 30 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the NMPs. Comments should include the name, address and telephone number of the writer and a concise statement to inform the SCC of the exact basis of the comments and the relevant facts upon which they are based. Comments should be sent to the SCC, Agriculture Building, Room 310, 2301 North Cameron Street, Harrisburg, PA 17110.

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

**APPLICATIONS**

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Randy Weaver 3888 Smaltz Rd Womelsdorf, PA 19567	Berks	0	541.8	Laying Hens	N/A	Renewal

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held 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 related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that 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 may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**SAFE DRINKING WATER**

**Applications Received Under the Pennsylvania Safe Drinking Water Act**

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

**Permit No. 6515501, Public Water Supply.**

Applicant	<b>Municipal Authority of the Borough of Derry</b> 620 North Chestnut Street Derry, PA 15627
[Township or Borough]	Derry Township
Responsible Official	Amy Forsha, Manager Municipal Authority of the Borough of Derry 620 North Chestnut Street Derry, PA 15627
Type of Facility	Water system
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Application Received Date	March 16, 2015
Description of Action	Installation of a mixing system in the Atlantic water storage tank.

**Permit No. 6515502, Public Water Supply.**

Applicant	<b>Authority of the Borough of Charleroi</b> 3 McKean Avenue Charleroi, PA 15022
[Township or Borough]	Fallowfield Township

Responsible Official Edward Golanka, Manager  
Authority of the Borough of  
Charleroi  
3 McKean Avenue  
Charleroi, PA 15022

Type of Facility Water system

Consulting Engineer Chester Engineers  
1555 Coraopolis Heights Road  
Moon Township, PA 15108

Application Received Date March 26, 2015

Description of Action Installation of a mixing system  
at the Fallowfield water storage  
tank.

**Permit No. 6515503**, Public Water Supply.

Applicant **Municipal Authority of  
Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Township or Borough] Allegheny Township

Responsible Official William Castelli, Distribution  
Facility Superintendent  
Municipal Authority of the  
Borough of Derry  
620 North Chestnut Street  
Derry, PA 15627

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co.,  
Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Application Received Date March 16, 2015

Description of Action Construction of a new 250,000  
gallon water storage tank with a  
mixing system at the Shearsburg  
tank site.

**Permit No. 6515504**, Public Water Supply.

Applicant **Municipal Authority of  
Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Township or Borough] Salem Township

Responsible Official William Castelli, Distribution  
Facility Superintendent  
Municipal Authority of the  
Borough of Derry  
620 North Chestnut Street  
Derry, PA 15627

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co.,  
Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Application Received Date March 16, 2015

Description of Action Construction of a new 250,000  
gallon water storage tank with a  
mixing system at the Slickville  
tank site.

**Permit No. 2615501**, Public Water Supply.

Applicant **Municipal Authority of  
Westmoreland County**  
124 Park & Pool Road  
New Stanton, PA 15672

[Township or Borough] Hempfield Township

Responsible Official William Castelli, Distribution  
Facility Superintendent  
Municipal Authority of the  
Borough of Derry  
620 North Chestnut Street  
Derry, PA 15627

Type of Facility Water system

Consulting Engineer Gibson-Thomas Engineering Co.,  
Inc.  
1004 Ligonier Street  
PO Box 853  
Latrobe, PA 15650

Application Received Date March 16, 2015

Description of Action Construction of a new 1,000,000  
gallon water storage tank with a  
mixing system at the North  
Greensburg tank site.

**MINOR AMENDMENT****Applications Received Under the Pennsylvania Safe  
Drinking Water Act**

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

**Application No. 1115504MA, Minor Amendment.**

Applicant **Southwestern Cambria  
County Water Authority**  
79 Vogel Street  
Johnstown, PA 15902

[Township or Borough] Conemaugh Township

Responsible Official Jeff Keyser, Chairman  
Southwestern Cambria County  
Water Authority  
79 Vogel Street  
Johnstown, PA 15902

Type of Facility Water system

Consulting Engineer The EADS Group, Inc.  
450 Aberdeen Drive  
Somerset, PA 15501

Application Received Date March 18, 2015

Description of Action Painting and rehabilitation of  
the Clapboard Run Tank No. 1.

**Application No. 1115505MA, Minor Amendment.**

Applicant **Southwestern Cambria  
County Water Authority**  
79 Vogel Street  
Johnstown, PA 15902

[Township or Borough] Conemaugh Township  
 Responsible Official Jeff Keyser, Chairman  
 Southwestern Cambria County  
 Water Authority  
 79 Vogel Street  
 Johnstown, PA 15902

Type of Facility Water system  
 Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501

Application Received Date March 18, 2015  
 Description of Action Painting and rehabilitation of  
 the Clapboard Run Tank No. 2.

Responsible Official Michele Enos, Interim Borough  
 Manager  
 Borough of Somerset  
 PO Box 71  
 Somerset, PA 15501

Type of Facility Water system  
 Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501

Application Received Date March 27, 2015  
 Description of Action Installation of approximately 800  
 feet of 16-inch and 450 feet of  
 6-inch diameter waterline and  
 appurtenances along SR 0031.

**Application No. 1115506MA, Minor Amendment.**

Applicant **Southwestern Cambria  
 County Water Authority**  
 79 Vogel Street  
 Johnstown, PA 15902

[Township or Borough] Conemaugh Township  
 Responsible Official Jeff Keyser, Chairman  
 Southwestern Cambria County  
 Water Authority  
 79 Vogel Street  
 Johnstown, PA 15902

Type of Facility Water system  
 Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501

Application Received Date March 18, 2015  
 Description of Action Painting and rehabilitation of  
 the Cover Hill Tank.

**Application No. 1115507MA, Minor Amendment.**

Applicant **Southwestern Cambria  
 County Water Authority**  
 79 Vogel Street  
 Johnstown, PA 15902

[Township or Borough] Conemaugh Township  
 Responsible Official Jeff Keyser, Chairman  
 Southwestern Cambria County  
 Water Authority  
 79 Vogel Street  
 Johnstown, PA 15902

Type of Facility Water system  
 Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501

Application Received Date March 18, 2015  
 Description of Action Painting and rehabilitation of  
 the Mitzel Lane Tank.

**Application No. 5615506MA, Minor Amendment.**

Applicant **Borough of Somerset**  
 PO Box 71  
 Somerset, PA 15501

[Township or Borough] Somerset Borough and Somerset  
 Township

**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**

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

**WA26-1005, Water Allocations. Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, **Fayette County**. The applicant is requesting the right to purchase 1,060,000 gallons of water per day from the Municipal Authority of **Westmoreland County**.

**WA26-1006, Water Allocations. Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, **Fayette County**. The applicant is requesting the right to purchase 11,000 gallons of water per day from the Pleasant Valley Township Water Authority.

**WA32-271B, Water Allocations. Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, **Fayette County**. The applicant is requesting a Succession of Water Rights for the change in name from Western Pennsylvania American Water Company to Pennsylvania American Water Company.

**WA65-1004, Water Allocations. Municipal Authority of the Borough of Derry**, 620 N Chestnut Street, Derry, PA 15627, **Westmoreland County**. The applicant is requesting the right to purchase 800,000 gallons of water per day from the Latrobe Municipal Authority at the Route 982 pump station.

**WA3-1013, Water Allocations. Ford City Borough**, 1000 4th Avenue, PO Box 112, Ford City, PA 16226, **Armstrong County**. The applicant is requesting the right to withdraw 2,160,000 gallons of water per day from Wells #1, #2 and #3 along the Allegheny River, **Armstrong County**

**WA11-1007, Water Allocations. Greater Johnstown Water Authority (Riverside)**, 640 Franklin Street, Johnstown PA 15907, **Cambria County**. The applicant is requesting the right to purchase 18,000 gallons of water per day from the Highland Water & Sewer Authority.



## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

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#### Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907)

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Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the 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. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or 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 contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. 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 listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Beck Fuels, Inc.**, 516 Keener Drive, Lewis Township, **Northumberland County**. Northridge Group, Inc., P.O. Box 231, Northumberland, PA 17857, on behalf of Beck Fuels, Inc., 4655 Susquehanna Trail, Turbotville, PA 17777 submitted a Notice of Intent to Remediate. The site was impacted with an undetermined amount of #2 heating oil. The site was and will remain a residential property. The Notice of Intent to Remediate was published in *The Daily Item* on February 25, 2015.

*Northeast Region: Eric Supey, Environmental Cleanup and Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**1122 Broad LLC**, 1130 West Broad Street, City of Bethlehem, **Lehigh County**. EarthRes Group Inc., on behalf of 1122 Broad LLC, P.O. Box 90084, Allentown, PA 18109, submitted a Notice of Intent to Remediate. Site contamination consists of a limited area of impacted soil, located beneath a sump located in the basement of a former automotive maintenance facility. The proposed future use of the property will be for commercial purposes, and the proposed cleanup standard is the Statewide Health Standard. The Notice of Intent to Remediate was published in *The Morning Call* on February 28, 2015.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Restaurant Depot**, 4250 Chambers Hill Road, Harrisburg, PA 17111, Swatara Township, **Dauphin County**. Whitestone Associates, 1600 Manor Drive, Suite 220, Chalfont, PA 18914, on behalf of Bird Hill Farms, 7004 Old Tabby Circle, Lakewood Ranch, FL 34202, and Restaurant Depot, 1524 132nd Street, College Point, NY 11356, submitted a Notice of Intent to Remediate site soils contaminated with diesel fuel. The site will be remediated to the Statewide Health Standard. Future use of the site is commercial/industrial. The Notice of Intent to Remediate was published in the *Patriot News* on March 8, 2015.

**Tracy and Catherine Taylor Property**, 883 North River Road, Halifax, PA 17032, Halifax Township, **Dauphin County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of State Farm Insurance, PA Fire Claims, PO Box 106110, Atlanta, GA 30348-6110; Tracy and Catherine Taylor, 883 North River Road; Nancy and Elmer Feidt, 895 North River Road; Glenn and Gloria Yeager, 421 North 5th Street; Mid Penn Bank, 894 North River Road; and Simmons Management Company, 538 Locust Street, Halifax, PA 17032, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 2 fuel oil released from an aboveground storage tank. The site will be remediated to the Residential Statewide Health Standard. Future use of the site remains residential. The Notice of Intent to Remediate was published in the *Upper Dauphin Sentinel* on February 17, 2015.



**DETERMINATION OF APPLICABILITY FOR  
RESIDUAL WASTE GENERAL PERMITS**

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

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401*

**General Permit Application No. WMGR103SE001. Jeffrey Sparks Excavating & Topsoil Co.**, 4094 Burnt House Hill Road, Doylestown, PA 18901. This application for Determination of Applicability (DOA) is for the processing by grinding, mixing, screening, and biological decomposition of tree stumps, roots, leaf waste, stump grindings and grubbing material for the beneficial use as a mulch material to be constructed and operated under General Permit No. WMGR103SE001 at the Sparks Excavating and Topsoil Facility located at 4094 Burnt House Hill Road, Doylestown, PA, Buckingham Township, **Bucks County**. The application for determination of applicability was accepted as administratively complete by the Southeast Regional Office on March 11, 2015.

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

**General Permit Application No. WMGR017D005. R.C. Stahlnecker Co.**, 305 Broadway Street, Milton, PA 17847-2401. For the beneficial use of water supply treatment plant sludge in East Chillisquaque Township, **Northumberland County**, as (i) a soil additive by land application upon, agricultural, agronomic, horticultural, and silvicultural lands and (ii) land application on disturbed lands to facilitate re-vegetation for land reclamation purposes. The Department has deemed the renewal application to be administratively complete on March 30, 2015.

Written comments concerning the renewal application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984. Comments may also be submitted via e-mail at rapbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGR017D005" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

**AIR QUALITY**

**PLAN APPROVAL AND OPERATING PERMIT  
APPLICATIONS**

The 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 general

public. This approach allows the owner or operator of a facility to submit permitting documents relevant to its application for all sources related to a facility or a proposed project, affords an opportunity for public input, and provides for a decision on the issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of the application, the Department's analysis, all pertinent documents used in the evaluation of the application and subsequently prepared proposed plan approvals/operating permits are available for public review during normal business hours at the appropriate Department Regional Office. Appointments for scheduling a review must be made by calling the appropriate Department Regional Office. The address and phone number of the Regional Office is listed before the application notices.

Persons wishing to file a written protest or provide comments or additional information, which they believe should be considered prior to the issuance of a permit, may submit the information to the Department's Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments, protests and information. Each submission must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Plan Approval/Operating Permit including the permit number and a concise statement regarding the relevancy of the information or objections to issuance of the permit.

A person wishing to request a hearing may do so during the 30-day comment period. A public hearing may be held, if the Department, in its discretion, decides that a hearing is warranted based on the information received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper, the *Pennsylvania Bulletin* or by telephone, when the Department determines this type of notification is sufficient. Requests for a public hearing and any relevant information should be directed to the appropriate Department Regional Office.

Permits issued to the owners or operators of sources subject to 25 Pa. Code Chapter 127, Subchapter D or E, or located within a Title V facility or subject to 25 Pa. Code § 129.51(a) or permits issued for sources with limitations on their potential to emit used to avoid otherwise applicable Federal requirements may be submitted to the United States Environmental Protection Agency for review and approval as a revision to the State Implementation Plan. Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the sources are constructed and operating in compliance with applicable requirements in the Air Pollution Control Act (35 P. S. §§ 4001—4015), 25 Pa. Code Chapters 121—145, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

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**PLAN APPROVALS**


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**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.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilke-Barre, PA 18711-0790*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**39-00011D: Lafarge North America, Inc.** (5160 Main Street, Whitehall, PA 18052) has submitted an application to the Pennsylvania Department of Environmental Protection for plan approval to modify the plastic derived fuel (PDF) limitations for use in Kiln No. 2 and 3 at their Whitehall Plant in Whitehall Township, **Lehigh County**.

The facility proposes to revise the permit limits related to PDF feed rate and PDF heat content. Also the facility proposes to broaden the acceptable materials comprising PDF by referencing General Permit No. WMGR106 for Kiln 2 and Kiln 3. The current emission limits for HCN, HCl, and Cl<sub>2</sub> will not change as a result of this modification. Plan Approval No. 39-00011D will also contain additional recordkeeping, testing and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 39-00011. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 35-00011D and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**19-00007B: Transcontinental Gas Pipe Line Company, LLC.** (PO Box 1396, Houston, TX 77251-1396) has submitted a plan approval application to the Department

for the construction of a Solar Mars 100 natural gas-fired combustion turbine and a Waukesha P48GL emergency generator, at their Compressor Station 517 located in Jackson Township, **Columbia County**.

**41-00001B: Transcontinental Gas Pipe Line Company, LLC.** (PO Box 1396, Houston, TX 77251-1396) has submitted a plan approval application to the Department for the construction of a Solar Mars 100 natural gas-fired combustion turbine and a Waukesha P48GL emergency generator, at their Compressor Station 520 located in Mifflin Township, **Lycoming County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**43-196D: General Transportations—Grove City Plant** (1503 W. Main Street Extension, Grove City, PA 16127-2513), for the modification of test cells #5 & #6 to allow for testing of newer engine models in Grove City Borough, **Mercer County**. This is a Title V facility.

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**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act 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*

*Contact: James A. Beach, New Source Review Chief—Telephone: 484-250-5920*

**46-0172E: Gemalto, Inc.** (101 Park Drive, Montgomeryville, PA 18936) for the installation of a new Sakurai Screen Press at an existing facility located in Montgomeryville, **Montgomery County**. The primary pollutant of concern is volatile organic compound (VOC) emissions from the inks and solvents to be used in the operation of this press. Gemalto is categorized as a synthetic minor 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.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**17-00001E: NRG REMA LLC** (250 Power Plant Drive, Shawville, PA 16873) has submitted a plan approval application to the PA Department of Environmental Protection (DEP) for the proposed construction of a mechanical draft cooling tower at the Shawville Generating Station located in Bradford Township, **Clearfield County**.

PA DEP's review of the information submitted by NRG REMA LLC indicates that the proposed cooling tower will comply with all applicable regulatory requirements, including the best available technology (BAT) of 25 Pa. Code §§ 127.1 and 127.12 and the National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers as codified in 40 CFR Part 63 Subpart Q. The information shows the use of the proposed high efficiency drift eliminators will result in maximum drift rate equal to 0.0005% of the circulating water flow rate. In addition, operation of the proposed cooling tower will be prohibited to include the use of

chromium-based water treatment chemicals. Based on this finding, the Department proposes to issue a plan approval for the proposed cooling tower. In addition to the restrictions provided above, the following is a brief description of the types of conditions the Department intends to place in the plan approval in order to ensure compliance with the applicable air quality regulatory requirements.

In accordance with BAT, the emissions from the proposed cooling tower will not exceed the following limits: 3.0 lbs/hr of particulate matter (condensable and filterable), PM<sub>10</sub>, and PM<sub>2.5</sub> and 4.9 tons per 12 consecutive month period of particulate matter, PM<sub>10</sub>, and PM<sub>2.5</sub>. The plan approval conditions include a throughput restriction which limits the total dissolved solids (TDS) of the cooling tower circulating water to 4,000 ppms. The plan approval includes monitoring conditions that pertain to the following parameters; the cooling tower circulating water TDS, and the cooling tower circulating pump hours of operation and discharge flow rates. The plan approval also includes recordkeeping and reporting of the monthly emissions of particulate matter, PM<sub>10</sub>, and PM<sub>2.5</sub>.

The extension of compliance for the electric generating units located at the facility with respect to the National Emission Standards for Hazardous Air Pollutants: Coal and Oil-Fired Electric Utility Steam Generating Units was included in the plan approval. The plan approval condition requires the facility to adhere to the compliance schedule as received on September 11, 2014.

The facility is a major (Title V) facility. If the Department determines that the source is constructed and operated in compliance with the plan approval conditions including the specifications of the application for Plan Approval 17-00001E, the requirements established in the plan approval will be incorporated into Title V Operating Permit 17-00001 pursuant to the administrative amendment provisions of 25 Pa. Code § 127.450.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

#### OPERATING PERMITS

##### **Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**17-00003: Dominion Transmission Inc.** (5000 Dominion Boulevard Glen Allen, VA 23060) to issue a renewal Title V Operating Permit for their Luther Transmission Station located in Brady Township, **Clearfield County**. The facility is currently operating under Title V Operating Permit 17-00003. The facility's main sources include multiple natural-gas-fired heaters/boilers ranging from 0.036 MMBtu/hr to 0.35 MMBtu/hr, two 440 brake-horsepower natural-gas-fired compressor engines, one 30 brake-horsepower natural-gas-fired emergency engine, one glycol dehydration unit controlled by a flare, and various storage tanks.

The facility has potential annual emissions of 132.35 tons of carbon monoxide, 139.93 tons of nitrogen oxides,

0.02 ton of sulfur oxides, 0.43 ton of particulate matter including particulate matter less than 10 microns in size, 0.43 ton of particulate matter less than 2.5 microns in size, 18.36 tons of volatile organic compounds, 0.46 ton of formaldehyde, 0.76 ton of hazardous air pollutants, and 9,904 tons of greenhouse gases. The emission limits, throughput limitations and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 40 CFR Part 63 Subpart ZZZZ and 25 Pa. Code Chapters 121—145.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

##### **Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**09-00108: Bucks County Water & Sewer Authority—Totem Road Pump Station II** (910 Haunted Lane, Bensalem, PA 19020) for the operation of a packed bed tower wet air scrubber to control odors from the sanitary sewage pump station located in Bensalem, **Bucks County**. The permit is for a non-Title V (State Only) facility. The existing permit was issued on 10-6-2010 and will expire on 9-30-2015. The facility has the potential to emit 0.0008 ton of hydrogen sulfide per year and utilizes an odor scrubber as a control device. The facility's primary criteria pollutant sources are the two diesel fuel-fired backup emergency generators. Based on the potential emissions of VOC and NO<sub>x</sub>, which are less than major source threshold, the facility is a Synthetic Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00269: hibu (formerly Yellow Book USA, Inc.)** (2201 Renaissance Blvd., King of Prussia, PA 19406) for operation of three (3) emergency generators at their facility located in Upper Merion Township, **Montgomery County**. This action is renewal of the operating permit which incorporates Plan Approval Nos. 46-0269 and 46-0269A. The initial permit was issued 7-13-2010 and will expire on 7-31-2010. The permit is for a non-Title V, Synthetic Minor facility. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**15-00128: Brandywine Green DBA Pet Memorial Services** (126 Turner Lane, West Chester, PA 19380; Attn: Ms. Margaret Houtman) for the renewal of a non-Title V Facility, State-Only Natural Minor Operating Permit in West Goshen Township, **Chester County**. The initial operating permit was issued on November 12, 2009, with an effective date of December 1, 2009. Pet Memorial Services continues to operate four (4) identical Crawford animal crematoriums (Source ID 101), rated at 450 lbs/hr each, and one (1) EPA Technologies animal



crematorium (Source ID 102), rated for 130 lbs/hr. As a modification to the crematoriums, opacity sensors have been added to each unit to ensure that the opacity does not exceed 10%, allow the facility to stoke the crematoriums as needed. Conditions have been added to the operating permit to address this modification. The facility also has a parts washer (Source ID 200) and an emergency generator (Source ID 700). These sources did not require a Plan Approval. Applicable requirements have been incorporated into the operating permit for these two sources. The following are potential emissions from the facility: NO<sub>x</sub>—17.21 TPY; VOC—17.1 TPY; SO<sub>x</sub>—13.96 TPY; PM—39.09 TPY; CO—55.89 TPY; and HCl—6.14 TPY. The permit will contain monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**46-00201: Kirk & Nice Funeral Home and Crematory** (80 Stenton Ave, Plymouth Meeting, PA 19462) for operation of an existing human crematory unit in Whitmarsh Township, **Montgomery County**. The renewal permit is for a non-Title V (State only) facility. The major source of air emissions is one (1) existing crematory unit. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00168: Moss Rehab Einstein** (60 East Township Line Road, Elkins Park, PA 19027) located in Cheltenham Township, **Montgomery County**. The renewal permit is for a non-Title V (State only) facility. The facility elects to cap facility-wide Nitrogen Oxide (NO<sub>x</sub>) emissions to less than 25 tons per year; therefore, the facility is a Synthetic Minor. The requirements of 40 CFR Part 60 Subpart III—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines apply to the Detroit Emergency Generator (Source ID 107). The renewal permit will include monitoring, recordkeeping, and reporting requirements designed to keep the facility within all applicable air quality requirement.

**15-00044: Sunoco Partners Marketing & Terminals L. P.—Exton Terminal** (623 East Lincoln Highway, Exton, PA 19341) for operation of three distillate storage tanks, two biodiesel fuel storage tanks, one loading rack, and a small oil-fired boiler located in East Whiteland Township, **Chester County**. This action is a renewal of a State Only Operating Permit (Synthetic Minor), which was originally issued on March 30, 2005. The facility took throughput restrictions for distillate products and biodiesel to maintain its VOC and HAP emissions below the threshold levels. The renewal contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**40-00119: First Quality Nonwovens**, (101 Green Mountain Road., Hazleton, PA 18202) The Department intends to issue a State Only operating permit for a fabric manufacturing facility in Hazle Township, **Luzerne County**. The State Only operating permit includes emissions, monitoring, record keeping, reporting, testing and any additional conditions designed to ensure compliance with all applicable Federal and State air pollution control requirements.

**48-00078: Chrin Brothers, Inc.** (635 Industrial Drive, Easton, PA. 18042-7339) The Department intends to issue

a renewal operating permit for a stone crushing facility located in Williams Township, **Northampton County**. The facility has the potential to emit particulate matter (PM) above Title V emission thresholds and is taking an elective restriction on operating hours and an emission limitation on particulate matter (PM) to maintain synthetic minor operating permit status. The proposed State Only (Synthetic Minor) Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting and work practice standards designed to ensure facility compliance with Federal and State air pollution regulations.

**39-00079: Bridesburg Foundry Co./Whitehall** (PO Box 269, Whitehall, PA 18052-0269) for copper rolling, drawing, extruding, and alloying facility in Whitehall Township, **Lehigh County**. The sources consist of tilt, push up, and lift swing furnaces, slag stations, cut off saws, grinders, blast cleaners, silos, and sand reclamation. The control devices consist of baghouses. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

**39-00091: Service Tire Truck Center, Inc., Bethlehem Plant** (2255 Avenue A, Bethlehem, PA 18017-2107) for tire retreading facility in Bethlehem City, **Lehigh County**. The sources consist of truck tire retreading process. The sources are controlled by a rubber recovery cyclone. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

**48-00079: Heintzelman Funeral Home, Inc., Lehigh Valley Crematory Hellertown** (301 Front Street, Hellertown, PA 18055-1720) for funeral service and crematories operation in Hellertown Borough, **Northampton County**. The primary sources are incinerators. The control devices are afterburners. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Natural Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

**39-00061: Electro Chemical Engineering & Manufacturing Company** (750 Broad Street, Emmaus, PA 18049) for metal coating, engraving, and allied services to manufactures facility in Emmaus Borough, **Lehigh County**. The sources consist of 5 ovens and 2 spray booths for baking coating, sheet lining, epoxy painting, and mortar application. The sources are considered minor emission sources of nitrogen oxide (NO<sub>x</sub>), sulfur oxides (SO<sub>x</sub>), carbon monoxide (CO), total suspended particulate (TSP) and VOC's. This is a renewal of the State-Only Synthetic Minor operating permit. The State-Only operating permit includes applicable state and federal requirements, work practice standards, testing, monitoring, recordkeeping and reporting requirements.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**47-00002: Great Dane Limited Partnership** (70 Strick Road, Danville, PA 17821) to issue a renewal State Only (Synthetic Minor) Operating Permit for their Danville Plant located in Limestone Township, **Montour County**. The facility is currently operating under Title V Operating Permit 47-00002; however, the permittee has requested a voluntary emissions cap in order for the facility to be designated as a Synthetic Minor. The facility manufactures and finishes truck trailers. The facility's main sources include four spray coating lines, associated cleanup operations, shot blast booth, bake oven, emergency generator, welding operations, truck roof assembly area and plasma cutting operations.

The facility has potential emissions of 8.65 TPY of CO; 14.90 TPY of NO<sub>x</sub>; 0.07 TPY of SO<sub>x</sub>; 0.80TPY of PM; <50 TPY of VOCs; 17.07 TPY HAPs; 14,615 TPY CO<sub>2e</sub>.

The emergency generator is subject to 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

The emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements have been included in the operating permit to ensure the facility complies with all applicable Federal and State air quality regulations. These operating permit conditions have been derived from the applicable requirements of 25 Pa. Code Chapters 121—145 as well as 40 CFR Part 63.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6131*

**10-00379: Mountain Gathering** (810 Houston Street, Fort Worth, Texas 76102), to issue a new State Only Operating Permit for their Penn Cryo facility located in Penn Township, **Butler County**. The facility is a Natural Minor. Potential emissions are estimated as follows: NO<sub>x</sub>, 4.076 tpy; CO, 8.133 tpy; VOC, 7.178 tpy; SO<sub>2</sub>, 0.059 tpy; PM, 0.666 tpy; and all combined HAPs, 0.915 tpy. The primary sources at the facility are a 20 million Btu/hr process heater, 3 storage tanks, and a gas processing plant. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**33-00159: Brookville Mining Equipment Corporation.** (175 Evans Street, Brookville, PA 15825), to issue a renewal State Only Operating Permit for the facility located in Pine Creek Township, **Jefferson County**. The facility is a Natural Minor. The facility manufactures and restores mining and railroad cars and other equipment. The primary sources at the facility include spray booths for surface coating, a heater for the booths and a parts cleaner. The permit also includes the sources at the Pickering Street Facility (spray booth and oven). The facility uses some coatings that contain the Target HAP

so the requirements for 40 CFR 63 Subpart HHHHHH are included in the renewal permit. The renewal permit also contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

**43-00322: Thompson Fabricating Inc.** (PO Box 432, Wheatland, PA 16161-0432), to issue a renewal State Only Operating Permit for the facility located in Wheatland Borough, **Mercer County**. The facility is a Natural Minor. The facility fabricates and surface coats dumpsters and storage containers for the oil and gas industry. The primary sources at the facility include a spray booth for coating and a heater for the booth. The actual VOC emissions from the facility were approximately 6.0 TPY in 2014. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**11-00529: Ebensburg Animal Hospital** (922 Rowena Drive, Ebensburg, PA 15931) for the operation of an animal crematory located in Ebensburg Borough, **Cambria County**. EAH operates a natural gas incinerator with after burner chamber. This facility has the potential to emit 0.66 tpy PM, 0.94 tpy CO, 0.23 tpy SO<sub>x</sub>, 0.28 tpy NO<sub>x</sub>, and 0.28 tpy VOC. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

## PLAN APPROVALS

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

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**48-00058A: Effort Foundry, Inc.** (6980 Chrisphalt Drive, Bath, PA 18014) for their facility in East Allen Township, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Effort Foundry, Inc. (6980 Chrisphalt Drive, Bath, PA 18014) for their facility in East Allen Township, Northampton County. This Plan Approval No. 48-00058A will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No.48-00058A is for the relocation of four (4) burn and weld booths and installation of one (1) new dust collector. Particulate Matter (PM) emissions from the plant will remain under their 100 TPY threshold limit, 12-month rolling sum. The company shall be subject to and comply with 25 Pa. Code § 123.13 for PM emissions. These limits will meet BAT requirements for this source.



The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 48-00058A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where DEP determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Environmental Group Manager, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

## 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—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application 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 address of the district mining office indicated before each 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.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the 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 desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

### *Coal Applications Withdrawn*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900*

**Permit No. 11970106 and NPDES No. PA0234591, Laurel Sand & Stone, Inc.**, 210 East Main Street, P.O. Box 556, Ligonier, PA 15658, commencement, operation and restoration of a bituminous surface mine to reconstruct the outfalls of Sediment basins SP-1, SP-4 and SP-5 to be modified to a non-point source discharge due to the TMDL limits of the renewed permit in Jackson Township, **Cambria County**, affecting 85.2 acres. Receiving stream: unnamed tributary to south Branch of Blacklick Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: August 29, 2014. Application withdrawn: March 16, 2015.

### *Coal Applications Received*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900*

**Permit No. 56890115 and NPDES PA0598666. PBS Coals, Inc.**, 1576 Stoystown Road, P.O. Box 260, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County** affecting 299.2 acres. Receiving streams: unnamed tributaries to/and Blue Lick Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 16, 2015.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**17030112 and NPDES No. PA0243566. Clearfield Properties, Inc.** (2151 Lisbon Road, Kennerdell, PA 16374). Permit renewal of an existing bituminous surface mine located in Chest Township, **Clearfield County** affecting 148.9 acres. Receiving streams: Unnamed Tributaries to North Camp Run to Chest Creek classified for the following use(s): CWF. There are no potable water supply intakes within 10 miles downstream. Application received: March 18, 2015.

*New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500*

**03090201 and NPDES Permit No. PA0251798. Coal Valley Sales, LLC** (111 Freepport Road, Pittsburgh, PA

15215). Renewal application for reclamation only to an existing bituminous surface mine, located in North Buffalo and Cadogan Townships, **Armstrong County**, affecting 72.6 acres. Receiving stream: unnamed tributary to Allegheny River, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: March 23, 2015.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118*

**Permit No. 54830104C10. Hardway Coal Company**, (44 Keystoker Lane, Schuylkill Haven, PA 17972), correction to add 5.0 acres to an existing anthracite surface mine, refuse disposal and preparation plant operation in Cass Township, **Schuylkill County** affecting 61.5 acres, receiving stream: West Branch Schuylkill River, classified for the following use: cold water fishes. Application received: March 12, 2015.

**Permit No. 54850107R6. Lone Eagle Coal Company, Inc.**, (2068 Old Phoenix Road, Pottsville, PA 17901), renewal of an existing anthracite surface mine

operation in Foster Township, **Schuylkill County** affecting 59.9 acres, receiving stream: West Branch Schuylkill River, classified for the following use: cold water fishes. Application received: March 13, 2015.

**Permit No. 49050101R2. Farragut Anthracite Company**, (122 Wilburton Road, Mt. Carmel, PA 17851), renewal of an existing anthracite surface mine and coal refuse disposal operation in Coal and Zerbe Townships, **Northumberland County** affecting 578.0 acres, receiving streams: unnamed tributary to Carbon Run and tributary to Shamokin Creek, classified for the following uses: cold water fishes and migratory fishes. Application received: March 23, 2015.

**Permit No. 54783702R6 and NPDES Permit No. PA0593010. Reading Anthracite Company**, (PO Box 1200, Pottsville, PA 17901), renewal of an existing anthracite coal refuse disposal and preparation plant operation in New Castle, Cass and Norwegian Townships, **Schuylkill County** affecting 512.0 acres, receiving stream: West Branch Schuylkill River, classified for the following uses: cold water and migratory fishes. Application received: March 24, 2015.

### MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a 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 (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

#### *Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<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*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: 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; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

#### *Effluent Limits for Noncoal Mining Activities*

The limits for noncoal mining activities as provided in 25 Pa. Code Chapter 77 are pH 6 to 9 and other parameters the Department may require.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the

Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 563-2112-115, Developing National Pollutant Discharge Elimination System (NPDES) Permits for Mining Activities. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must 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 or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Coal NPDES Draft Permits*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900*

**NPDES No. PA0249661 (Mining Permit No. 11040101), E.P. Bender Coal Company, Inc.**, P.O. Box 594, Carrolltown, PA 15722, renewal of an NPDES permit for discharge of water resulting from surface coal mining in Reade Township, **Cambria County**, affecting 69.0 acres. Receiving stream: Powell Run, classified for the following use: cold water fishery. This receiving stream is included in the Clearfield Creek TMDL. Application received: March 12, 2015.

The outfalls listed below discharge to Powell Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (TF1)	N
002 (SP1)	N
003 (SP2)	N

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfall: 001 (All Weather Conditions)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.7	3.4	4.2
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

<i>Outfalls: 002 &amp; 003 (Dry Weather)</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	1.7	3.4	4.2
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

<i>Outfalls: 002 &amp; 003</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>(≥10-yr/24-hr Precip. Event)</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Iron (mg/l)	N/A	N/A	7.0
Total Settleable Solids (ml/l)	N/A	N/A	0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

**NPDES No. PA0605778 (Mining Permit No. 32830113), Beilchick Brothers**, P.O. Box 7, Heilwood, PA 15745, renewal of an NPDES permit for discharge of water resulting from surface coal mining operations in Buffington

Township, **Indiana County** affecting 410 acres. Receiving streams: unnamed tributaries to/and Mardis Run, classified for the following use: cold water fisheries. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: August 19, 2014.

The outfalls listed below discharge to unnamed tributaries to/and Mardis Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
003	N
004	N
005	N
015	N
016	N
017	N
018	N
019	N
020	N

The proposed effluent limits for the above listed outfalls are as follows:

*Outfalls: 003, 004, 005, 015, 016, 017, 018, 019 & 020 (All Weather Conditions)*

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**NPDES No. PA0259527 (Permit No. 33140105). Original Fuels, Inc.** (P.O. Box 343, Punxsutawney, PA 15767) New NPDES permit for a bituminous surface mine in Perry and Young Townships, **Jefferson County**, affecting 441.5 acres. Receiving streams: Unnamed tributaries to Mahoning Creek and Mahoning Creek, classified for the following uses: WWF. TMDL: None. Application received: November 18, 2014.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall(s) listed below discharge to unnamed tributaries to Mahoning Creek and Mahoning Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TA	Y
TB	Y
TC	Y
TD	Y
TE	Y
TF	Y
TG1	Y
TG2	Y
TJ	Y

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

<sup>1</sup> The parameter is applicable at all times.

The outfall(s) listed below discharge to unnamed tributaries to Mahoning Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	Y
B	Y
C	Y
D	Y
E	Y
F	Y
G	Y



<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
H	Y
I	Y
J	Y

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity <sup>1</sup>				
Total Settleable Solids (ml/l)				0.5

**NPDES No. PA0259543 (Permit No. 33140106). P. and N. Coal Company, Inc.** (P.O. Box 332, Punxsutawney, PA 15767) New NPDES permit for a bituminous surface mine in Washington Township, **Jefferson County**, affecting 892.4 acres. Receiving streams: Unnamed tributaries to Rattlesnake Run, unnamed tributaries to Wolf Run, and Harveys Run, all classified for the following uses: CWF. TMDL: Little Toby Creek. Application received: January 20, 2015.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The outfall(s) listed below discharge to unnamed tributaries to Rattlesnake Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TB1	Y
TB2	Y
TB3	Y
TB4	Y
TB5	Y
TB6	Y
TB7	Y
TB8	Y
TB9	Y
TB10	Y
TB11	Y

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	1.5	1.9
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

<sup>1</sup>The parameter is applicable at all times.

The outfall(s) listed below discharge to unnamed tributaries to Wolf run and Harveys Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TB12	Y
TB13	Y
TB14	Y
TB15	Y
TB16	Y

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)		35	70	90

<sup>1</sup>The parameter is applicable at all times.



The outfall(s) listed below discharge to unnamed tributaries to Rattlesnake Run, unnamed tributaries to Wolf Run and Harveys Run:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	Y
B	Y
C	Y
D	Y
E	Y
F	Y
G	Y
H	Y
I	Y
J	Y
K	Y
L	Y
M	Y
N	Y
O	Y

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity <sup>1</sup>				
Total Settleable Solids (ml/l)				0.5

*New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500*

**NPDES No. PA0599727 (Mining permit no. 03830116), Bedrock mines, LP**, 111 Freeport Road, Pittsburgh, PA 15215, renewal NPDES permit for a bituminous surface Kittanning Township, **Armstrong County**, affecting 830 acres. Receiving streams: unnamed tributaries to Mill Run and Mill Run, classified for the following uses: WWF. Application received: February 20, 2015.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>	<i>TYPE</i>
004, 005, 006, 010, 015, 019, 022, 027	N N	Stormwater/Sedimentation Ponds Stormwater/Sedimentation Ponds

The proposed effluent limits for the above listed outfall(s) are as follows: for dry weather discharges

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35	70	90
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The proposed effluent limits for the above listed outfall(s) are as follows: for precipitation events less than or equal to a 10 year/24 hour storm event

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	NA	NA	7.0
Total Settable Solids (mg/l)	NA	NA	0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

## 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. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate

the 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, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted

before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

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

**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 FWPCA.**

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900*

**E51-267. Delaware River Waterfront Corporation,** 121 N. Columbus Boulevard, Philadelphia, PA 19106, City of Philadelphia, **Philadelphia County,** ACOE Philadelphia District.

To construct and maintain a new steel pile bulkhead, and to place fill in approximately 1.32 acre in the 100-year floodplain of the Delaware River, in the area between Spring Garden Pier and Festival Pier, for the purpose of waterfront project development.

The site is located approximately 2,000 feet north of the Ben Franklin Bridge crossing of the Delaware River (Philadelphia, PA USGS map Lat. 39 5734, Long. -75 0811).

**E46-1117. Toll Brothers, Inc.,** 516 N. Newtown Street Road, Newtown Square, PA 17073, Skippack Township, **Montgomery County,** ACOE Philadelphia District.

To construct and maintain 104 single family houses associated with the Final Phase of the Meadow Glen subdivision, impacting 0.42 acre of the aquatic resources on site, and 0.078 acre of wetland impact, due to minor road and utility crossings.

The site is located near the intersection of (PA Rte. 73) Skippack Pike and Lederach Cross Road (Collegeville USGS map Lat: 40.2437; Long. -75.4316).

*Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**E10-495, PA DOT District 10-0,** 2550 Oakland Ave., Indiana, PA 15701. SR 0079 Section 240 Slip Lining Project across UNT to Yellow Creek, Lancaster Township, **Butler County,** ACOE Pittsburgh District (Evans City, PA Quadrangle N: 40°, 50', 46.5"; W: -80°, 6', 8.9").

To seek after-the fact authorization in order to excavate and remove approximately 25 feet of the upstream end of the corrugated metal pipe stream enclosure and to install and maintain 209 feet of 6.5-foot diameter corrugated metal pipe within the remaining structure carrying a tributary to Yellow Creek at milepost 90.6 on I-79 in Lancaster Township, Butler County.

**ACTIONS**

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

**FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS**

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<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 regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions 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 in the respective permit. The 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 that action to the Environmental Hearing Board (Board) 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

Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the 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 to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal 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 contact 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: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0084468 IW	Dura Bond Pipe LLC 2716 South Front Street Steelton, PA 17113	Dauphin County Steelton Borough	Pennsylvania Canal & UNT of Susquehanna River/7-C	Y
PA0008541 IW	Johnson Controls Inc. 631 South Richland Avenue York, PA 17403	York County Spring Garden Township	Codorus Creek/7-H	Y
PA0087611 Sew	Richfield Area Joint Authority 186 Seven Stars Road Richfield, PA 17086	Juniata County Monroe Township	West Branch Mahantango Creek/6-C	Y
PA0014605 IW	United Water PA Inc. 4211 East Park Circle Harrisburg, PA 17111-0151	York County Fairview Township	Yellow Breeches Creek/7-E	Y

*Northcentral Regional Office: Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0110116 (Sewage)	Former Hut Restaurant STP 4350 State Route 147 Herndon, PA 17830	Northumberland County Lower Mahanoy Township	Fidlers Run (6-B)	Y
PA0228923 (IW)	Pine Cradle Lake Campground 220 Shoemaker Road Ulster, PA 18850	Bradford County Rome Township	Unnamed Tributary to Parks Creek (4-D)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0031461 (Sewage)	Thomas MHP 11962 US Route 19 Waterford, PA 16441	Erie County Waterford Township	Unnamed Tributary of Trout Run (16-A)	Y
PA0003573 (Industrial Waste)	Schry Water Conditioning 200 Portersville Road Ellwood City, PA 16117	Lawrence County Ellport Borough	Connoquenessing Creek (20-C)	Y
PA0221601 (Sewage)	Hunters Station STP Township Road T-750 Tionesta, PA 16353	Forest County Tionesta Township	Allegheny River (16-E)	Y
PA0034878 (Sewage)	Springhill Estates MHP 13279 West Ridge Road West Springfield, PA 16443	Crawford County Spring Township	Unnamed Tributary to the Conneaut Creek (15-A)	Y
PA0102245 (Sewage)	Turning Point Drug & Alcohol Rehab Center 4849 U.S. Route 322 Franklin, PA 16323	Venango County Cranberry Township	Unnamed Tributary to the Allegheny River (16-G)	Y

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


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

**NPDES No. PA0244457**, Stormwater, **Petroleum Heat & Power Co., Inc.**, 2187 Atlantic Street, 5th Floor, Stamford, CT 06902.

This proposed facility is located in Upper Southampton Township, **Bucks County**.

Description of Action/Activity: To discharge from a facility known as Southampton Bulk Petroleum Storage Plant to unnamed tributary to Southampton Creek in Watershed(s) 3-J.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**NPDES Permit No. PA0070378 Amendment 1**, Sewage, **Blue Mountain Academy**, 2363 Mountain Road, Hamburg, PA 19526-8745.

This proposed facility is located in Tilden Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge from a facility known as Blue Mountain Academy STP to UNT to Mill Creek in Watershed 3-B.

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

**NPDES Permit No. PA0254771**, SIC Code 4911, **Tenaska PA Partners LLC**, 1044 N 115 Street, Omaha, NE 68154.

This proposed facility is located in South Huntingdon Township, **Westmoreland County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated cooling tower blowdown, low volume wastes, stormwater associated with industrial activity and uncontaminated stormwater from a steam electric generating facility.

Changes from draft permit: Monitoring requirements were imposed for lead and chromium (VI) at outfall 001. The following Part C condition was also established:

Not before 90 days or later than 180 days of commencement of the Outfall 001 discharge Tenaska shall sample and analyze one influent sample and three effluent samples at Outfall 001 for those pollutants listed in pollutant groups 1–5 of the NPDES Application for Individual Permit to Discharge Industrial Wastewater. The sample results shall be submitted within 240 days upon commencement of the Outfall 001 discharge. The data shall be submitted on the application tables found on pages 11–18 of the application. The data shall be submitted to the Department of Environmental Protection, SWRO, Clean Water—ATTN IW Permits Chief, 400 Waterfront Dr., Pittsburgh, PA 15222; or the Department of Environmental Protection, New Stanton Regional Office, Clean Water—Water Quality Specialist South Huntingdon Twp., 131 Broadview Road, New Stanton, PA 15672.

There are no changes to any previously noticed effluent limitations.

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**III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law**


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*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**WQM Permit No. 6414401**, Sewage, SIC Code 4952, **South Wayne County Water and Sewer Authority**, P. O. Box 6, Lake Ariel, PA 18436.

This proposed facility is located in Salem and Lake Townships, **Wayne County**.

Description of Proposed Action/Activity: Issuance of a Water Quality Management Permit for a project involving the replacement of a portion of the existing gravity wastewater collection system in The Hideout residential community with a low pressure sewer system. The project is known as Stage 2 and includes 54,700 L.F. of low pressure sewer pipe, individual lot grinder pumps, air release valves and cleanout structures. Sewage will continue to be treated at the existing wastewater treatment plant.

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**WQM Permit No. 6715402**, Sewerage, **Windsor Township**, 1480 Windsor Road, Red Lion, PA 17356.

This proposed facility is located in Windsor Township, **York County**.

Description of Proposed Action/Activity: Permit approval for the replacement of the existing Delta Road Pump Station.

*Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0530.*

**WQM Permit No. WQG02491402**, Sewage, SIC Code 4952, Nottingham Village Retirement Center Association LP, 58 Neitz Road, Northumberland, PA 17857.

This proposed facility is located in Point Township, **Northumberland County**.

Description of Proposed Action/Activity: Construction of a pump station including two 11-HP pumps and 2.5-in force main.



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

**WQM Permit No. WQG01251502**, SIC Code 8800, **Albert V Gernovich & Eric Knapp d/b/a Kingdom Developers**, 180 Wright Street, Corry, PA 16407.

This proposed facility is located in Concord Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

**WQM Permit No. 4314403**, Sewage, SIC Code 4952, 8800, **Donna & William Despain**, 106 Wasser Road, Greenville, PA 16125.

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

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

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

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*Southeast Region: Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010914008	Gorski Engineering, Inc. 1 Iron Bridge Road Collegeville, PA 19426	Bucks	Milford Township	Unnamed Tributary to Molasses Creek HQ-TSF-MF
PAI011514049	L&I Properties, Inc. 231 Maple Street Honey Brook, PA 19344	Chester	Honey Brook Township	West Branch Brandywine Creek HQ-TSF-MF
PAI011514036	Renehan Building Group 318 East King Street Malvern, PA 19355	Chester	East Goshen Township	Ridley Creek HQ-TSF-MF
PAI011514042	Jeffrey and Julie Milne 13 Barrington Lane Chester Springs, PA 19425	Chester	East Nantmeal Township	French Creek (South Branch) EV-MF
PAI011514001	South Valley Road Partners, LP 950 West Valley Forge Road King of Prussia, PA 19406	Chester	Tredyffrin Township	Crum Creek HQ-CWF-MF
PAI012314006	Rose Tree Media School District 308 North Olive Street Media, PA 19063	Delaware	Middletown Township	Ridley Creek HQ-TSF-MF
PAI014614004	Mainline Trees, LLC 550 Bedford Road Bedford Road Bedford Hill, NY 10507	Montgomery	Conshohocken Borough	Plymouth Creek CWF-MF

*Northwest Region: Waterways and Wetlands Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

*Butler County Conservation District, 122 McCune Drive, Butler, PA 16001-6501*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI061014002	Kevin Zediker 176 Glenford Village Chicora, PA 16026	Butler	Fairview Township	UNT Buffalo Creek HQ-CWF and UNT Sugar Creek WWF

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#### **VII. Approvals to Use NPDES and/or Other General Permits**

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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).

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#### **List of NPDES and/or Other General Permit Types**

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PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
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 Petroleum Product Contaminated Groundwater 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 Discharges from Hydrostatic Testing of Tanks and Pipelines
PAG-11	General Permit for Discharges from Aquatic Animal Production Facilities
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges from the Application of Pesticides

*General Permit Type—PAG-02*

*Waterways & Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5160.*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Warwick Township Bucks County	PAG02000914070	Stony View LLC 217 Delmont Avenue Warminster, PA 18974	Unnamed Tributary to Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Radnor Township Delaware County	PAG02002314041	ESIII L.P. 107 Twaddell Mill Road Wilmington, DE 19807	Camp Run to Darby Creek CWF-MF Wig Wam Run to Darby Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Norriton Township Montgomery County	PAG02004515012	C A Danella Company 1524 North Trooper Road Norristown, PA 18508	Stony Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Abington Township Montgomery County	PAG02004615022	Duke Real Estate Partners, LLC 2010 County Line Road Huntingdon Valley, PA 19006	Tacony Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAG02004614094	Dranoff Properties, Inc 755 South Broad Street Philadelphia, PA 19147	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAG02004615021	Duke Realty Limited Partnership 600 East 96th Street, Suite 100 Indianapolis, IN 46240	Cobbs Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201511432	Settlement Music School 416 Queen Street Philadelphia, PA 19147	Delaware River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201511439	Envirowaste, LLC 35 Fox Hollow Drive Dallas, PA 18612	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
North Whitehall Township Lehigh County	PAG02003914017	William Bachenburg 6601 Ivy Lane Allentown, PA 18106	Coplay Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583
Upper Saucon Township Lehigh Township	PAG02003914018	Mariana Reis 2651 Sean Drive Whitehall, PA 18052	Saucon Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583
Sugarloaf Township Luzerne County	PAG02004014028	Harry Kress 6 Sydney Way Sugarloaf, PA 18249	Little Nescopeck Creek (CWF, MF)	Luzerne Conservation District 570-674-7991
Lower Mt. Bethel Township Northampton County	PAG02004815007	ConAgra Foods, Inc. Travis Kapsuta 11 ConAgra Drive MS 11-300 Omaha, NB 68102-1111	Delaware River (WWF, MF) Mud Run (CWF, MF)	Northampton County Conservation District 610-746-1971

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Abbottstown Borough Adams County	PAG02000114035(1) Issued	Dale Spahr G&S Real Estate Company LLC 101 Sutton Road Abbottstown, PA 17301-9704	UNT to Beaver Creek/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717-334-0636
Upper Bern Township Berks County	PAG02000615004 Issued	Jeff Rohrer 275 Nafzingertown Road Mohrsville, PA 19541	UNT to Irish Creek and UNT to Leshar Creek/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610-372-4657
Douglass Township Berks County	PAG02000615001 Issued	Techo-Bloc Corporation 23 Quarry Road Douglassville, PA 19518	UNT to Schuylkill River/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610-372-4657
Penn Township Berks County	PAG02000615007 Issued	Keith Zimmerman 330 Mountain Road Denver, PA 17517	Plum Creek/WWF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610-372-4657
Lower Heidelberg Township Berks County	PAG02000612009R Issued	Glen Gery Brick 1166 Spring Street Wyomissing, PA 19610	UNT to Cacoosing/ CWF, MF	Berks County Conservation District 1238 County Welfare Road, Suite 200 Leesport, PA 19533-0520 610-372-4657
Belfast Township Fulton County	PAG02002914005 Issued	Brandon Morton 221 Morton Road Needmore, PA 17238	UNT to Licking Creek/CWF, MF	Fulton County Conservation District 216 North Second Street, Suite 15 McConnellsburg, PA 17233 717-485-3547

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lititz Borough Lancaster County	PAG02003614106 Issued	Moravian Manor 300 West Lemon Street Lititz, PA 17543	Lititz Run Watershed/WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361
Penn Township Lancaster County	PAG02003615013 Issued	PA Soccer Club 6058 Bayberry Avenue Manheim, PA 17545	Little Conestoga Creek/TSF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717-299-5361

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570.327.3636*

*Facility Location &  
Municipality*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Centre County College Twp	PAG02001415006	Stocker Chevrolet-Subaru-Saab Inc 701 Benner Pike State College, PA 16801	UNT to Spring Creek CWF	Centre County Conservation District 414 Holmes Ave Ste 4 Bellefonte, PA 16823 (814) 355-6817
Lycoming County Brady Twp	PAG02004114024	Michael Hnatin County of Lycoming 447 Alexander Dr. PO Box 187 Montgomery, PA 17752	UNT to Black Run WWF	Lycoming County Conservation District 542 County Farm Rd Ste 202 Montoursville, PA 17754 (570) 433-3003

*Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville, PA 16335*

*Facility Location &  
Municipality*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Zelienople Borough Butler County	PAG02001014038	Glad Run Lutheran Services 70 West Beaver Street Zelienople, PA 16063 & Naralo Corporation 1920 Lincoln Road Pittsburgh, PA 15235	Glade Run WWF	Butler County Conservation District 724-284-5270
Millcreek Township Erie County	PAG02002515004	Citadel Development Company PO Box 8328 Erie, PA 16505	Walnut Creek CWF; MF	Erie County Conservation District 814-825-6403
Liberty Township McKean County	PAG02004215002	Gary Turner Liberty Township 4859 Route 155 Port Allegany, PA 16743	Allegheny River CWF Lillibridge Creek CWF	McKean County Conservation District 814-887-4001
Hamlin Township McKean County	PAG02004214006	Justin Gvoth Verizon Wireless 18 Abele Road Bridgeville, PA 15017	Marvin Creek CWF	McKean County Conservation District 814-887-4001
Logan Township, Blair County	PAG02090715002	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Kittanning Run (CWF), Glenwhite Run (CWF)	Attention: Patrick M. Webb PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800

*General Permit Type—PAG-03*

<i>Facility Location Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Pottsville City Schuylkill County	PAG032210	D G Yuengling & Son Inc. 310 Mill Creek Avenue Port Carbon, PA 17901-8692	Mill Creek— 3-A/ CWF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
City of Pottsville Schuylkill County	PAG032211	D.G. Yuengling & Son, Inc. 310 Mill Creek Avenue Pottsville, PA 17901	MS4 to UNT to the Schuylkill River—03A	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
New Castle City Lawrence County	PAG038320	Advanced Waste Svcs of PA LLC 101 River Park Drive New Castle, PA 16101-8919	Buchanan Run—20-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942
Rose Township Jefferson County	PAR118335	Miller Welding & Mach Co. PO Box G Brookville, PA 15825	Clement Run—17-C	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942

*General Permit Type—PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Concord Township Erie County	PAG041183	Albert V Gernovich & Eric Knapp D/B/A Kingdom Developers 180 Wright Street Corry, PA 16407	Slaughter Run— 16-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942
Hempfield Township Mercer County	PAG048741	Blum Randy L 101 Gibson Road Greenville, PA 16125	Mathay Run—20-A	DEP Northwest Regional Office Clean Water Program 230 Chestnut Street, Meadville, PA 16335-3481 814.332.6942

**STATE CONSERVATION COMMISSION****NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 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 AT&T Relay Service at (800) 654-5984. Appeals must be

filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. 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 a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, 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 pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

**NUTRIENT MANAGEMENT PLAN  
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Kulp Family Dairy LLC 1691 Millerstown Rd Martinsburg, PA 16662	Blair, Bedford	2,287.8	3,462.63	Dairy	Clover Creek—HQ Yellow Creek—HQ Middle Run—HQ	Approved
Lance Heberlig 24 Shuman Road Newburg, PA 17240	Cumberland	100.34	412.57	Swine/Veal	NA	Approved
Mor-T-Do Farm Neill & Mac Miller 5292 Pleasant Ridge Road Needmore, PA 17238	Fulton	170	364.96	Swine & Beef	None	Approved
Tim Heckenluber Heckenluber Poultry Farm 413 Heckenluber Road Biglerville, PA 17307	Adams	20	398.29	Turkey	NA	Approved
Kim Schlappich 1359 Main Street Mohrsville, PA 19541	Berks	272	148.1	Ducks	NA	Approved
David Weaver Clear Spring Farm 740 Marion Drive Womelsdorf, PA 19567	Berks	176.3	337.05	Laying Hens	N/A	Approved

**CAFO NMP  
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation (Name and Address)</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units (AEUs)</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
P&M Snyder 2375 Line Mountain Rd. Dornsife, PA 17823	Northumberland	503.4	325.1	Layers, Beef Steer	NA	Approved

**PUBLIC WATER SUPPLY PERMITS**

The Department 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 that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania

Relay Service, (800) 654-5984. Appeals must be filed with the 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 to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal 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 document 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

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

**Permit No. 1515508, Minor Amendment.** Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010

Township East Marlborough

County **Chester**

Type of Facility PWS

Consulting Engineer GHD Consultant  
1240 N. Mountain Road  
Harrisburg, PA 17112

Permit to Construct Issued March 24, 2015

**Permit No. 2315501, Minor Amendment.** Public Water Supply.

Applicant **Chester Water Authority**  
415 Welsh Street  
P. O. Box 467  
Chester, PA 19016

Township Aston

County **Delaware**

Type of Facility PWS

Consulting Engineer GHD Consultant  
1240 N. Mountain Road  
Harrisburg, PA 17112

Permit to Operate Issued March 24, 2015

**Permit No. 0915507, Minor Amendment.** Public Water Supply.

Applicant **Richland Township Water Authority**

Township Richland

County **Bucks**

Type of Facility PWS

Consulting Engineer Van Cleef Engineering  
4 Wellington Boulevard, Ste-1  
Reading, PA 19610

Permit to Construct Issued March 25, 2015

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Permit No. 3914508 MA,** Public Water Supply.

Applicant **City of Allentown**

[Borough or Township] Allentown City

County **Lehigh**

Responsible Official Craig W. Messinger  
Interim Public Works Director  
641 South 10th Street, 3rd Floor  
Allentown, PA 18103

Type of Facility PWS

Consulting Engineer Jason G. Saylor, P.E.  
Utility Service Company, Inc.  
53 Courteny Hodges Blvd.  
Perry, GA 31069

Permit to Construct Issued February 11, 2015

*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit No. 2114503, Minor Amendment,** Public Water Supply.

Applicant **Shippensburg Borough Authority**

Municipality Lurgan Township

County **Franklin**

Responsible Official

Lance Hoover, Manager  
111 N Fayette Street  
PO Box 129  
Shippensburg, PA 17257-0129

Type of Facility Installation of metering and feed equipment for the addition of Sodium Permanganate for the removal of Iron and Manganese from the source water in addition to assistance in the control of trihalomethane formation.

Consulting Engineer

Daniel S. Hershey  
Rettew Associates Inc  
3020 Columbia Avenue  
Lancaster, PA 17603

Permit to Construct Issued 3/24/2015

**Permit No. 0615502 MA, Minor Amendment,** Public Water Supply.

Applicant

**GSP Management Company**

Municipality

Tilden Township

County

**Berks**

Responsible Official

Frank T. Perano, General Manager  
P O Box 677  
Morgantown, PA 19543 0677

Type of Facility

New 55,000 storage tank.

Consulting Engineer

James A. Cieri Sr, PE  
James A. Cieri, PE  
914 N Mountain Road  
Harrisburg, PA 17112

Permit to Construct Issued 3/23/2015

**Permit No. 3815501 MA, Minor Amendment,** Public Water Supply.

Applicant

**Womelsdorf-Robeson Joint Authority**

Municipality

Millcreek Township

County

**Lebanon**

Responsible Official	Randall Gartner, Chairman PO Box 94 Womelsdorf, PA 19567	Description of Action	Authorizes construction of the existing Kellogg's Water Tank, all immediately necessary repairs to this water storage facility and modifications to the existing booster pump station, including replacement booster pumps and replacement ladder from booster pump station ground floor to booster pump station valve pit.
Type of Facility	Construction of an interconnection between Womelsdorf-Robeson Joint Authority and Newmanstown Water Authority.		
Consulting Engineer	David M. Bright, P.E. SSM Group, Inc. PO Box 6307 Reading, PA 19610		
Permit to Construct Issued	3/24/2015		
<b>Comprehensive Operation Permit No. 7220377</b> issued to: <b>Lower Dauphin School District (PWS ID No. 7220377)</b> , Conewago Township, <b>Dauphin County</b> on 3/23/2015 for the operation of facilities at Conewago Elementary School approved under Construction Permit No. 2214502.			
<b>Operation Permit No. 2214505 MA</b> issued to: <b>Capitol Region Water (PWS ID No. 7220049)</b> , Harrisburg, <b>Dauphin County</b> on 3/25/2015 for facilities approved under Construction Permit No. 2214505 MA.			
<b>Operation Permit No. 3060059</b> issued to: <b>Reading Area Water Authority (PWS ID No. 3060059)</b> , Reading, <b>Berks County</b> on 3/18/2015 for facilities submitted under Application No. 0614513 MA.			
<b>Operation Permit No. 0115503 MA</b> issued to: <b>Possum Valley Municipal Authority (PWS ID No. 7010034)</b> , Menallen Township, Adams County on 3/26/2015 for facilities approved under Construction Permit No. 0115503 MA.			
<b>Operation Permit No. 3060984</b> issued to: <b>Allegheny East Conference (PWS ID No. 3060984)</b> , Douglass Township, <b>Berks County</b> on 3/23/2015 for facilities submitted under Application No. 3060984.			
<i>Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.</i>			
<b>Permit No. 4114505—Construction—Public Water Supply.</b>			
Applicant	<b>Muncy Borough Municipal Authority</b>	Applicant	<b>Cherokee Pharmaceuticals LLC, a Subsidiary of Merck Sharp &amp; Dohme Corp.</b>
Township/Borough	Muncy Creek Township	Township/Borough	Riverside Borough
County	<b>Lycoming</b>	County	<b>Northumberland</b>
Responsible Official	Edward Breon, Authority Chairman Muncy Borough Municipal Authority 14 N. Washington Street Muncy, PA 17756	Responsible Official	Brian Killen, Plant Manager Cherokee Pharmaceuticals LLC, a Subsidiary of Merck Sharp & Dohme Corp. 100 Avenue C Riverside, PA 17868
Type of Facility	Public Water Supply	Type of Facility	Public Water Supply
Consulting Engineer	Mary Beth Peters Entech Engineering, Inc. 685 S. Mountain Blvd. Suite A Mountain Top, PA 18707	Consulting Engineer	N/A
Permit Issued	March 25, 2015	Permit Issued	March 30, 2015
		Description of Action	Operation of one of the new second stage river water pumps (PU-7030).
<b>Permit No. 4715501MA—Construction—Public Water Supply.</b>			
Applicant	<b>Danville Borough</b>	Applicant	<b>Danville Municipal Authority</b>
Township/Borough	Danville Borough	Township/Borough	Danville Borough
County	<b>Montour</b>	County	<b>Montour</b>
Responsible Official	Walter Shultz, Chairman Danville Municipal Authority 12 West Market Street P. O. Box 179 Danville, PA 17821-0179	Responsible Official	Walter Shultz, Chairman Danville Municipal Authority 12 West Market Street P. O. Box 179 Danville, PA 17821-0179
Type of Facility	Public Water Supply	Type of Facility	Public Water Supply
Consulting Engineer	David E. Marks, P.E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100	Consulting Engineer	David E. Marks, P.E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Permit Issued	March 31, 2015	Permit Issued	March 31, 2015
Description of Action	Authorizes repainting and making minor modifications to two 1.5 million gallon steel water storage tanks.	Description of Action	Authorizes repainting and making minor modifications to two 1.5 million gallon steel water storage tanks.
<i>Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745</i>			
<b>Operations Permit</b> issued to: <b>Pittsburgh Water &amp; Sewer Authority</b> , Penn Plaza I, 1200 Liberty Avenue, Pittsburgh, PA 15222, (PWSID #5020038) City of Pittsburgh, <b>Allegheny County</b> on March 24, 2015 for the operation of facilities approved under Construction Permit #0213521MA.			

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

**Permit No., 4314502 Public Water Supply**

Applicant **Jamestown Borough Water Authority**  
 Township or Borough Jamestown Borough  
 County **Mercer**  
 Type of Facility Public Water Supply  
 Consulting Engineer Matthew J. Arena, P.E.  
 Herbert, Rowland & Grubic, Inc.  
 3755 East State Street  
 Hermitage, PA 16148  
 Permit to Construct Issued March 23, 2015

**Operation Permit** issued to **Springboro Area Water Authority**, PWSID No. 6200050, Springboro Township, **Crawford County**. Permit Number 2084503-MA3 issued March 25, 2015 authorizing a liquid Sodium Hypochlorite feed system as a backup to the existing gas chlorination system and the relocation of the gas chlorination injection point prior to the greensand filters. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on October 14, 2014.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)**

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Rye Township	1775 New Valley Rd, Marysville, PA 17053	Perry

*Plan Description:* Approval of a revision to the official plan of Rye Township, Perry County. The project is known as Jeffrey & Diana Simmons. The plan provides for a Small Flow Treatment Facility to replace an existing malfunctioning onlot system, serving an existing single family residence. The proposed development is located at 1858 New Valley Road, Rye Township, Perry County. The Department's review of the plan revision has not identified any significant impacts resulting from this proposal. The DEP Code Number for this planning module is A3-50922-135-3s and the APS Id is 857719. Any permits must be obtained in the name of Jeffrey & Diana Simmons.

**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—6026.907).**

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submis-

sion 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, will 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 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.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under 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:

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Service Electric—Cablevision, Bloomsburg Hub**, 1005 East 7th Street, Town of Bloomsburg, **Columbia County**. Molesevich Environmental LLC, P. O. Box 654, Lewisburg, PA 17837, on behalf of SECV, 1005 East 7th Street, Bloomsburg, PA 17815 submitted a Final Report concerning remediation of site soils contaminated with heating oil. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Crossroads Freight & Logistics**, Interstate 80 @ MM 185W, Greene Township, **Clinton County**. Northridge Group, Inc., P. O. 231, Northumberland, PA 17857, on behalf of Crossroads Freight & Logistics, 2749 Oakberry Drive, Lawrenceville, GA 30045, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Trailer Convoys Inc.**, Interstate 80 @ MM192, Greene Township, **Clinton County**. Northridge Group Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Trailer Convoys, Inc., P. O. Box 14, Jeffersonville, IN 47130 has submitted a Final Report concerning remediation of site at the highway berm contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Restaurant Depot**, 4250 Chambers Hill Road, Harrisburg, PA 17111, Swatara Township, **Dauphin County**.



Whitestone Associates, 1600 Manor Drive, Suite 220, Chalfont, PA 18914, on behalf of Bird Hill Farms, 7004 Old Tabby Circle, Lakewood Ranch, FL 34202, and Restaurant Depot, 1524 132nd Street, College Point, NY 11356, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Indiana Work Center**, 76 Airport Road, White Township, **Indiana County**. Leidos Engineering, LLC., 180 Gordon Drive Suite 109, Exton, PA 19341 on behalf of Verizon Pennsylvania, LLC., 966 South Matlack Street, West Chester, PA 19382 has submitted a Remedial Investigation/Final Report concerning the remediation of site groundwater contaminated with BTEX and chlorinated solvents and site soils contaminated with tetrachloroethylene and chloroform. The RIR/FR is intended to document remediation of the site to meet to meet a combination Site Specific and Statewide Health standards. Notice of the RIR/FR was published in the *Indiana Gazette* on March 21, 2015.

## 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—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the 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 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 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 under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. 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:

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Crete Carrier Corporation**, State Route 118W, Mooreland Township, **Lycoming County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Crete Carriers Corporation, P. O. Box 81228 Lincoln, NE 86501 has submitted a Final Report concerning the remediation of site soils contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on March 4, 2015.

**Trailer Convoys Inc.**, Interstate 80 @ MM 192, Greene Township, **Clinton County**. Northridge Group, Inc., P. O. Box 231, Northumberland, PA 17857, on behalf of Trailer Convoys, Inc., P. O. Box 14, Jeffersonville, IN 47130 has submitted a Final Report concerning the remediation of site at the highway berm contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on March 17, 2015.

*Northeast Region: Eric Supey, Environmental Cleanup and Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Diaz Manufacturing Company LLC, formerly Donald Dean and Sons Property**, 747 Grow Avenue, Bridgewater Township, **Susquehanna County**. Dawn Washo, Resource Environmental, 36 Taylor Lane, Montrose, PA 18801, on behalf of Adam Diaz, Diaz Manufacturing, 747 Grow Avenue, Montrose, PA 18801, submitted a Final Report concerning remediation of site soils and groundwater contaminated with #2 Fuel Oil. The report is intended to document remediation of the site to meet the Site Specific & Statewide Health Standard. The Final Report demonstrated attainment of the Site Specific & Statewide Health standard, and was approved by the Department on March 26, 2015.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**South Oakview Road & Lincoln Highway East**, 2034 Lincoln Highway East, Lancaster, PA 17602, East Lampeter Township, **Lancaster County**. Liberty Environmental, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Mel-lin Enterprises DBA McDonald's, 2090 Lincoln Highway East, Lancaster, PA 17602, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The Final Report did not demonstrate attainment of the Residential

Statewide Health Standard, and was disapproved by the Department on March 26, 2015.

**FedEx Ground Lewisberry/Anthony Insurance Spill**, 650 Wyndamere Road, Lewisberry, PA 17339, Fairview Township, **York County**. HDR, Inc., 4900 Ritter Road, Suite 240, Mechanicsburg, PA 17055, on behalf of FedEx Ground, 1000 FedEx Drive, Moon Township, PA 15108; and Kent Anthony, Anthony Insurance, Inc., 650 Wyndamere Road, Lewisberry, PA 17339, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel and used motor oil. The Final Report demonstrated attainment of the Nonresidential Statewide Health Standard, and was approved by the Department on March 27, 2015.

#### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

**Permits issued, suspended, expired, denied, revoked, reinstated or returned under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**PAD002330165. East Penn Manufacturing Co.**, Deka Road, Lyon Station, PA 19536-0147, Richmond Township, **Berks County**. A RCRA Part B hazardous waste permit to store spent lead-acid batteries at East Penn Manufacturing Co. for the facility located in Richmond Township, Berks County has been issued by the Department. The permit was issued on March 30, 2015.

#### MUNICIPAL WASTE GENERAL PERMITS

**General Permit(s) issued under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**General Permit No. WMGM039SW001: Lindy Paving, Inc.**, 2340 2nd Avenue, Pittsburgh, PA 15219, for the Neville Island Asphalt Plant located at 4200 Neville Road, Pittsburgh, PA 15225, Neville Township, **Allegheny County**. A Determination of Applicability for the processing and beneficial use of post-consumer asphalt shingles (tear-offs) and pre-consumer asphalt shingles (i.e., imperfections, tabs, trimming scraps, etc. generated in the manufacturing of new asphalt shingles and damaged, unused shingles), was received in the Southwest Regional Office on December 30, 2014 and the General Permit was issued on March 31, 2015.

#### AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P.S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702*

**GP4-31-03007: Huntingdon Electric Motor Service, Inc.** (7th & Penn Streets, Huntingdon, PA 16652) on March 27, 2015, for two existing burnoff ovens, under GP4, at the electric equipment servicing facility in Huntingdon Borough, **Huntingdon County**. The general permit authorization was renewed.

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Mark R. Gorog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150*

**65-00990C: Tenaska Pennsylvania Partners, LLC** (14302 FNB Parkway, Omaha, NE 68154) on April 1, 2015, for the construction and temporary operation of a 930—1,065 MW combined cycle natural gas-fired electric generating facility known as the Westmoreland Generating Station in South Huntingdon Township, **Westmoreland County**. Sources include two combined cycle combustion turbines serving a single steam turbine generator, heat recover steam generators, auxiliary boiler, and associated equipment. The facility is subject to PSD, NSR, and Title V.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Mark R. Grog, P.E., Environmental Engineer Manager—Telephone: 412-442-4150*

**32-00230B: Texas Eastern Transmission, LP** (PO Box 1642, Houston, TX 77251) minor plan approval modification effective March 30, 2015. The modification includes minor revisions to the leak detection and repair requirements at the Armagh Compressor Station to be consistent with other recently issues plan approvals. The facility is located in West Wheatfield Township, **Indiana County**.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: James A. Beach, New Source Review Chief—Telephone: 484-250-5920*

**46-0278A: Data Based Systems International, LLC:** (4 Tek Park, 9999 Hamilton Blvd, Brinigsville, PA 18031) On March 24, 2015 for Trans. & utility electric services in Lower Providence Township, **Montgomery County**.

**46-0026G: Global Packagiang, Inc.:** (209 Brower Avenue, Oaks, PA 19456) On March 24, 2015 to manufacture commercial printing, NEC in Upper Providence Township, **Montgomery County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permit-*



ting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.

**67-05030E: CP Converters, Inc.** (15 Grumbacher Road, York, PA 17406) on March 26, 2015, for the construction of a new flexographic printing press controlled by a regenerative thermal oxidizer, at the printing facility in Manchester Township, **York County**. The plan approval was extended.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**59-00008C: Tennessee Gas Pipeline Company, LLC** (PO Box 2511, Houston, TX 77252-2511) on March 9, 2015, extended the authorization an additional 180 days from March 20, 2015 to September 16, 2015, to allow the evaluation for compliance with the plan approval conditions. Additionally, the extension allows continued operation of the new natural gas compression process, including the associated combustion turbine, located at their facility in Charleston Township, **Tioga County** pending issuance of operating permit. The plan approval has been extended.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**25-179C: Erie City Sewer Authority** (68 Port Access Road, Erie, PA 16507-2202) on March 24, 2015, effective March 31, 2015, will issue a plan approval extension for the replacement of incinerator burners and the emergency bypass stack, rehabilitation of the existing wet electrostatic precipitators and replacement of three existing dewatering belt filter presses. This facility is located in the City of Erie, **Erie County**.

**43-270H: CCL Container Corporation** (1 Llodio Drive, Hermitage, PA 16148) on March 25, 2015, effective March 31, 2015, the Department will issue a plan approval extension for the installation of a regenerative thermal oxidizer (RTO) to reduce VOC emissions on sources 101 through 105, in synthetic minor operating permit 43-00270. The facility manufactures aluminum cans used for packaging various consumer products. This facility is located in Hermitage City, **Mercer County**.

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**Plan Approvals Denied, Terminated, Modified, Suspended or Revoked under the Air Pollution Control Act and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.**

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*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2531*

**39-00099A: Delta Thermo Energy A, LLC** (One Northbrook, 1210 Northbrook Corp. Center, Suite 100, Trevoise, PA 19053) terminated on March 10, 2015 for the proposed construction and operation of an energy production facility at the facility located in City of Allentown, **Lehigh County**.

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**Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

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*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**38-05022: Weaber, Inc.** (1231 Mount Wilson Road, Lebanon, PA 17042-4785) on March 20, 2015, for the lumber processing facility in South Annville Township, **Lebanon County**. The Title V Permit was renewed.

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**Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**46-00144: US Department of Agriculture—Eastern Regional Research Center (USDA)** (600 East Mermaid Lane, Wyndmoor, PA 19038; Attn: Mr. Marshall Reed) On March 19, 2015 for the renewal of a Synthetic Minor Operating Permit in Springfield Township, **Montgomery County**. The initial operating permit was issued on March 18, 2004, and was effective May 1, 2004. USDA's primary focus at this facility is the preservation of produce for longer periods of time before it becomes inedible. This renewal of the Synthetic Minor Operating Permit incorporates the requirements and conditions from General Permit No. GP1-46-0240, for Source ID 034. The primary sources of air emissions from the facility are boilers (Source IDs 034, 101, 102, and 103), emergency generators (Source IDs 105 and 106), and two parts washers (Source ID 200). Source IDs 034, 101, and 102 are dual fuel fired boilers, using natural gas as the primary fuel and No. 2 fuel oil as backup. These units shall not be subject to 40 CFR Part 63, Subpart JJJJJJ, on the basis of 40 CFR §§ 63.11195(e) and 63.11237. Source ID 103 burns No. 2 fuel oil exclusively, and is subject to 40 CFR Part 63, Subpart JJJJJJ. Applicable conditions have been incorporated into the operating permit. Applicable requirements from 40 CFR Part 60, Subpart JJJJJ, have been incorporated for Source ID 106. Source ID 105 has been deemed exempt from 40 CFR Part 63, Subpart ZZZZ, on the basis of 40 CFR § 63.6585(f)(3). Requirements from 25 Pa. Code § 129.63 have been incorporated as appropriate for Source ID 200. Potential emissions from the facility are less than the following emission rates: 3.0 tpy for VOCs, 2.0 tpy for HAP, 5.0 tpy for PM, 24.9 tpy for NO<sub>x</sub>, 74.0 tpy for SO<sub>x</sub>, and 20.0 tpy for CO. The permit contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**23-00056: Honeywell Intl, Inc.** (6100 Philadelphia Pike, Claymont, DE 19703) On March 18, 2015 for a renewal of a Non-Title V Facility, State-Only, Natural Minor Permit in Marcus Hook Borough, **Delaware County**. Honeywell is a manufacturing company of industrial inorganic chemicals. Honeywell has a production limit of Fluorosulfonic acid. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**09-00209: Univar USA, Inc.** (4 Steel Road, Morrisville, PA 19067) On March 19, 2015 for a renewal Non-Title V Facility, State-Only, Natural Minor Permit in Falls Township, **Bucks County**. Univar USA Inc is a chemical and

allied products merchant wholesaler. The sources of emissions include: storage tanks and transfer stations. The facility has a HAP emission limit of 24.4 tons per year calculated on a 12-month rolling sum and a VOC emission limit of 22 tons per year. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**46-0280: Catagnus Funeral Home & Cremation Center, Ltd.** (329 N. Lewis Road, Royersford, PA 19468) On March 26, 2015 to permit the loading door to its existing human crematory unit, which is currently permitted under General Plan Approval and General Operating Permit (BAQ-GPA/GP-14) No. GP14-46-0274, to be opened during the cremation cycle for inspection and repositioning of the charge. The facility is located in Limerick Township, **Montgomery County**, and is a non-Title V facility.

Based on a maximum operating schedule of 3,744 hours per year, the expected emission rates of carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), particulate matter (PM), sulfur oxides (SO<sub>x</sub>), and volatile organic compounds (VOCs) are each less than 1.5 ton per year.

The plan approval will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Raymond Kempa, New Source Review Chief—Telephone: 570-826-2507*

**40-00109: GRUMA Corporation** (15 Elmwood Avenue, Mountaintop, PA 18707) issued on March 26, 2015, for the operation of a food preparation facility in Wright Township, **Luzerne County**. The sources consist of food production lines and ovens. The emissions are controlled by a mist eliminator and a thermal oxidizer. This is a renewal of a State-Only Operating Permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

**54-00063: Greater Pottsville Area Sewer Authority** (P.O. Box 1163, Pottsville, PA 17901-7163) issued on March 26, 2015, for the operation of a wastewater treatment plant in the City of Pottsville, **Schuylkill County**. The sources consist of primary and finish solids processing and digesters. The sources are controlled by a wet scrubber and a flare. This is a renewal of a State-Only Operating Permit. The State-Only operating permit includes emission limits, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within applicable air quality requirements.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**41-00040: Williamsport Foundry Company, Inc.** (164 Maynard Street) on March 24, 2015, for their facility located in Williamsport, **Lycoming County**. The operating permit renewal includes emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable state and federal air quality regulations.

**53-00014: Emporium Specialties Co., Inc.** (PO Box 65, Austin, PA 16720) on March 5, 2015, for their powder metal plant located in Austin Borough, **Potter County**. The operating permit renewal includes emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable state and federal air quality regulations.

**08-00022: Cummings Lumber Co., Inc.** (PO Box 6, Troy, PA 16947) on March 18, 2015, for their Troy wood mill facility located in Troy Township, **Bradford County**. The operating permit renewal includes emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable state and federal air quality regulations.

**41-00047: Wildwood Cemetery Co.** (1151 Cemetery St. Williamsport, PA 17701-1605) on March 30, 2015, for operation of their Wildwood Cemetery facility located in Loyalsock Township, **Lycoming County**. The State Only operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act 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*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

*Minor Modification of Title V Operating Permit (TVOP)*

**Permit No. 46-00035: Glaxosmithkline** (709 Swedeland Road, Upper Merion Township, **Montgomery County**) On February 2, 2015 submitted a Title V Operating Permit (TVOP) Minor Modification. The following changes were made to the permit:

1. GSK voluntarily took a facility wide hazardous air pollutant (HAP) emission limit of 10 tons/year of a single HAP and 25 tons/year of combined HAP's both calculated on a 12-month rolling sum, in order to become an Area (Minor) HAP source.

2. Removal of all Major Source Boiler MACT requirements codified in 40 CFR Part 63, Subpart DDDDD and replacing them with the Area Source Boiler MACT requirements codified in 40 CFR Part 63, Subpart JJJJJJ.

The modified TVOP includes monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

Minor modification of TVOP No. 46-00035 is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462.

**09-00142: ML 35 LLC**, (35 Runway Road, Levittown, PA 19057-4700) On March 27, 2015 has been amended to incorporate the requirements of Plan Approval No. 09-0142C into the State Only Operating Permit for a plant in Bristol Township and **Bucks County**. The amended State Only Operating Permit contains all of the applicable regulatory requirements including monitoring, recordkeeping, reporting, work practice requirements, and emission limits.



*Southcentral Region: Air Quality Program, 909 Elmerston Avenue, Harrisburg, PA 17110*

*Contact: Thomas Hanlon, Facilities Permitting Chief, 717-705-4762, Lisa Dorman, New Source Review Permitting Chief—Telephone: 717-705-4863 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**36-05125: PA Department of Corrections** (1451 N. Market Street, Elizabethtown, PA 17022) on March 19, 2015, for a significant modification to the State Only Operating Permit for the corrections officers training facility in Mount Joy Township, **Lancaster County**. The modification is for the establishment of an operating limit for reduced coal usage to no more than a 10% annual capacity factor for the coal-fired boilers so they will meet EPA's definition of "Limited-Use Boiler", and be subject to the corresponding requirements, under 40 CFR Part 63 Subpart JJJJJ—National Emission Standard for Area Sources of Hazardous Air Pollutants (HAPs) for Industrial, Commercial, and Institutional Boilers.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**17-00060: Rosebud Mining Company** (301 Market Street, Kittanning, PA 16201-1504) issued a revised State Only operating permit, Revision No. 1 on March 9, 2015, for their facility located in Huston Township, **Clearfield County**. The revision of this permit is the removal the fabric collector (Control Device C101A) and wet centrifugal collector (Control Device C101B) due to the ineffectiveness of each control device in controlling the air contaminant emissions from the coal preparation plant. The operating permit is effective through May 28, 2018. This revised State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636*

**24-00121: Industrial Timber & Lumber LLC** (23925 Commerce Park Road, Beachwood, OH 44122-5821) on March 24, 2015 the Department issued an administrative amendment to the State Only Operating Permit for the ITL Ridgway facility located in Ridgway Township, **Elk County**. The amendment incorporates the change of ownership.

**24-00017: Morgan AM&T** (441 Hall Avenue, Saint Marys, PA 15857) on March 30, 2015 issued an administrative amendment to the State Only Operating Permit for the facility located in Saint Marys City, **Elk County**. The amendment incorporates the applicable requirements of plan approval 24-017D.

**27-00008: Industrial Timber & Lumber LLC** (23925 Commerce Park Road, Beachwood, OH 44122-5821) on March 25, 2015 the Department issued an administrative amendment to the State Only Operating Permit for the ITL Endeavor facility located in Hickory Township, **Forest County**. The amendment incorporates the change of ownership.

**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**GP5-17-16: EXCO Resources (PA), LLC** (260 Executive Drive, Suite 100, Cranberry Township, PA 16066) on March 27, 2015, for the termination of a General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) issued April 3, 2013, for the Woytek Compressor Station located in Bell Township, **Clearfield County**. The company has removed the compressor engine and rendered the remaining sources inoperable. The general permit is terminated.

**GP5-08-351: Appalachia Midstream Services, LLC** (PO Box 54382, Oklahoma City, OK 73154-1382) on March 27, 2015, terminated the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5), issued October 21, 2011, for the construction and operation of five 131.3 MMscfs/day triethylene glycol dehydration units, each with flash tank and 2.0 MMBtus/hr reboiler, and eight 400-bbl pipeline fluids/water tanks at the Rush Compressor Facility located in Orwell Township, **Bradford County**, due to construction having not commenced within 18 months of issuance and a request for termination by the permittee. The general permit is terminated.

## 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; 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—1406.20a). The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).**

### Coal Permits Issued

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**56910701 and NPDES No. PA0213560 and GP12-56910701-R10. PBS Coals, Inc.**, (PO Box 260, Friedens, PA 15541). To renew the permit for the Job 10 Refuse in Brothersvalley and Somerset Townships, **Somerset County**. Includes renewal of Air Quality GPA/GP12 authorization. Approval is authorized under General Permit BAQ-GAP/GP12 and is required to meet all applicable limitations, terms, and conditions of authorization GP12-56910701-R10. No additional discharges. The application was considered administratively complete on October 17, 2012. Application received: February 27, 2012. Permit issued: March 18, 2015.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931-4119, 814-472-1900*

**Permit No. 32070109 and NPDES No. PA262536. Britt Energies, Inc.**, 2450 Philadelphia St., Indiana, PA 15701, permit renewal for reclamation only of a bituminous surface mine in Black Lick Township, **Indiana County** affecting 70.4 acres. Receiving streams: unnamed to/and Muddy Run to Blacklick Creek to Conemaugh River classified for the following uses: cold water fisher and trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. Application received: May 7, 2014. Permit Issued: March 16, 2015.

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**61100102. K & A Mining** (P. O. Box 288, Grove City, PA 16127) Renewal of an existing bituminous surface mine in Scrubgrass Township, **Venango County**, affecting 23.8 acres. Receiving streams: Unnamed tributaries to the Allegheny River. This renewal is issued for reclamation only. Application received: January 28, 2015. Permit Issued: March 27, 2015.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**14080102 and NPDES PA0256854. AMFIRE Mining Company, LLC** (One Energy Place, Latrobe, PA 15650). Permit renewal for the continued operation and restoration of an existing bituminous surface and auger mine located in Rush Township, **Centre County** affecting 173.4 acres. Receiving streams: Unnamed Tributaries to Moshannon Creek classified for Trout Stocked Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: September 12, 2014. Permit issued: March 30, 2015.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118*

**Permit No. 40-305-012GP12C. Coal Contractors (1991), Inc.**, (PO Box 39, Hazleton, PA 18201), modification of general operating permit to operate a coal preparation plant on Surface Mining Permit No. 40041601 in Hazle Township, **Luzerne County**. Application received: February 2, 2015. Correction issued: March 25, 2015.

**Permit No. 54-305-033GP12. Locust Valley Coal Co., Inc.**, (PO Box 279, St. Clair, PA 17970), general operating permit to operate a coal preparation plant on Skytop Coal, Inc., Surface Mining Permit No. 54840203 in Mahanoy Township, **Schuylkill County**. Application received: February 23, 2015. Permit issued: March 25, 2015.

**Permit No. 49990201R3. Black Diamond Mining, Inc.**, (PO Box 139, Elysburg, PA 17824), renewal of an existing anthracite coal refuse reprocessing operation in Mt. Carmel Township, **Northumberland County** affecting 124.86 acres, receiving stream: North Branch Shamokin Creek. Application received: October 28, 2014. Renewal issued: March 30, 2015.

**Permit No. 49990201GP104. Black Diamond Mining, Inc.**, (PO Box 139, Elysburg, PA 17824), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49990201 in Mt. Carmel Township, **Northumberland County**, receiving stream: North Branch Shamokin Creek. Application received: October 28, 2014. Permit issued: March 30, 2015.

*Noncoal Permits Issued*

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**25010302-GP-104. A.C.A. Sand & Gravel, LLC** (19170 Route 89, P. O. Box 16, Cory, PA 16407) General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 25010302 in Concord Township, **Erie County**. Application received: September 18, 2014. Permit Issued: March 26, 2015.

**37010301. Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201) Revision to an existing large industrial minerals mine to add 8.0 acres in Slippery Rock Township, **Lawrence County**, for a total of 205.0 acres. Receiving streams: Slippery Rock Creek. Application received: August 29, 2014. Permit Issued: March 25, 2015.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**53152801. Jerome Eckert** (269 Rt 6 West, Galeton, PA 16922). Commencement, operation and restoration of a small noncoal (sandstone) operation in Roulette Township, **Potter County** affecting 2.0 acres. Receiving stream(s): Allegheny River. Application received: January 13, 2015. Permit issued: March 24, 2015.

**53152801GP-104. Jerome Eckert** (269 Rt 6 West, Galeton, PA 16922). General NPDES Permit for Stormwater Discharges Associated with Mining Activities (BMR GP-104) on Surface Mining Permit No. 53152801 in Roulette Township, **Potter County**. Receiving stream(s): Allegheny River. Application received: January 13, 2015. Permit issued: March 24, 2015.

**08090303 and NPDES PA0257192. DeCristo Inc.** (9070 Route 414, Canton, PA 17724). NPDES renewal for continue operation and reclamation of a large noncoal surface mining site located in Leroy Township, **Bradford County** affecting 71.5 acres. Receiving stream(s): Unnamed Tributary #1 to Towanda Creek for the following use(s): CWF and MF. Application received: January 5, 2015. Permit issued: March 26, 2015.

**08090305 and NPDES PA0257214. Johnson Quarries, Inc.** (P. O. Box 136, LeRaysville, PA 18829). NPDES renewal for continue operation and reclamation of a large noncoal surface mining site located in Wilmot Township, **Bradford County** affecting 53.55 acres. Receiving stream(s): Unnamed Tributary to Susquehanna River and Rocky Forest Creek classified for the following use(s): CWF and MF. Application received: January 23, 2015. Permit issued: March 26, 2015.

**59040301 and NPDES PA0243868. Jody Fisher dba Fisher Aggregate** (1658 Buckwheat Hollow Road, Lawrenceville, PA 16929). NPDES renewal for continue operation and reclamation of a large noncoal surface mining site located in Lawrence Township, **Tioga County** affecting 9.6 acres. Receiving stream(s): Daily Creek and Unnamed Tributary of the Tioga River classified for the following use(s): WWF. Application received: January 20, 2015. Permit issued: March 26, 2015.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 58140803. Ronald R. Carter, Jr.**, (PO Box 13, Dimock, PA 18816), commencement, operation and restoration of a quarry operation in Dimock Township, **Susquehanna County** affecting 5.0 acres, receiving stream: unnamed tributary to Burdick Creek. Application received: March 31, 2014. Permit issued: March 24, 2015.



**Permit No. 58140803GP104. Ronald R. Carter, Jr.**, (PO Box 13, Dimock, PA 18816), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54140803 in Dimock Township, **Susquehanna County**, receiving stream: unnamed tributary to Burdick Creek. Application received: March 31, 2014. Permit issued: March 24, 2015.

### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. 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 Issued*

*New Stanton District Office: 131 Broadview Road, New Stanton, PA 15672, 724-925-5500*

**02154101. Wampum Hardware Co.** (636 Paden Road, New Galilee, PA 16141), Blasting activity permit for the construction of the Royal Mile Corp II, located in Franklin Park Township, **Allegheny County** with an exploration date of December 31, 2015. Blasting permit issued: March 23, 2015.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901-2522, 570-621-3118*

**Permit No. 36154109. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Earl Martin chicken houses in West Earl Township, **Lancaster County** with an expiration date of December 30, 2015. Permit issued: March 25, 2015.

**Permit No. 58154108. MD Drilling & Blasting, Inc.**, (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Hillsdale Pipeline Project in Lathrop Township, **Susquehanna County** with an expiration date of March 10, 2016. Permit issued: March 25, 2015.

**Permit No. 58154109. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Moxley Pipeline in Harford Township, **Susquehanna County** with an expiration date of March 31, 2016. Permit issued: March 25, 2015.

**Permit No. 36154110. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Project Marc in West Donegal Township, **Lancaster County** with an expiration date of March 25, 2016. Permit issued: March 26, 2015.

**Permit No. 09154107. Rock Work, Inc.**, (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Melsky Tract in Newtown Township, **Bucks County** with an expiration date of March 31, 2016. Permit issued: March 27, 2015.

**Permit No. 46154102. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Mainland Square in Towamencin Township, **Montgomery County** with an expiration date of March 18, 2016. Permit issued: March 27, 2015.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The 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 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 that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the 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 to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal 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 and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E46-1111. Lower Merion Township**, 75 East Lancaster Avenue, Ardmore, PA 19003, Lower Merion Township, **Montgomery County**, ACOE Philadelphia District.

To construct and maintain a timber pedestrian bridge across Gully run (WWF, MF) having an approximate waterway opening of 20 feet wide by 4-feet high and measuring approximately 4-feet in length associated with the Gully Run Park access for various Veteran's Memorial events.

The site is located about 100 feet southeast of the intersection of Manayunk Road and Conshohocken State Road (Germantown, PA USGS Quadrangle Latitude: 40.01848; Longitude: -75.2447).



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

**EA15-011/WL1515303. Red Clay Valley Association**, 1760 Unionville-Wawaset Road, West Chester, PA 19382, East Marlborough Township, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities along approximately 1,200 linear feet of an unnamed tributary to the East Branch Red Clay Creek (Perennial, TSF, MF):

1. Installation of in-stream stabilization structures including toe rock protection, toe willow fascines, root wads, rock cross vanes and rock j-hooks.
2. Installation of native riparian plantings for stabilization and enhancement efforts outside of the channel.
3. Installation of half-logs as fish habitat enhancement structures.
4. Temporary impacts to wetlands associated with the installation of various streambank stabilization techniques and grade control structures, including streambank grading and installation of rock and root wad structures.

The southern limit of the site is located at the intersection of North Walnut Road and Longwood Road (Kennett Square, PA USGS Quadrangles, Latitude 39.868889N; Longitude -75.7025W").

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

*Northeast Regional Office, Waterways and Wetlands Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511*

**E66-159. Transcontinental Gas Pipeline Company**, 2800 Post Oak Boulevard, Houston, TX 77056. Falls and Eaton Townships, **Wyoming County**, Army Corps of Engineers Baltimore District.

To conduct geotechnical core borings in the Susquehanna River (WWF) to evaluate the feasibility of horizontal directional drilling methods for the proposed Atlantic Sunrise Pipeline Project. The project is located along SR 0092, 15.2 miles from the intersection of SR 0092 and US 11 (Centermoreland, PA Quadrangle Latitude: 41°28'49"; Longitude: -75°54'19"). Sub basin: 4G

*District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E5829-093: Jackson Township**, Susquehanna Gathering, LLC, 1429 Oliver Road, New Milford, PA 18834, Jackson Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber mat crossing impacting 4,050 square feet (0.09 acre) of a PSS wetland (Susquehanna, PA Quadrangle; Lat. 41° 53' 09" N., Long. -75° 34' 22" W.),
2. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber bridge crossing impacting 84 lineal feet of the South Branch of Canawacta Creek (CWF-MF) (Susquehanna, PA Quadrangle; Lat. 41° 53' 08" N., Long. -75° 34' 21" W.),

3. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber mat crossing impacting 1,135 square feet (0.03 acre) of a PFO wetland (Susquehanna, PA Quadrangle; Lat. 41° 53' 08" N., Long. -75° 34' 21" W.),

4. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber mat crossing impacting 8,270 square feet (0.19 acre) of a PSS wetland (Susquehanna, PA Quadrangle; Lat. 41° 53' 07" N., Long. -75° 34' 20" W.),

5. a 12 inch diameter natural gas pipeline, 16 inch diameter water line, and temporary timber bridge crossing impacting 57 lineal feet of the South Branch of Canawacta Creek (CWF-MF) (Susquehanna, PA Quadrangle; Lat. 41° 53' 07" N., Long. -75° 34' 19" W.).

The Well Connect 51 Pipeline consists of a 12" gas gathering line and a 16" waterline all located within Jackson Township, Susquehanna County and connects the Range Unit 51 well site to the Bluestone Phase 2 pipeline. The project will result in 141 linear feet of temporary stream impacts and 13,445 square feet (0.31 acre) of wetland conversion impacts; all for the purpose of conveying Marcellus Shale natural gas to market.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the 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 to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal 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.

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-2 # ESX12-113-0037(02)

Applicant Name Appalachia Midstream Svcs LLC

Contact Person Robert Strauss

Address Suite 404

City, State, Zip Horseheads, NY 14845

County Sullivan

Township(s) Fox

Receiving Stream(s) and Classification(s) Fall Run,

Hoagland Branch, Shrader Creek Watersheds Trib

30422 & 30423 to Schrader Ck (EV, MF) Hoagland

Branch (EV, MF) Trib 20765 to Rock Run (EV, MF) Fall

- Run (EV) Trib 20079 & 20081 to Fall Run (EV, MF)  
Secondary—Schrader Creek, Elk Creek, Rock Run,  
Hoagland Branch, Fall Creek
- ESCGP-2 # ESX10-015-0028(01)  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Troy  
Receiving Stream(s) and Classification(s) UNT Canfield  
Run, Canfield Run (TSF, MF)  
Secondary—Sugar Creek (TSF, MF)
- ESCGP-2 # ESX10-015-0017(02)  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Wyalusing  
Receiving Stream(s) and Classification(s) Surface drain-  
age to Brewer Creek to Wyalusing Creek (WWF, MF)  
UNT to Susquehanna River (WWF, MF)  
Secondary—Wyalusing Creek (WWF, MF) Susquehanna  
River (WWF, MF)
- ESCGP-2 # ESX29-015-15-0005  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Terry  
Receiving Stream(s) and Classification(s) UNT to  
Susquehanna River (CWF, MF)  
Secondary—Susquehanna River (CWF, MF)
- ESCGP-2 # ESX10-115-0005(01)  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Susquehanna  
Township(s) Auburn  
Receiving Stream(s) and Classification(s) Surface Drain-  
age to UNT to Little Meshoppen Ck (CWF)  
Secondary—Little Meshoppen Ck (CWF)
- ESCGP-2 # ESX12-117-0031(03)  
Applicant Name PVR Marcellus Gas Gathering LLC  
Contact Person Kevin Roberts  
Address 101 W Third St  
City, State, Zip Williamsport, PA 17701  
County Lycoming, Tioga & Bradford  
Township(s) Jackson, Liberty and Union, & Canton  
Receiving Stream(s) and Classification(s) UNT Roaring  
Branch, Roaring Branch, Little Elk Run, UNT Brion  
Ck, Brion Ck, UNT Salt Spring Run, French Lick Run,  
UNT French Lick Run, West Mill Ck, Mill Ck, Sugar  
Works Run, UNT Lycoming Ck, Towanda Ck (HQ, EV,  
CWF)
- ESCGP-2 # ESX10-015-0080(01)  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Troy  
Receiving Stream(s) and Classification(s) Surface Drain-  
age to UNT to Canfield Run & Mud Creek, Tribs to
- Sugar Creek (Siltation Impaired, TSF, MF)  
Secondary—Sugar Creek (Siltation Impaired, TSF, MF)
- ESCGP-2 # ESX09-015-0056(02)  
Applicant Name Chesapeake Appalachia LLC  
Contact Person Eric Haskins  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Albany  
Receiving Stream(s) and Classification(s) Sugar Run  
(CWF-MF)  
Secondary—Susquehanna River (WWF-MF)
- ESCGP-2 # ESX12-081-0033(01)  
Applicant Name Anadarko Marcellus Midstream LLC  
Contact Person Rane Wilson  
Address 33 W Third St, Suite 200  
City, State, Zip Williamsport, PA 17701  
County Lycoming  
Township(s) Cummings & McHenry  
Receiving Stream(s) and Classification(s) UNT to Browns  
Run (HQ), Browns Run (HQ), UNT to Zink Fork (HQ),  
Zink Fork (HQ)  
Secondary—Pine Bottom Run (HQ), Pine Creek (HQ)
- ESCGP-2 # ESX10-015-0090(01)  
Applicant Name Eric Haskins  
Contact Person Chesapeake Appalachia LLC  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Asylum  
Receiving Stream(s) and Classification(s) Surface drain-  
age to UNT to Susquehanna River (WWF, MF)  
Secondary—Susquehanna River (WWF, MF)
- ESCGP-2 # ESX09-015-0076(01)  
Applicant Name Eric Haskins  
Contact Person Chesapeake Appalachia LLC  
Address 14 Chesapeake Lane  
City, State, Zip Sayre, PA 18840  
County Bradford  
Township(s) Herrick  
Receiving Stream(s) and Classification(s) Surface drain-  
age to Totem Lake; Trib to Camps Creek; Trib to  
Wyalusing Creek (WWF)  
Secondary—Wyalusing Creek (WWF)
- Southwest Region: Oil & Gas Program Mgr. 400 Water-  
front Dr., Pittsburgh, PA*
- ESCGP-2 No: ESX13-125-0063 Major Revision  
Applicant Name: Rice Energy B LLC  
Contact Person Tonya Winkler  
Address: 400 Woodcliff Drive  
City: Canonsburg State: PA Zip Code: 15317  
County: Washington Township: Somerset  
Receiving Stream(s) and Classifications: UNT to South  
Branch Pigeon Creek; Other WWF
- ESCGP-2 No.: ESG14-059-0058  
Applicant Name: PA Land Resources LLC DBA P L  
Resources LLC  
Contact Person: Nick Mongelluzzo  
Address: PO Box 247  
City: Waynesburg State: PA Zip Code: 15370  
County: Greene Township(s): Center  
Receiving Stream(s) and Classifications: Pursley Creek/  
Tenmile Creek; Maple Run/Tenmile Creek; HQ
- ESCGP-2 No.: ESG14-125-0086  
Applicant Name: EQT Gathering LLC  
Contact Person: Brian M Clauto  
Address: 455 Racetrack Road

City: Washington State: PA Zip Code: 15301  
 County: Washington Township(s): Nottingham and Somerset

Receiving Stream(s) and Classifications: Mingo Creek and North Branch Pigeon Creek; HQ; Other WWF

ESCGP-2 No.: ESX14-125-0078

Applicant Name: Rice Drilling B LLC

Contact Person: Joseph C Mallow

Address: 171 Hillpointe Drive Suite 301

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Somerset and West Pike Run

Receiving Stream(s) and Classifications: (3) UNT to Pigeon Creek/Monongahela; (2) UNT to Pike Run/Monongahela; Pike Run/Monongahela; Other WWF & TSF

ESCGP-2 No.: ESX13-003-0014 Major Revision

Applicant Name: Cone Gathering LLC

Contact Person: Carol Phillips

Address: 200 Evergreene Drive

City: Waynesburg State: PA Zip Code: 15370

COUNTY Allegheny Township(s): Findlay

Receiving Stream(s) and Classifications: McClarens Run, tributaries to McClarens Run, Montour Run, tributaries to Montour Run, North Fork Montour Run, tributaries to North Fork Montour Run/Ohio River Watershed—see Appendix B for additional receiving waters; Other Trout Stocked Fisheries (TSF); Siltation-Impaired

ESCGP-2 No.: ESG14-059-0034

Applicant Name: EQT Production Company

Contact Person: Todd Klaner

Address: 455 Racetrack Road

City: Washington State: PA Zip Code: 15301

County: Greene Township(s): Morris

Receiving Stream(s) and Classifications: UNT to Browns Creek; HQ; Other HQ-WWF

ESCGP-2 No.: ESX15-051-0001

Applicant Name: Chevron Appalachia LLC

Contact Person: Branden Weimer

Address: 800 Mountain View Drive

City: Smithfield State: PA Zip Code 15478

County: Fayette Township(s): Redstone

Receiving Stream(s) and Classifications: Trib 39955 to Rowes Run/Rowes Run; Other WWF

ESCGP-2 No.: ESX14-125-0085

Applicant Name: Range Resources Appalachia LLC

Contact Person: Glenn D Truzzi

Address: 3000 Town Center Boulevard

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Amwell

Receiving Stream(s) and Classifications: Unt to Little Tenmile Creek (TSF)/Tenmile Creek Watershed; Other TSF; Siltation-Impaired

ESCGP-2 No.: ESG14-059-0067

Applicant Name: CONE Gathering LLC

Contact Person: Carol Phillips

Address: 200 Evergreene Drive

City: Waynesburg State: PA Zip Code: 15370

County: Greene Township(s): Center and Richhill

Receiving Stream(s) and Classifications: West Run, Tributaries of West Run, Scott Run, Tributaries of Scott Run, Morris Run, Tributaries of Morris Run, Grays Fork, Maranda Run, Tributaries of Maranda Run, Jacobs Run, Tributaries of Jacobs Run, Tributaries of South Fork Tenmile Creek, and Tributaries of Claylick Run/Monongahela Watershed; HQ; Other Warm Water Fisheries (WWF)

ESCGP-2 NO.: ESX13-059-0007 Major Revision

Applicant Name: EQT Gathering LLC

CONTACT PERSON: Adam Tobia

ADDRESS: 625 Liberty Avenue, Suite 1700

City: Pittsburgh State: PA Zip Code: 15222

County: Greene Township(s): Morgan

Receiving Stream(s) and Classifications: UNT to Castile Run (WWF) and UNT to Tenmile Creek (TSF); Other (WWF, TSF)

ESCGP-2 NO.: ESG14-125-0060

Applicant Name: MarkWest Liberty Midstream & Resources LLC

CONTACT: Rick Lowry

ADDRESS: 4600 J Barry Court Suite 500

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Independence

Receiving Stream(s) and Classifications: UNTs to Sugarcamp Run, Sugarcamp Run, UNTs to Indian Camp Run, Indian Camp Run, UNTs to Welch Run, Welch Run, UNTs to Narigan Run; HQ

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## SPECIAL NOTICES

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### Intent to Issue Plan Approval—IPAOP

*Philadelphia: Air Management Services, 321 University Avenue, Philadelphia, PA. 19104-4543, Contact: Edward Wiener, Chief of Source Registration at 215-685-9426.*

**AMS 14349: Thomas Jefferson University**, 214 S. 11th Street, Philadelphia, PA 19145 for installation of the following: (4) emergency generators greater than 500 HPs and two (2) emergency generators less than 350 HPs in the City of Philadelphia, **Philadelphia County**. After the installation, there will be a potential increase of 3.1 tpy of NO<sub>x</sub>. The Plan Approval will contain operating, monitoring, recordkeeping, and reporting requirements to ensure operation within all applicable requirements.

### Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of March 2015 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. Sections 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P.O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).)



## NOTICES

1901

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Mark Achuff	101 S. Broad St., Ste. 100 Lansdale, PA 19446	Testing & Mitigation
James Andrews	353 Loveville Rd. Warriors Mark, PA 16877	Mitigation
James Budzeak	201 Penn Center Blvd., Ste. 400 Pittsburgh, PA 15235	Mitigation
David Clemens	51 Rim View Ln. Shillington, PA 19607	Testing & Mitigation
Rex Crowl Miller Radon Services	PO Box 603 Shamokin, PA 17872	Testing & Mitigation
Jim Dombrowski	PO Box 8105 Erie, PA 16505	Testing
David Freeman	110 Ingrid Ct. Sarver, PA 16055	Testing
Scott Hagan	78 Hamilton Dr. Abbottstown, PA 17301	Testing
Russell Heiges	351 Big Oak Rd. Dillsburg, PA 17019	Testing
Shawn Heisse	2311 Liberty Dr. Langhorne, PA 19047	Testing
James Hetrick	766 Magaro Rd. Enola, PA 17025	Mitigation
Corwin Jackson	7100 Akron St. Philadelphia, PA 19149	Testing
James Klug	114 Oxford St. Hanover Twp., PA 18706	Testing
Ludwig Kubli	1090 Aerie Dr. N. Huntingdon, PA 15642	Testing
Ronald Kuntz	PO Box 174 Alexandria, PA 16611	Testing
Stephanie Lamb Hillman Consulting, LLC	1600 Rt. 22 E Union, NJ 07083	Testing
Edward Lampl	462 Biddle Ave. Pittsburgh, PA 15221	Testing
Thomas Laurito	6006 Forest Dr. Monaca, PA 15061	Testing
Joshua Lindner	240 Colfax St. Springdale, PA 15144	Testing
M. Webster Construction, Inc.	805 Pershing St. Lebanon, PA 17046	Mitigation
Jon Melvin	1024 Ledgeview Dr. W Pittston, PA 18643	Testing
Chase Millard	634 Pine St. Philadelphia, PA 19106	Testing
Tuan Nguyen American Radon Solutions, Inc.	3537 Hartzdale Dr., Ste. A Camp Hill, PA 17011	Mitigation
Michael Nowicki Steel City Radon	1223 Southgate Dr. Upper St. Clair, PA 15241	Mitigation
Andrew Nyveldt	27 Mount Carmel St. Roseto, PA 18013	Testing
Robert Petrillo	140 Northpoint Dr. Olyphant, PA 18447	Testing
Garrett Ray EMSL Analytical, Inc.	200 Route 130 N Cinnaminson, NJ 08077	Laboratory Analysis
Steve Seherlis	63 Gradyville Rd. Glen Mills, PA 19342	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Robert Ulm	543 Twele Rd. Greenock, PA 15047	Testing
Michael R. Webster	805 Pershing St. Lebanon, PA 17046	Testing & Mitigation
John Wechter	72 Gristmill Ln. Linfield, PA 19468	Testing
Brian Wentz	6235 Warren Ave. Harrisburg, PA 17112	Testing
Chris Willig	4 Theresa Dr. Conestoga, PA 17516	Testing

**Drinking Water State Revolving Fund  
Special Notice**

**Special Notice Under the federal Safe Drinking Water Act (SDWA) (42 U.S.C.A. § 300f, et. seq.)**

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

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Indiana County Municipal Services Authority	602 Kolter Drive, Indiana, PA 15701	Indiana

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. Indiana County Municipal Services Authority proposes an interconnection with the Alverda Water Association which includes extending water mains from Brownstown to Alverda, and replacing the existing Alverda water mains. The project also involves metering the 52 Alverda customers plus the new 65 customers that would be picked up in extending the water main from Brownstown to Alverda. The project also will involve replacing the ICMSA Brownstown Storage Tank, which is in need of major rehabilitation. The project also includes integrating the East Green Township Water System (Uniontown) into the ICMSA's Cherry Tree Water System where 40 customers are currently served by a well developed by the coal company. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Jefferson Township Water and Sewer Authority	786 Mountain View Road Somerset, PA 15501	Somerset

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. Jefferson Township Water and Sewer Authority will construct a new water system which will provide potable water for 108 customers in the Village of Bakersville. The project includes the installation of 11,200 feet of 10-inch water transmission main,

7,500 feet of 6-inch waterline, a valve vault, customer service connections and an interconnection with the Municipal Authority of the Borough of Somerset; and construction of the 200,000 gallon water storage tank their new public water supply system.

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Ford City Borough	1000 4th Avenue PO Box 112 Ford City, PA 16226	Armstrong

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The project includes the construction of new building, installation of two water softener units, two reverse osmosis units, chemical addition system to replace the gas chlorination system with liquid sodium hypochlorite system, water meters, rehabilitation work associated with the ground water sources and an emergency generator. It should be noted that the existing WTP plant will be decommissioned/abandoned once the new plant is operational

**Water Quality Certification under Section 401 of the Federal Clean Water Act for the Transcontinental Gas Pipe Line Company, LLC—Rock Springs Expansion Project;  
DEP File No. EA 36-034**

On June 23, 2014, Transcontinental Gas Pipe Line Company, LLC (Transco) filed an application with the Federal Energy Regulatory Commission (FERC) in Docket No. CP14-504-000 under Section 7(b) and (c) of the Natural Gas Act (NGA) for the purpose of obtaining a Certificate of Public Convenience and Necessity (Certificate) to construct, own, and operate the Transco Rock Springs Expansion Project located in Lancaster County, Pennsylvania and Cecil County, Maryland. The proposed Rock Springs Expansion Project facilities in Pennsylvania would consist of approximately 10.14 miles of new 20-inch diameter natural gas pipeline in Drumore and Fulton Townships, Lancaster County and the modification of an existing compressor station in East Whiteland Township, Chester County.

On July 15, 2014, Transco submitted a request for Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C. § 1341) for the Rock Springs Expansion Project to the Pennsylvania Department of Environmental Protection (PADEP).

The purpose of the Rock Springs Expansion Project is to deliver natural gas from Transco's existing mainlines "A" and "B" to the proposed Old Dominion Electric



Cooperative's (ODEC) Wildcat Point Generating Facility, located in Cecil County, Maryland, for power generation.

Modification to one existing compressor station, Compressor Station 200 in East Whiteland Twp., Chester Co., PA, is proposed to allow for bi-directional flow along Transco's existing mainline system.

The Rock Springs Expansion Project also includes various aboveground facilities, including pig launchers, piping, and valves that would be constructed to support the pipeline system expansion and compressor station modification in Pennsylvania.

Pursuant to Section 401 of the Clean Water Act (33 U.S.C. § 1341), the PADEP, by this notice, proposes to certify that the construction, operation and maintenance of the Rock Springs Expansion Project complies with the applicable provisions of the Clean Water Act, through compliance with the following State water quality permitting programs, criteria and conditions established pursuant to Pennsylvania's Clean Stream Law (35 P.S. §§ 691.1—691.1001), which ensure the Project does not violate applicable water quality standards set forth in 25 Pa. Code Chapter 93:

1. *Discharge Permit*—Transco shall obtain and comply with a PADEP National Pollutant Discharge Elimination System (NPDES) permit for the discharge of water from the hydrostatic testing of the Rock Springs Expansion Project pipeline pursuant to Pennsylvania's Clean Streams Law (35 P.S. §§ 691.1—691.1001) and all applicable implementing regulations (25 Pa. Code Chapter 92a).

2. *Erosion and Sediment Control Permit*—Transco shall obtain and comply with PADEP's Chapter 102 Erosion and Sediment Control General Permit for Earth Disturbance Associated with Oil and Gas Exploration, Production, Processing or Treatment (ESCGP-2 permit) for the Rock Springs Expansion Project issued pursuant to Pennsylvania's Clean Streams Law and Storm Water Management Act (32 P.S. §§ 680.1—680.17) and all applicable implementing regulations (25 Pa. Code Chapter 102).

3. *Water Obstruction and Encroachment Permits*—Transco shall obtain and comply with a PADEP Chapter 105 Water Obstruction and Encroachment Permits for the construction, operation and maintenance of all water obstructions and encroachments associated with the Rock Springs Expansion Project pursuant to Pennsylvania's Clean Streams Law, Dam Safety and Encroachments Act (32 P.S. §§ 673.1—693.27), and Flood Plain Management Act (32 P.S. §§ 679.101—679.601.) and all applicable implementing regulations (25 Pa. Code Chapter 105).

4. *Water Quality Monitoring*—PADEP retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any operational and construction process that may be employed by Transco.

5. *Operation*—For the Rock Springs Expansion Project under this certification, Transco shall at all times properly operate and maintain all Rock Springs Expansion Project facilities and systems of treatment and control (and related appurtenances) which are installed to achieve compliance with the terms and conditions of this Certification and all required permits. Proper operation and maintenance includes adequate laboratory controls, appropriate quality assurance procedures, and the operation of backup or auxiliary facilities or similar systems installed by Transco.

6. *Inspection*—The Rock Springs Expansion Project, including all relevant records, are subject to inspection at

reasonable hours and intervals by an authorized representative of PADEP to determine compliance with this Certification, including all required permits required, and Pennsylvania's Water Quality Standards. A copy of this Certification shall be available for inspection by the PADEP during such inspections of the Rock Springs Expansion Project.

7. *Transfer of Projects*—If Transco intends to transfer any legal or equitable interest in the Rock Springs Expansion Project which is affected by this Certification, Transco shall serve a copy of this Certification upon the prospective transferee of the legal and equitable interest at least thirty (30) days prior to the contemplated transfer and shall simultaneously inform the applicable PADEP Regional Office of such intent. Notice to PADEP shall include a transfer agreement signed by the existing and new owner containing a specific date for transfer of Certification responsibility, coverage, and liability between them.

8. *Correspondence*—All correspondence with and submittals to PADEP concerning this Certification shall be addressed to the Department of Environmental Protection, South-central Regional Office, Waterways and Wetlands Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

9. *Reservation of Rights*—PADEP may suspend or revoke this Certification if it determines that Transco has not complied with the terms and conditions of this Certification. PADEP may require additional measures to achieve compliance with applicable law, subject to Transco's applicable procedural and substantive rights.

10. *Other Laws*—Nothing in this Certification shall be construed to preclude the institution of any legal action or relieve Transco from any responsibilities, liabilities, or penalties established pursuant to any applicable federal or state law or regulation.

11. *Severability*—The provisions of this Certification are severable and should any provision of this Certification be declared invalid or unenforceable, the remainder of the Certification shall not be affected thereby.

The Environmental Assessment prepared by FERC may be viewed on FERC's website at [www.ferc.gov](http://www.ferc.gov) under the Docket No. CP14-504-000.

Prior to final action on the proposed section 401 Water Quality Certification, consideration will be given to any comments, suggestions or objections which are submitted in writing within 30 days of this notice. Comments concerning the proposed 401 Water Quality Certification should be directed to Mr. Scott Williamson, South-central Region Waterways and Wetlands Program Manager at the above address or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD). Comments must be submitted in writing and contain the name, address and telephone number of the person commenting and a concise statement of comments, objections or suggestions on this proposal. No comments submitted by facsimile will be accepted. The Department will consider all relevant and timely comments received.

[Pa.B. Doc. No. 15-669. Filed for public inspection April 10, 2015, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Lease Office Space to the Commonwealth Beaver County

Proposers are invited to submit proposals to the Department of General Services to provide the Department of Health with 999 usable square feet of office space in Beaver County. Downtown locations will be considered. For more information on SFP No. 94718, which is due on April 30, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate, (717) 787-4394.

CURTIS M. TOPPER,  
*Acting Secretary*

[Pa.B. Doc. No. 15-670. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Lease Office Space to the Commonwealth Blair County

Proposers are invited to submit proposals to the Department of General Services to provide the Department of Health with 999 usable square feet of office space in Blair County. Downtown locations will be considered. For more information on SFP No. 94719, which is due on April 30, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate, (717) 787-4394.

CURTIS M. TOPPER,  
*Acting Secretary*

[Pa.B. Doc. No. 15-671. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Lease Office Space to the Commonwealth Carbon County

Proposers are invited to submit proposals to the Department of General Services to provide the Department of Health with 999 usable square feet of office space in Carbon County. Downtown locations will be considered. For more information on SFP No. 94720, which is due on April 30, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate, (717) 787-4394.

CURTIS M. TOPPER,  
*Acting Secretary*

[Pa.B. Doc. No. 15-672. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Lease Office Space to the Commonwealth Centre County

Proposers are invited to submit proposals to the Department of General Services to provide the Department

of Health with 999 usable square feet of office space in Centre County. Downtown locations will be considered. For more information on SFP No. 94721, which is due on April 30, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate, (717) 787-4394.

CURTIS M. TOPPER,  
*Acting Secretary*

[Pa.B. Doc. No. 15-673. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Lease Office Space to the Commonwealth Columbia County

Proposers are invited to submit proposals to the Department of General Services to provide the Department of Health with 999 usable square feet of office space in Columbia County. Downtown locations will be considered. For more information on SFP No. 94722, which is due on April 30, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate, (717) 787-4394.

CURTIS M. TOPPER,  
*Acting Secretary*

[Pa.B. Doc. No. 15-674. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Lease Office Space to the Commonwealth Fulton County

Proposers are invited to submit proposals to the Department of General Services to provide the Department of Health with 999 usable square feet of office space in Fulton County. Downtown locations will be considered. For more information on SFP No. 94723, which is due on April 30, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate, (717) 787-4394.

CURTIS M. TOPPER,  
*Acting Secretary*

[Pa.B. Doc. No. 15-675. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Lease Office Space to the Commonwealth Mifflin County

Proposers are invited to submit proposals to the Department of General Services to provide the Department of Health with 999 usable square feet of office space in Mifflin County. Downtown locations will be considered. For more information on SFP No. 94724, which is due on April 30, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate, (717) 787-4394.

CURTIS M. TOPPER,  
*Acting Secretary*

[Pa.B. Doc. No. 15-676. Filed for public inspection April 10, 2015, 9:00 a.m.]

**Lease Office Space to the Commonwealth  
Northampton County or Lehigh County**

Proposers are invited to submit proposals to the Department of General Services to provide the Department of Revenue with 8,508 usable square feet of office space in Northampton County or Lehigh County. Downtown locations will be considered. For more information on SFP No. 94717, which is due on May 25, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate, (717) 787-4394.

CURTIS M. TOPPER,  
*Acting Secretary*

[Pa.B. Doc. No. 15-677. Filed for public inspection April 10, 2015, 9:00 a.m.]

**Lease Office Space to the Commonwealth  
Potter County**

Proposers are invited to submit proposals to the Department of General Services to provide the Department of Health with 999 usable square feet of office space in Potter County. Downtown locations will be considered. For more information on SFP No. 94725, which is due on April 30, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate, (717) 787-4394.

CURTIS M. TOPPER,  
*Acting Secretary*

[Pa.B. Doc. No. 15-678. Filed for public inspection April 10, 2015, 9:00 a.m.]

**Lease Office Space to the Commonwealth  
Schuylkill County**

Proposers are invited to provide the Department of General Services with 8,868 usable square feet of office space for the State Police in Schuylkill County. For more information on SFP No. 94716, which is due on Friday, May 22, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact David Weyandt, (717) 525-5255, [daweyandt@pa.gov](mailto:daweyandt@pa.gov).

CURTIS M. TOPPER,  
*Acting Secretary*

[Pa.B. Doc. No. 15-679. Filed for public inspection April 10, 2015, 9:00 a.m.]

**Lease Office Space to the Commonwealth  
Somerset County**

Proposers are invited to submit proposals to the Department of General Services to provide the Department of Health with 999 usable square feet of office space in Somerset County. Downtown locations will be considered. For more information on SFP No. 94726, which is due on April 30, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact the Bureau of Real Estate, (717) 787-4394.

CURTIS M. TOPPER,  
*Acting Secretary*

[Pa.B. Doc. No. 15-680. Filed for public inspection April 10, 2015, 9:00 a.m.]

**Lease Office Space to the Commonwealth  
Wayne County**

Proposers are invited to submit proposals to the Department of General Services to provide the Department of Human Services with 7,643 usable square feet of office space in Wayne County. Downtown locations will be considered. For more information on SFP No. 94714, which is due on May 28, 2015, visit [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or contact Pete Kafkalas, Bureau of Real Estate, (717) 525-5231, [pkafkalas@pa.gov](mailto:pkafkalas@pa.gov).

CURTIS M. TOPPER,  
*Acting Secretary*

[Pa.B. Doc. No. 15-681. Filed for public inspection April 10, 2015, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application for Exception to 28 Pa. Code § 107.26(b)(3)

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 § 107.26(b)(3) (relating to additional committees):

Kane Community Hospital  
Magee-Womens Hospital of UPMC Health System  
UPMC Altoona  
UPMC Bedford  
UPMC East  
UPMC Hamot  
UPMC Horizon  
UPMC McKeesport  
UPMC Mercy  
UPMC Northwest  
UPMC Passavant/Cranberry  
UPMC Presbyterian Shadyside  
UPMC St. Margaret

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, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov).

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-682. Filed for public inspection April 10, 2015, 9:00 a.m.]



### Application of Abington Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Abington Memorial Hospital has requested exceptions to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests exemptions from the following standards contained in this publication: 2.6-2.2.2.7 and 2.6-2.3.1.1 (relating to patient bathing facilities; and dining, recreation and day spaces).

This request is 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, ra-paexcept@pa.gov.

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-683. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Application of Geisinger Medical Center, Geisinger Outpatient Surgery for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Geisinger Medical Center, Geisinger Outpatient Surgery has requested an exception to the requirements of 28 Pa. Code § 551.22(3)(i) and (ii) (relating to criteria for performance of ambulatory surgery on pediatric patients), regarding accreditation of training and certification respectively.

This request is 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, ra-paexcept@pa.gov.

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-684. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Application of Hospital of the University of Pennsylvania Reproductive Surgical Facility for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hospital of the University of Pennsylvania Reproductive Surgical Facility has requested an exception to the requirements of subparagraph (ii) of the definition of "classification levels" in 28 Pa. Code § 551.3 (relating to definitions), regarding Class B facilities and PS III patients.

This request is 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, ra-paexcept@pa.gov.

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-685. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Application of JC Blair Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that JC Blair Memorial Hospital has requested exceptions to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests exemptions from the following standards contained in this publication: 3.1-3.6.1, 3.1-3.6.6.1, 3.1-3.6.6.2, 2.2-

3.4.6.6(1), 2.2-3.4.6.6(2), 3.1-6.3.5.1, 3.1-6.3.5.2, 2.2-3.4.2.1(1)(b), 2.2-3.4.4.2(2), 2.2-3.4.4.7, 2.2-3.4.5.4(1), 2.2-3.4.5.4(2) and 2.2-3.4.6.3.

This request is 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, ra-paexcept@pa.gov.

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-686. Filed for public inspection April 10, 2015, 9:00 a.m.]

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### Application of Jefferson Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Jefferson Hospital has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

This request is 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, ra-paexcept@pa.gov.

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-687. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Application of Lehigh Valley Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lehigh Valley Hospital has requested an exception to the requirements of 28 Pa. Code § 571.2(d) (relating to modifications to HHS requirements).

This request is 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, ra-paexcept@pa.gov.

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-688. Filed for public inspection April 10, 2015, 9:00 a.m.]

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### Application of Reading Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Reading Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 2.2-3.6.3.4 (relating to patient uptake/cool-down rooms).

This request is 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, ra-paexcept@pa.gov.

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or



hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-689. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Application of St. Mary Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Mary Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 2.2-3.2.2.7 (relating to shower rooms).

This request is 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, ra-paexcept@pa.gov.

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-690. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Application of Tyrone Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Tyrone Hospital has requested exceptions to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests exemptions from the following standards contained in this publication: 3.1-3.2.3.3, 3.1-7.2.2.1 and 3.1-7.2.2.3 (relating to hand-washing stations; corridor widths; and doors and door hardware).

This request is 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, ra-paexcept@pa.gov.

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-691. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Application of UPMC Horizon for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Horizon has requested exceptions to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests exemptions from the following standards contained in this publication: Table 2.1-4 Station Outlets for Oxygen, Vacuum (Suction) and Medical Air Systems in Hospitals and 2.2-3.1.3.6(2)(a) (relating to hospital emergency department exam/treatment rooms; and space requirements), regarding hand-washing stations.

This request is 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, ra-paexcept@pa.gov.

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-692. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Application of UPMC Presbyterian Shadyside for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Presbyterian Shadyside has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 2.1-3.2.2.2(5) (relating to room features), regarding hand-washing stations.

This request is 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, ra-paexcept@pa.gov.

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-693. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Application of York Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that York Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *2014 Guidelines for Design and Construction of Health Care Facilities*. The facility specifically requests an exemption from the following standards contained in this publication: 3.1-3.6.10 (relating to soiled holding rooms).

This request is 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, ra-paexcept@pa.gov.

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-694. Filed for public inspection April 10, 2015, 9:00 a.m.]

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

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Broomall Manor  
43 Church Lane  
Broomall, PA 19008-2503  
FAC ID # 023102

Margaret E. Moul Home  
2050 Barley Road  
York, PA 17404  
FAC ID # 292402

Twin Pines Health Care Center  
315 East London Grove Road  
West Grove, PA 19390  
FAC ID # 032102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.22(h) (relating to prevention, control and surveillance of tuberculosis (TB)):

Margaret E. Moul Home  
2050 Barley Road  
York, PA 17404  
FAC ID # 292402

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.31 (relating to storage):

Whitestone Care Center  
370 White Stone Corner Road  
Stroudsburg, PA 18360  
FAC ID # 22480201

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 Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

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 at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommoda-

tion to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-695. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Special Pharmaceutical Benefits Program Advisory Council Public Meeting

The Statewide Special Pharmaceutical Benefits Program (SPBP) Advisory Council, established by the Department of Health (Department) to aid in the carrying out of its Federal grant responsibilities under section 2616 of the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (42 U.S.C.A. § 300ff-26), will hold a public meeting on Thursday, April 30, 2015, from 10 a.m. to 3 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

The SPBP Advisory Council will provide program guidance and recommendations to the Department's SPBP in regard to the following: drug formulary; covered lab services; drug utilization review; clinical programs; eligibility; and program management.

For additional information contact John Haines, Special Pharmaceutical Benefits Program, Bureau of Communicable Diseases, Department of Health, Room 611, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (800) 922-9384.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact John Haines at the previously listed number or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

KAREN M. MURPHY, PhD, RN,  
*Acting Secretary*

[Pa.B. Doc. No. 15-696. Filed for public inspection April 10, 2015, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Uniform Construction Code Review and Advisory Council Meeting

The Uniform Construction Code Review and Advisory Council will hold a meeting on Wednesday, April 22, 2015, at 10 a.m. at the Department of Labor and Industry, E-100, 651 Boas Street, Harrisburg, PA 17121

Additional information concerning the meeting may be found on the Department of Labor and Industry web site at [www.dli.state.pa.us](http://www.dli.state.pa.us). Scroll down and click on the link for "Uniform Construction Code" then "UCC Review and Advisory Council."

Questions concerning this meeting may be directed to Joseph P. Marchioni, Jr. at (717) 783-6304.

KATHY MANDERINO,  
*Acting Secretary*

[Pa.B. Doc. No. 15-697. Filed for public inspection April 10, 2015, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Buckets of Cash Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Buckets of Cash.

2. *Price:* The price of a Pennsylvania Buckets of Cash instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Buckets of Cash instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: Bee (BEE) symbol, Flower (FLOWER) symbol, Fishing Pole (POLE) symbol, Lemonade (LMNADE) symbol, Kite (KITE) symbol, Soda (SODA) symbol, Sun (SUN) symbol, Tree (TREE) symbol, Cloud (CLOUD) symbol, Ant (ANT) symbol, Fistful of Cash (FISTFUL) symbol and an Umbrella (UMBRLA) symbol.

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$25<sup>00</sup> (TWY FIV), \$50<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$5,000 (FIV THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$500 and \$5,000. The player can win up to 5 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Buckets of Cash instant lottery game.

#### 7. Determination of Prize Winners:

(a) Holders of tickets with a Fistful of Cash (FISTFUL) symbol in the play area and a prize symbol of \$5,000 (FIV THO) in the "prize" area under that Fistful of Cash (FISTFUL) symbol, on a single ticket, shall be entitled to a prize of \$5,000.

(b) Holders of tickets with a Fistful of Cash (FISTFUL) symbol in the play area and a prize symbol of \$500 (FIV HUN) in the "prize" area under that Fistful of Cash (FISTFUL) symbol, on a single ticket, shall be entitled to a prize of \$500.

(c) Holders of tickets with a Fistful of Cash (FISTFUL) symbol in the play area and a prize symbol of \$100 (ONE HUN) in the "prize" area under that Fistful of Cash (FISTFUL) symbol, on a single ticket, shall be entitled to a prize of \$100.



(d) Holders of tickets with an Umbrella (UMBRLA) symbol in the play area and a prize symbol of \$20<sup>.00</sup> (TWENTY) in all five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets with a Fistful of Cash (FISTFUL) symbol in the play area and a prize symbol of \$50<sup>.00</sup> (FIFTY) in the “prize” area under that Fistful of Cash (FISTFUL) symbol, on a single ticket, shall be entitled to a prize of \$50.

(f) Holders of tickets with an Umbrella (UMBRLA) symbol in the play area and a prize symbol of \$10<sup>.00</sup> (TEN DOL) in all five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$50.

(g) Holders of tickets with a Fistful of Cash (FISTFUL) symbol in the play area and a prize symbol of \$25<sup>.00</sup> (TWY FIV) in the “prize” area under that Fistful of Cash (FISTFUL) symbol, on a single ticket, shall be entitled to a prize of \$25.

(h) Holders of tickets with an Umbrella (UMBRLA) symbol in the play area and a prize symbol of \$5<sup>.00</sup> (FIV DOL) in all five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$25.

(i) Holders of tickets with a Fistful of Cash (FISTFUL) symbol in the play area and a prize symbol of \$20<sup>.00</sup> (TWENTY) in the “prize” area under that Fistful of Cash (FISTFUL) symbol, on a single ticket, shall be entitled to a prize of \$20.

(j) Holders of tickets with an Umbrella (UMBRLA) symbol in the play area and a prize symbol of \$2<sup>.00</sup> (TWO DOL) in three of the “prize” areas, a prize symbol of \$10<sup>.00</sup> (TEN DOL) in one of the “prize” areas, and a prize symbol of \$4<sup>.00</sup> (FOR DOL) in one of the “prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets with an Umbrella (UMBRLA) symbol in the play area and a prize symbol of \$4<sup>.00</sup> (FOR DOL) in all five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets with a Fistful of Cash (FISTFUL) symbol in the play area and a prize symbol of \$10<sup>.00</sup> (TEN DOL) in the “prize” area under that Fistful of Cash (FISTFUL) symbol, on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets with an Umbrella (UMBRLA) symbol in the play area and a prize symbol of \$2<sup>.00</sup> (TWO DOL) in all five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets with a Fistful of Cash (FISTFUL) symbol in the play area and a prize symbol of \$5<sup>.00</sup> (FIV DOL) in the “prize” area under that Fistful of Cash (FISTFUL) symbol, on a single ticket, shall be entitled to a prize of \$5.

(o) Holders of tickets with an Umbrella (UMBRLA) symbol in the play area and a prize symbol of \$1<sup>.00</sup> (ONE DOL) in all five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$5.

(p) Holders of tickets with a Fistful of Cash (FISTFUL) symbol in the play area and a prize symbol of \$4<sup>.00</sup> (FOR DOL) in the “prize” area under that Fistful of Cash (FISTFUL) symbol, on a single ticket, shall be entitled to a prize of \$4.

(q) Holders of tickets with a Fistful of Cash (FISTFUL) symbol in the play area and a prize symbol of \$2<sup>.00</sup> (TWO DOL) in the “prize” area under that Fistful of Cash (FISTFUL) symbol, on a single ticket, shall be entitled to a prize of \$2.

(r) Holders of tickets with a Fistful of Cash (FISTFUL) symbol in the play area and a prize symbol of \$1<sup>.00</sup> (ONE DOL) in the “prize” area under that Fistful of Cash (FISTFUL) symbol, on a single ticket, shall be entitled to a prize of \$1.

(s) Holders of tickets with a Fistful of Cash (FISTFUL) symbol in the play area and a prize symbol of FREE (TICKET) in the “prize” area under that Fistful of Cash (FISTFUL) symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Buckets of Cash instant game ticket or one Pennsylvania Lottery instant game ticket with a \$1 sale price which is currently on sale.

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

<i>Reveal A “FISTFUL OF CASH” (FISTFUL) Symbol, Win Prize Shown Under That Symbol. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
FREE	FREE \$1 TICKET	10	1,200,000
\$1	\$1	75	160,000
\$1 × 2	\$2	37.5	320,000
\$2	\$2	37.5	320,000
\$1 × 4	\$4	200	60,000
\$2 × 2	\$4	300	40,000
(\$1 × 2) + \$2	\$4	200	60,000
\$4	\$4	300	40,000
UMBRELLA w/ (\$1 × 5)	\$5	100	120,000
(\$1 × 3) + \$2	\$5	300	40,000
\$5	\$5	300	40,000
UMBRELLA w/ (\$2 × 5)	\$10	200	60,000
(\$4 × 2) + \$2	\$10	428.57	28,000
\$10	\$10	1,000	12,000
UMBRELLA w/ (\$4 × 5)	\$20	750	16,000
UMBRELLA w/ ((\$2 × 3) + \$10 + \$4)	\$20	1,000	12,000
\$5 × 4	\$20	1,500	8,000



Reveal A "FISTFUL OF CASH" (FISTFUL) Symbol, Win Prize Shown Under That Symbol. Win With:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 12,000,000 Tickets
\$20	\$20	3,000	4,000
UMBRELLA w/ (\$5 × 5)	\$25	2,400	5,000
(\$5 × 3) + \$10	\$25	2,400	5,000
(\$10 × 2) + \$5	\$25	2,400	5,000
\$25	\$25	2,400	5,000
UMBRELLA w/ (\$10 × 5)	\$50	2,400	5,000
\$25 × 2	\$50	6,000	2,000
(\$10 × 2) + (\$5 × 2) + \$20	\$50	6,000	2,000
\$50	\$50	12,000	1,000
UMBRELLA w/ (\$20 × 5)	\$100	12,000	1,000
\$25 × 4	\$100	60,000	200
(\$20 × 2) + (\$5 × 2) + \$50	\$100	16,000	750
\$100	\$100	60,000	200
\$100 × 5	\$500	82,192	146
\$500	\$500	77,922	154
\$5,000	\$5,000	480,000	25

Reveal an "UMBRELLA" (UMBRLA) symbol, win all 5 prizes shown!

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Buckets of Cash instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

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

12. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State

Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

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

EILEEN H. McNULTY,  
Acting Secretary

[Pa.B. Doc. No. 15-698. Filed for public inspection April 10, 2015, 9:00 a.m.]

**Pennsylvania Wild Cherries Instant Lottery Game**

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

1. *Name:* The name of the game is Pennsylvania Wild Cherries.

2. *Price:* The price of a Pennsylvania Wild Cherries instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Wild Cherries instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), Cherry (CHRY) symbol and a WILD (WILD) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “prize” areas are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20.<sup>00</sup> (TWENTY), \$25.<sup>00</sup> (TWY FIV), \$50.<sup>00</sup> (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$500 (FIV HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: \$2, \$4, \$5, \$10, \$20, \$25, \$50, \$100, \$250, \$500, \$1,000 and \$25,000. The player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 10,800,000 tickets will be printed for the Pennsylvania Wild Cherries instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

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

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a WILD (WILD) symbol and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$250 (TWOHUNFTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$250.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a WILD (WILD) symbol and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$250.

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

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cherry (CHRY) symbol and a prize symbol of \$100 (ONE HUN) appears in the “prize” area under that Cherry (CHRY) symbol, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a WILD (WILD) symbol and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cherry (CHRY) symbol and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the “prize” area under that Cherry (CHRY) symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a WILD (WILD) symbol and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in all ten of the “prize” areas, on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$25.<sup>00</sup> (TWY FIV) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cherry (CHRY) symbol and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the “prize” area under that Cherry (CHRY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a WILD (WILD) symbol and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in all ten of the “prize” areas, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cherry (CHRY) symbol and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the “prize” area under that Cherry (CHRY) symbol, on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cherry (CHRY) symbol and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the “prize” area under that Cherry (CHRY) symbol, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cherry (CHRY) symbol and a prize symbol of \$4.<sup>00</sup> (FOR DOL) appears in the “prize” area under that Cherry (CHRY) symbol, on a single ticket, shall be entitled to a prize of \$4.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cherry (CHRY) symbol and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the “prize” area under that Cherry (CHRY) symbol, on a single ticket, shall be entitled to a prize of \$2.

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

<i>When Any Of Your Numbers Match Either Winning Number, Win Prize Shown Under The Matching Number. Win With:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 10,800,000 Tickets</i>
\$2 w/ CHERRY	\$2	16.67	648,000
\$2	\$2	18.75	576,000
\$2 × 2	\$4	50	216,000
\$4 w/ CHERRY	\$4	50	216,000
\$4	\$4	50	216,000
\$5 w/ CHERRY	\$5	75	144,000
\$5	\$5	75	144,000
\$5 × 2	\$10	750	14,400
(\$2 w/ CHERRY) × 5	\$10	250	43,200
\$10 w/ CHERRY	\$10	250	43,200
\$10	\$10	750	14,400
WILD w/ \$2 × 10	\$20	214.29	50,400
\$4 × 5	\$20	1,500	7,200
\$5 × 4	\$20	1,500	7,200
\$20	\$20	1,500	7,200
(\$5 × 3) + \$10	\$25	2,400	4,500
(\$10 × 2) + \$5	\$25	685.71	15,750
\$20 + \$5	\$25	2,400	4,500
(\$5 w/ CHERRY) × 5	\$25	631.58	17,100
\$25	\$25	2,400	4,500
WILD w/ \$5 × 10	\$50	1,091	9,900
\$10 × 5	\$50	4,000	2,700
(\$5 w/ CHERRY) × 5 + \$25	\$50	4,000	2,700
\$50	\$50	4,000	2,700
WILD w/ \$10 × 10	\$100	3,000	3,600
\$25 × 4	\$100	2,400	4,500
(\$20 w/ CHERRY) × 5	\$100	3,000	3,600
\$100	\$100	5,000	2,160
WILD w/ \$25 × 10	\$250	10,909	990
(\$100 × 2) + \$50	\$250	30,000	360
(\$50 w/ CHERRY) × 5	\$250	10,909	990
\$250	\$250	30,000	360
WILD w/ \$50 × 10	\$500	40,000	270
\$250 × 2	\$500	120,000	90
(\$100 w/ CHERRY) × 5	\$500	40,000	270
\$500	\$500	120,000	90
\$1,000	\$1,000	30,000	360
\$25,000	\$25,000	540,000	20

Reveal a “CHERRY” (CHRY) symbol, win prize shown under that symbol.  
Reveal a “WILD” (WILD) symbol, win all 10 times the prize shown!

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Wild Cherries instant lottery game tickets.

10. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania instant lottery game tickets. If a retailer bonus is offered, a

Lottery retailer shall be eligible for a bonus as described in this section. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$100,000 and not exceeding \$500,000 shall be paid a bonus of \$500. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$500,001 and not



exceeding \$1,000,000 shall be paid a bonus of \$5,000. Lottery retailers who sell a winning ticket that entitles the ticket holder to a prize, either payable in a single installment or having a guaranteed minimum payout, of at least \$1,000,001 and not exceeding \$10,000,000 shall be paid a bonus of \$10,000. A Lottery retailer is entitled only to the largest bonus for which he qualifies on a winning ticket. A bonus will be initiated for payment after the instant ticket is claimed and validated. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery instant ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

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

12. *Governing Law*: In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

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

EILEEN H. McNULTY,  
*Acting Secretary*

[Pa.B. Doc. No. 15-699. Filed for public inspection April 10, 2015, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by RGRGJVG, LLC, 2185 Route 611, Swiftwater, PA seeking to lease highway right-of-way located at SR 0611, Pocono Township, Monroe County, 5,661 square feet ±, adjacent to SR 0611, Section 04S, for the purpose of parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions or objections regarding the approval of this application to Michael W. Rebert, PE, District Executive, Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18101.

Questions regarding this application or the proposed use may be directed to Bruce Kern, District Property Manager, 1002 Hamilton Street, Allentown, PA 18101, (610) 871-4179.

LESLIE S. RICHARDS,  
*Acting Secretary*

[Pa.B. Doc. No. 15-700. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Department Authorized Services to Provide Decentralized Driver and Vehicle Services

The Department of Transportation (Department), acting through the Bureau of Motor Vehicles, intends to expand its existing program of decentralized online driver and vehicle services to permit additional applications of interested and qualified service providers. The Department will be providing these services by means of the Department's Gatekeeper system which relies on web service technology using Simple Object Access Protocol over Hypertext Transfer Protocol as the communication protocol for the data exchange between the Department and business partners. During this open-ended period, the Department will accept letters of interest from prospective providers meeting programmatic and technical requirements to perform online vehicle transactions for wholesale (intermediate) customers at no cost to the Department.

The authority for this program was granted under section 8 of the act of December 16, 1992 (P. L. 1250, No. 166), which is in the appendix to 75 Pa.C.S. (relating to Vehicle Code). The Department will review letters of interest from qualified applicants in the order received and reserves the right to reject any application.

Contact the On-Line Programs Manager at (717) 346-0986 to obtain the following:

- The Department's Online Program Letter of Interest Application Requirements
- The Department's Program/Technical Requirements (Business Partner User Guide)

Completed letters of interest shall be mailed to the Department of Transportation, Bureau of Motor Vehicles, Attn: On-Line Programs Manager, 1101 South Front Street, River Front Office Center, 4th Floor, Harrisburg, PA 17104.

LESLIE S. RICHARDS,  
*Acting Secretary*

[Pa.B. Doc. No. 15-701. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Receipt of Applications for Funding under the Section 5310 Program for Fiscal Year 2015-2016

The Department of Transportation, Bureau of Public Transportation, under the authority in section 5310 of the Federal Transit Laws (49 U.S.C.A. § 5310), gives notice that it will receive applications for the State-administered Section 5310 Program (Program).

Under this Program, private nonprofit organizations and designated public bodies may apply for Federal capital assistance to pay up to 80% of the purchase cost of



new wheelchair accessible small transit vehicles used to provide transportation services for senior citizens and persons with disabilities who cannot be reasonably accommodated by existing transportation providers.

Additional information can be obtained by calling John Levitsky, Bureau of Public Transportation, (717) 787-1206, jlevitsky@pa.gov.

LESLIE S. RICHARDS,  
*Acting Secretary*

[Pa.B. Doc. No. 15-702. Filed for public inspection April 10, 2015, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Mentored Youth Fishing Day Program—Trout Additional Waters

Acting under the authority of 58 Pa. Code § 65.20 (relating to Mentored Youth Fishing Day Program), the Executive Director previously designated March 28, and April 11, 2015, as Mentored Youth Fishing Days for trout, beginning at 8 a.m. and ending at 7:30 p.m., in approved trout waters designated under 58 Pa. Code § 63.3 (relating to fishing in approved trout waters) that are normally closed to trout fishing on those dates. The Executive Director has identified the following additional water as being included in the Mentored Youth Fishing Day Program (Program) on April 11, 2015:

<i>County</i>	<i>Water</i>
Centre	Little Sandy Run and Ponds (headwaters at State Line Road, downstream to Lower Adult Pond)
Centre	Big Sandy Run (headwaters upstream of State Line Road, downstream to the confluence of Beauty Run)
Centre	Beauty Run (headwaters at State Line Road downstream to the sulfur seep at State Forest boundary line)
Centre	Little Wolf Run (headwaters at 12 Point Camp downstream to sulfur seep at State Forest boundary line)
Centre	Unnamed tributary below Right Branch of Wallace Run (headwaters between I-80 and SR 144 downstream to the Route 144 crossing)
Elk	Blue Valley Pond
Tioga	Morris Rod and Gun Club Pond

To participate, anglers 16 years of age or older (adult anglers) must possess a valid Pennsylvania fishing license and current trout/salmon permit and be accompanied by a youth (less than 16 years of age) who has obtained a mentored youth permit or a voluntary youth license from the Commission. Youth anglers must obtain a mentored youth permit or a voluntary youth license from the Commission and be accompanied by a licensed adult angler to participate.

The minimum size will be 7 inches; the creel limit will be 2 trout (combined species). Other Commonwealth inland regulations will apply. It is unlawful to fish in waters designated as part of the Mentored Youth Fishing

Day Program except in compliance with the requirements of 58 Pa. Code § 65.20 when participating in the Program.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 15-703. Filed for public inspection April 10, 2015, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Earthquake Endorsements to Homeowners Policies

Some insurers have asserted that because of an increase in natural gas extraction in this Commonwealth by means of a process commonly referred to as “fracking”, endorsements should exclude coverage on homeowners policies for earthquakes that are not “naturally occurring.”

Determining with certainty that human activity caused an earthquake is very difficult, and insurance claims by homeowners should not go unpaid during a long and arduous investigative process that will likely uncover no definitive proof linking the earthquake to human activity.

Insurers and rating organizations are therefore instructed that earthquake endorsements that attach to homeowners insurance policies in this Commonwealth should cover all earthquakes, whether believed to be “naturally occurring” or caused by “human activity”.

Insurers with earthquake endorsements already in the marketplace which exclude coverage for earthquakes that are not naturally occurring should not enforce these exclusions, and new endorsements without the exclusionary language should be filed with the Insurance Department no later than July 1, 2015.

Questions regarding this notice may be directed to Mark Lersch, Property and Casualty Bureau Director, (717) 783-2103, mlersch@pa.gov.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-704. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Lincoln Benefit Life Company; Rate Increase Filing for Several LTC Forms

Lincoln Benefit Life is requesting approval to increase the premium 35% on 93 policyholders with the following individual LTC policy form numbers: LB-7000-P-PA(Q), LB-7000-P-PA(NQ), LB-7001-P-PA(Q), LB-7001-P-PA(NQ), LB-7002-P-PA(Q), LB-7002-P-PA(NQ), LB-7003-P-PA(Q) and LB-7003-P-PA(NQ).

Unless formal administrative action is taken prior to June 25, 2015, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab “How to Find . . .” click on the link “PA Bulletin.”

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

TERESA D. MILLER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 15-705. Filed for public inspection April 10, 2015, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Implementation of the Alternative Energy Portfolio Standards Act of 2004: Standards for the Participation of Demand Side Management Resources—Technical Reference Manual 2016 Update; Doc. No. M-2015-2469311**

### Tentative Order

The Pennsylvania Public Utility Commission (Commission) seeks comments on the proposed 2016 update to the Technical Reference Manual. In a Tentative Order adopted at its March 26, 2015, public meeting, the Commission released, for comment, the proposed 2016 version of the Energy-Efficiency and DSM Rules for Pennsylvania's Alternative Energy Portfolio Standard, Technical Reference Manual (TRM). A copy of the Tentative Order and the proposed 2016 version of the TRM and its appendices can be found on the Commission's web site as follows:

Tentative  
Order: <http://www.puc.pa.gov/pcdocs/1350003.docx>  
TRM: <http://www.puc.pa.gov/pcdocs/1350348.docx>  
Appendix C: <http://www.puc.pa.gov/pcdocs/1350344.xlsx>  
Appendix D: <http://www.puc.pa.gov/pcdocs/1350350.xlsx>

In implementing the Alternative Energy Portfolio Standards Act (73 P. S. §§ 1648.1—1648.8), the Commission had originally adopted the TRM in an Order entered on October 3, 2005, at Doc. No. M-00051865. Subsequently, in the Energy Efficiency and Conservation (EE&C) Program Implementation Order, entered on January 16, 2009, at Doc. No. M-2008-2069887, the Commission adopted the TRM as a component of the EE&C Program evaluation process.

In the Tentative Order adopted March 26, 2015, the Commission seeks comments on the proposed changes to the TRM. Written comments from interested parties must be filed with the Secretary of the Commission, referencing Doc. No. M-2015-2469311, on or before May 11, 2015. Reply comments must be filed on or before May 21, 2015.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-706. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Petition of PPL Electric Utilities Corporation for a Waiver of the Distribution System Improvement Charge Cap of 5% of Billed Revenues

**P-2015-2474714. PPL Electric Utilities Corporation.** Petition of PPL Electric Utilities Corporation (PPL Electric) requesting: 1) waiver of the Distribution System Improvement Charge (DSIC) cap of 5% of billed revenues; and 2) approval to increase the maximum allowable DSIC from 5% to 7.5% of billed revenue for service rendered on or after January 1, 2016. The act of February 14, 2012 (P. L. 72, No. 11) authorized public utilities to use a DSIC mechanism to facilitate the recovery of reasonable and prudent capital costs incurred to repair, improve or replace certain eligible distribution property that is part of the electric distribution companies' distribution systems. PPL Electric's DSIC recovery at P-2012-2325034 is currently capped at 5% of billed distribution revenues between rate cases. PPL Electric proposes to increase the maximum DSIC rate by 2.5%.

The current monthly cost of the DSIC at the maximum surcharge rate of 5% for an average residential customer is approximately \$2.47 per month. Increasing the maximum DISC rate to 7.5% is expected to result in an estimated customer cost of approximately \$3.70 per month at the cap. However, because the DSIC rate increases gradually each quarter, the average increase per quarter likely would be less than this amount.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120 on or before April 27, 2015. The documents filed in support of the petitions are available for inspection in the Secretary's Bureau from 8 a.m. to 4:30 p.m., Monday through Friday, at the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* PPL Electric Utilities Corporation

*Through and By Counsel:* David B. MacGregor and Christopher T. Wright, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601 and Paul E. Russell and Kimberly A. Klock, PPL Services Corporation, Two North Ninth Street, Allentown, PA 18106

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-707. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. 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 April 27, 2015. 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-2015-2465681. Century Medical Response, Inc.** (P. O. Box 773, Wilkes-Barre, Luzerne County, PA 18703) persons in paratransit service, limited to nonambulatory persons requiring wheelchair or stretcher vehicle services, to or from medical appointments, between points in Luzerne County.

**A-2015-2471416. Kingman Luxury Transport Corporation** (121 1/2 North Franklin Street, Selinsgrove, PA 18102) a corporation of the Commonwealth of Pennsylvania, persons in limousine service, between points in the City of Allentown, Lehigh County and within a radius of 150 statute air miles from the boundaries of said city, excluding service which falls under the jurisdiction of the Philadelphia Parking Authority.

**A-2015-2471494. Dominicana Taxi Express, LLC** (1313 Moss Street, Reading, PA 19604) a limited liability company of the Commonwealth of Pennsylvania, persons upon call or demand, in the City of Reading, Berks County.

**A-2015-2471524. Canyon Country Cabs, LLC** (9886 Route 6, Wellsboro, Tioga County, PA 16901) a limited liability company of the Commonwealth of Pennsylvania—persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Potter and Tioga.

**A-2015-2471672. Daniel Benjamin Ingle** (3223 Bereton Street, Apartment B, Pittsburgh, PA 15219) persons in airport transfer service, from points in Allegheny County to the Pittsburgh International Airport.

**A-2015-2471761. Fabian Transportation, Inc.** (444 North 11th Street, Lebanon, PA 17046) a corporation of the Commonwealth of Pennsylvania—persons in airport transfer service, from points in Lebanon County to the Harrisburg International Airport, Lehigh Valley International Airport and Philadelphia International Airport.

**A-2015-2471780. New York Limousine, Inc.** (3916 North 5th Street, Philadelphia, PA 19140) a corporation of the Commonwealth of Pennsylvania—persons in limousine service, between points in Bucks, Chester, Delaware and Montgomery Counties.

**A-2015-2472256. Safety First Ambulance, LLC** (P. O. Box 18107, Philadelphia, PA 19116) a limited liability company of the Commonwealth of Pennsylvania—persons in paratransit service, utilizing wheelchair vans, between points in Bucks, Delaware and Montgomery Counties.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2015-2472485. Moving It Movers, LLC** (7254 Shalkop Street, Philadelphia, Philadelphia County, PA 19128) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in the City and County of Philadelphia.

**Application of the following for approval to begin operating as a broker for transportation of household goods as described under the application.**

**A-2015-2471322. Moving Maniacs, LLC t/a Moving Maniacs** (208 Hillcrest Drive, New Cumberland, York

County, PA 17070) for a brokerage license, evidencing the Commission's approval of the right and privilege to operate as a broker to arrange for the transportation of household goods in use between points in Pennsylvania. *Attorney:* Jan Tamanini, Esquire, 123 Leonard Lane, Harrisburg, PA 17111.

**Applications 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 each application.**

**A-2015-2471554. Ronald G. Wilson** (236 North Wilton Street, Philadelphia, Philadelphia County, PA 19139) for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, upon call or demand, persons and their baggage, and parcels, packages and property at the same basic metered rates; in the City and County of Philadelphia and that area bounded by a line beginning on the north of the Delaware River at the Philadelphia County Line, thence northwardly, westwardly and southwestwardly along the Philadelphia County Line to Philmont Avenue, thence southwestwardly along Philmont Avenue, Welsh Road, Valley Road, Washington Lane, Township Line to Glenside Avenue (excluding any portion of the Borough of Jenkintown), Easton Road, Church Road and Paper Mill Road to the Philadelphia County Line (Stenton Avenue), thence westwardly along the Philadelphia County Line and Blue Bell Road to Joshua Road, thence southwardly along Joshua Road to Cedar Grove Road, thence southeastwardly along Cedar Grove Road and the Schuylkill River joining the Philadelphia County Line and continuing to Port Royal Avenue, thence across the Schuylkill River to Mill Creek Road, Montgomery County, thence southwestwardly along Mill Creek Road, Lancaster Avenue, Ardmore Avenue into Delaware County, and continuing along Ardmore Avenue into Delaware County, and continuing along Ardmore Avenue, Ellis Road, Lawrence Road and Darby Creek Road to Darby Creek; thence southwestwardly along Darby Creek to State Road, thence southwardly along State Road, Springfield Avenue, Saxer Avenue, Baltimore Avenue, Woodland Avenue and Kendron Avenue to MacDade Boulevard, thence northeastwardly along MacDade Boulevard to Winona Avenue, thence southwardly along Winona Avenue continuing in a straight line to the Delaware River, and thence northwardly along the Delaware River to the place of beginning; and persons upon call or demand in the Boroughs of Norwood, Prospect Park, Ridley Park and Rose Valley, the Townships of Ridley, Tinicum and Nether Providence, the Village of Moylan and including Lester and Essington, all in Delaware County; and said area to points in Pennsylvania, and from points in Pennsylvania to said area, if the request for such service is received by call to its radio dispatch; limited to the use of one vehicle. *Attorney:* Joseph L. London, Esquire, 510 Lakeside Office Park, Southampton, PA 18966.

**A-2015-2472599. Loyalty Ambulance, Inc.** (518 West Grant Street, Lancaster, Lancaster County, PA 17603) discontinuance of service and cancellation of its certificate—persons in paratransit service, in wheelchairs and stretchers, between points in the County of Lancaster, to points in Pennsylvania, and return; subject to the following conditions: Except for patients or residents of Golden Living of Lancaster, applicant has no right, power or privilege to originate service in the following communities in Lancaster County: East Lampeter Township, the City of Lancaster, Lancaster Township East and West, Manor Township, Millersville Borough, Strasburg Borough,



Strasburg Township, Pequea Township, Quarryville Borough, New Providence Township, East Drumore Township, Drumore Township, Martic Township, Conestoga, Christiana, East Hempfield Township, West Lampeter Township, Adamstown Borough, Akron Borough, Brecknock Township, Caernarvon Township, Terre Hill Borough, Denver Borough, East Cocalico Township, Ephrata Borough, Ephrata Township, Clay Township, West Cocalico Township, West Earl Township, Earl Township, East Earl Township, Lititz Borough, Manheim Township, New Holland Borough, Warwick Township, Elizabethtown Borough, West Donegal Township (not including the Village of Rheems), Mount Joy Township (not including southeast of Ridge Road) and East Donegal Township (not including the portion of the Township north of Donegal Spring Road).

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 15-708. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Service of Notice of Motor Carrier Formal Complaints

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due April 27, 2015, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

### Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Daniel and Darlene Applegate t/a Independent Security Cab; Docket No. C-2015-2451749

#### 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 Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Daniel and Darlene Applegate, Respondents, maintain a principal place of business at 1282 Frankstown Road, Johnstown, PA 15902.

2. That on November 13, 2014, PUC Enforcement Officer Brian B. Mehus and Enforcement Manager Charles Bowser spoke with Daniel and Darlene Applegate and obtained information from Respondents regarding the vehicle they were driving, a 1994 Chevrolet Geo Metro, license no. HLD8679 and VIN 2C1MR246R6741172. Pictures were obtained of the vehicle with markings stating "Independent Multi-state Security Cab" with three phone numbers listed in addition to a listing of motor carrier transportation services available. Also obtained were two business cards with the same information listed. Respondents do not currently hold a certificate of public convenience issued by the Commission.

3. That Respondents are holding out to transport persons for compensation between points in Pennsylvania while not having operating authority with this Commission.

4. That Respondents, while holding out to transport persons for compensation between points in Pennsylvania without holding a certificate of public convenience, violated the Public Utility Code, 66 Pa.C.S. § 1101. The penalty for this violation is \$1,000 and suspension of Respondents' vehicle registration by the Pennsylvania Department of Transportation.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Daniel and Darlene Applegate t/a Independent Security Cab, the sum of one thousand dollars (\$1,000.00) for the illegal activity described in this Complaint. In addition, Respondents' vehicle registration will be suspended by the Pennsylvania Department of Transportation.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, 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 that the Bureau will be able to prove 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: 2/13/2015

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### 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 shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, PA 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, e-mailed to Mr. Scott at: RA-PCCmplntResp@pa.gov



B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

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:

Rosemary Chiavetta, 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.

D. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement 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 set forth above.

F. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. La Cayenne Cab Co; Docket No. C-2015-2456944**

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 Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to La Cayenne Cab Co., (respondent) is under suspension effective October 24, 2014 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 1336 Arrott Street Apt A12A, Philadelphia, PA 19134.
3. That respondent was issued a Certificate of Public Convenience by this Commission on September 24, 1999, at A-00116158.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66

Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00116158 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
 David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, 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 that the Bureau will be able to prove 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: 1/13/2015

David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 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 Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, 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 the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

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 penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Middlecreek Services, LLC; Docket No. C-2015-2465206**

**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 Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Middlecreek Services, LLC, (respondent) is under suspension effective January 19, 2015 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1 Burkhardt Lane, Newmanstown, PA 17073.

3. That respondent was issued a Certificate of Public Convenience by this Commission on October 10, 2014, at A-8916848.

4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8916848 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

**VERIFICATION**

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, 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 that the Bureau will be able to prove 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: 2/3/2015

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

**NOTICE**

A. You must file an Answer within 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 Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, 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 the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

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 penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. Stanley Muithuri Maina; Docket No. C-2015-2466061**

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 Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Stanley Muithuri Maina, (respondent) is under suspension effective January 27, 2015 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 4225A Catalina Lane, Harrisburg, PA 17109.
3. That respondent was issued a Certificate of Public Convenience by this Commission on February 16, 2010, at A-00124010.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00124010 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,  
 David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, 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 that the Bureau will be able to prove 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: 2/10/15

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an Answer within 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 Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord certificates of insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, 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 the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

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 penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-709. Filed for public inspection April 10, 2015, 9:00 a.m.]

**Telecommunications**

**A-2015-2474708. Frontier Communications of Canton, LLC, Frontier Communications of Breezewood, LLC, Frontier Communications of Lakewood, LLC, Frontier Communications of Oswayo River, LLC and American Broadband and Telecommunications Company.** Joint petition of Frontier Communications of Canton, LLC, Frontier Communications of Breezewood, LLC, Frontier Communications of Lakewood, LLC, Frontier Communications of Oswayo River, LLC and American Broadband and Telecommunications Company for approval of an opt-in interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Frontier Communications of Canton, LLC, Frontier Communications of Breezewood, LLC, Frontier Communications of Lakewood, LLC, Frontier Communications of Oswayo River, LLC and American Broadband and Telecommunications Company, by their counsel, filed on March 31, 2015, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an opt-in 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. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address. Copies of the joint petition of Frontier Communications of Canton, LLC, Frontier Communications of Breezewood, LLC, Frontier Communications of Oswayo River, LLC and American Broadband and Telecommunications Company 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.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-710. Filed for public inspection April 10, 2015, 9:00 a.m.]



### Water Service

**A-2015-2474591. The York Water Company.** Application of The York Water Company for approval of The York Water Company to begin to offer or furnish water service to the public in an additional portion of Newberry Township, York County, in an area known as Newberry Farms Mobile Home Park.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before April 27, 2015. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicant:* The York Water Company

*Through and By Counsel:* Michael W. Hassell, Esquire, Devin T. Ryan, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601  
ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 15-711. Filed for public inspection April 10, 2015, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Motor Carrier Petition for Waiver in the City of Philadelphia

Under 52 Pa. Code § 1005.23 (relating to petitions for issuance, amendment, repeal or waiver of Authority regulations), a petition for a waiver of Philadelphia Parking Authority regulations has been filed with the Taxicab and Limousine Division (TLD) at Doc. No. P-15-03-03 by Park Avenue Luxury Limousine, Inc., 4206 B Old Lincoln Highway, Trevoise, PA 19053, which holds certificate of public convenience No. 1010116-07. The petitioner is requesting a waiver of 52 Pa. Code § 1055.3(b) and (c) (relating to limousine age and mileage parameters).

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made with the TLD's Office of the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by April 27, 2015. Documents filed in support of the petition for waiver are available for inspection at the TLD offices with the TLD Administrative Counsel between 9 a.m. and 4:30 p.m., Monday through Friday, or may be inspected at the business address of the applicant. The filings fees related to a protest may be obtained on the TLD's web site [www.philapark.org/tld](http://www.philapark.org/tld).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 15-712. Filed for public inspection April 10, 2015, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 14-069.1, Pier 82 Paving Project, until 2 p.m. on Thursday, May 14, 2015. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 15-713. Filed for public inspection April 10, 2015, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 15-032.P, RFP—CM for PAMT Pavement Improvements Phase 1, until 2 p.m. on Thursday, April 30, 2015. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 15-714. Filed for public inspection April 10, 2015, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

### Bureau of Professional and Occupational Affairs v. Tom Fuentes Beauty Shop; Doc. No. 0240-45- 2015

On February 17, 2015, Tom Fuentes Beauty Shop, of Doylestown, Bucks County, was suspended for failing to pay a previously imposed civil penalty.

Individuals may obtain a copy of the order by writing to Ariel E. O'Malley, Board Counsel, State Board of Cosmetology, P. O. Box 69523, Harrisburg, PA 17106-9523.

STEPHEN A. WALLIN,  
*Chairperson*

[Pa.B. Doc. No. 15-715. Filed for public inspection April 10, 2015, 9:00 a.m.]

## STATE HARNESS RACING COMMISSION

### Driving or Racing Violation Penalty Matrix

The State Harness Racing Commission (Commission) hereby establishes the following Driving or Racing Violation Penalty Matrix (Penalty Matrix). In general, under

section 214(a) of the act of December 17, 1981 (P. L. 435, No. 135) (4 P. S. § 325.214(a)), known as the Race Horse Industry Reform Act (act), in addition to its power to suspend or revoke licenses, the Commission is authorized and empowered to impose fines upon persons participating in horse race meetings at which pari-mutuel wagering is conducted for violations of any provision of the act or the rules and regulations promulgated by the Commission, not to exceed \$5,000 for each violation.

The Commission and its Board of Judges (Judges) are authorized to impose penalties in the form of fines, suspensions or both for violations of the rules of racing (See 58 Pa. Code §§ 183.13 and 183.391—183.406 (relating to penalties; and fines, suspensions, expulsions and appeals).) The Penalty Matrix does not alter or supersede existing regulations relating to racing and/or driving violations. Instead, the Penalty Matrix is intended to: (1) provide the harness racing industry general notice of how the Commission will—in typical cases—exercise its discretion with respect to penalties for violations; and (2) bring greater uniformity and consistency to the imposition of penalties by the Judges across the three harness racetracks for these driving violations.

The Commission understands that driving infractions may and do occur during the contest of races at licensed racetracks. Sometimes those infractions are unintentional in nature and, thus, the imposition of a penalty by the Judges should reflect this fact. At other times, however,

the infractions may be deliberate or more severe in nature, or both, and will require the penalties imposed by the Judges to be more significant. Under these circumstances the penalties should signal to the drivers involved that their behavior or actions, or both, are not in the best interest of racing or safety for those participating or wagering in the sport. The Commission notes that while unintentional infractions may occur, too many “unintentional” infractions may be evidence of carelessness or an intentional violation. For this reason, no more than two minor infractions from each recognized type in the following matrix will be considered “unintentional” in a racing calendar season or year. After two “minor” driving incidents, the Judges may consider the infraction to be “intentional” and exercise their discretion and double the penalties.

Finally, penalties for major racing violations may be imposed cumulatively regardless of the infraction or location of racetrack. The Judges, as always, will use their regulatory authority to review and analyze racing related issues when infractions occur. The Judges may reset the penalties/infractions at the conclusion of a racing season or calendar year if in the opinion of the Judges the issues at hand have been satisfactorily resolved.

Therefore, the Commission has approved and issued the following Penalty Matrix to its Judges for the imposition of penalties for the following infractions:

<i>Infraction</i>	<i>Minor Infraction</i>	<i>Major Infraction</i>
Interference	\$200 minimum and horse may be placed	\$250/\$500/3 day*/5 day*/10 day*
Kicking	N/A	\$250/\$500/3 day*/5 day*/10 day*
Foot out of stirrup	\$200 minimum and horse may be placed	N/A
Inside pylon (refer to pylon policy)	\$200 minimum and horse may be placed	\$250/\$500/3 day*/5 day*/10 day*
Block passing lane	\$200 minimum and horse may be placed	\$250/\$500/3 day*/5 day*/10 day*
Giving holes	\$200 minimum and horse may be placed	\$250/\$500/3 day*/5 day*/10 day*
Whipping violation	\$200 minimum and horse may be placed	\$250/\$500/3 day*/5 day*/10 day*
One handed whipping		\$250/\$500/3 day*/5 day*/10 day*

\*The judges may in their discretion apply a fine no less than \$500 in addition to the days suspended for flagrant violations.

Driver late to paddock	\$250 (30-minute maximum)	N/A
Late driver change	\$200	N/A
Failed to drive when programmed	\$200 per race	N/A
Failed to drive when programmed due to racing at another track	N/A	\$200—\$400 per race—Judges’ discretion—\$,1600 maximum
Failure to maintain proper pace	\$200	N/A
Talking on track during post parade or scoring down	\$200	N/A
Failure to honor declaration	\$500	N/A
Late for post parade	\$200	N/A
Horse late to paddock	\$200	N/A
Horse late to Lasix	\$250 and horse scratched	N/A

Horse warming up before being released	N/A	\$500
Horse late to detention	\$200 (less than 1 hour late)	N/A
Horse late to detention	More than 1 hour late—horse scratched	N/A
Horse off gate	\$200	N/A
Horse failing blood gas testing	N/A	\$1,000—30 day*/\$2,500—60 day*/\$5,000—120 day*

The Penalty Matrix as previously set forth takes effect upon publication and supersedes any internal directive or policy previously approved and issued by the Commission.

GEORGE CRAWFORD,  
*Executive Secretary*

[Pa.B. Doc. No. 15-716. Filed for public inspection April 10, 2015, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Public Hearing

The Susquehanna River Basin Commission (Commission) will hold a public hearing on April 30, 2015, at 7 p.m. at the Holiday Inn Harrisburg—Hershey, Grande 1 Room, 604 Station Road (Exit 80 off I-81), Grantville, PA. The public hearing will end at 9 p.m. or at the conclusion of public testimony, whichever is sooner. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The projects are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for June 4, 2015, which will be noticed separately. The Commission will also hear testimony on amending its Regulatory Program Fee Schedule. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects. The deadline for the submission of written comments is May 11, 2015.

For further information contact Jason Oyler, Regulatory Counsel, (717) 238-0423, Ext. 1312, fax (717) 238-2436.

Information concerning the applications for these projects is available at the Commission Water Resource Portal at [www.srbc.net/wrp](http://www.srbc.net/wrp). Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at [www.srbc.net/pubinfo/docs/2009-02\\_Access\\_to\\_Records\\_Policy\\_20140115.pdf](http://www.srbc.net/pubinfo/docs/2009-02_Access_to_Records_Policy_20140115.pdf).

#### Supplementary Information

The public hearing will cover amendments to its Regulatory Program Fee Schedule, as posted on the Commission Public Participation Center webpage at [www.srbc.net/pubinfo/publicparticipation.htm](http://www.srbc.net/pubinfo/publicparticipation.htm). The public hearing will cover the following projects:

#### Projects Scheduled for Action

1. Project Sponsor and Facility: Anadarko E&P Onshore, LLC (Pine Creek), McHenry Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 1.500 mgd (peak day) (Docket No. 20110601).

2. Project Sponsor and Facility: Carrizo (Marcellus), LLC (Meshoppen Creek), Washington Township, Wyoming

County, PA. Application for renewal of surface water withdrawal of up to 2.160 mgd (peak day) (Docket No. 20110603).

3. Project Sponsor and Facility: Carrizo (Marcellus), LLC (Unnamed Tributary to Middle Branch Wyalusing Creek), Forest Lake Township, Susquehanna County, PA. Application for renewal of surface water withdrawal of up to 0.648 mgd (peak day) (Docket No. 20110605).

4. Project Sponsor and Facility: Chetremon Golf Course, LLC, Burnside Township, Clearfield County, PA. Application for consumptive water use of up to 0.200 mgd (peak day).

5. Project Sponsor and Facility: Chetremon Golf Course, LLC (Irrigation Storage Pond), Burnside Township, Clearfield County, PA. Application for surface water withdrawal of up to 0.200 mgd (peak day).

6. Project Sponsor and Facility: Chief Oil & Gas, LLC (Loyalsock Creek), Forksville Borough, Sullivan County, PA. Application for surface water withdrawal of up to 2.000 mgd (peak day).

7. Project Sponsor and Facility: Constitution Pipeline Company, LLC (Charlotte Creek), Town of Davenport, Delaware County, NY. Application for surface water withdrawal of up to 2.160 mgd (peak day).

8. Project Sponsor and Facility: Constitution Pipeline Company, LLC (Ouleout Creek), Town of Sidney, Delaware County, NY. Application for surface water withdrawal of up to 1.928 mgd (peak day).

9. Project Sponsor and Facility: Constitution Pipeline Company, LLC (Starrucca Creek), Harmony Township, Susquehanna County, PA. Application for surface water withdrawal of up to 2.052 mgd (peak day).

10. Project Sponsor and Facility: Furman Foods, Inc., Point Township, Northumberland County, PA. Modification to add a source to the consumptive water use approval (no increase requested in current consumptive water use quantity) (Docket No. 20130608).

11. Project Sponsor and Facility: Furman Foods, Inc., Point Township, Northumberland County, PA. Application for groundwater withdrawal of up to 0.504 mgd (30-day average) from Well 10.

12. Project Sponsor and Facility: Hydro Recovery, LP, Blossburg Borough, Tioga County, PA. Application for renewal of groundwater withdrawal of up to 0.216 mgd (30-day average) from Well HR-1 (Docket No. 20110612).

13. Project Sponsor and Facility: Hydro Recovery, LP, Blossburg Borough, Tioga County, PA. Application for renewal of consumptive water use of up to 0.316 mgd (peak day) (Docket No. 20110612).

14. Project Sponsor and Facility: Keister Miller Investments, LLC (West Branch Susquehanna River), Mahaffey Borough, Clearfield County, PA. Application for surface water withdrawal of up to 2.000 mgd (peak day).

15. Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Driftwood Branch Sinnemahoning Creek), Emporium Borough, Cameron County, PA. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20110614).

16. Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Application for renewal of surface water withdrawal of up to 1.250 mgd (peak day) (Docket No. 20110616).

17. Project Sponsor and Facility: Millersville University of Pennsylvania, Millersville Borough, Lancaster County, PA. Application for consumptive water use of up to 0.080 mgd (peak day).

18. Project Sponsor and Facility: Millersville University of Pennsylvania, Millersville Borough, Lancaster County, PA. Application for groundwater withdrawal of up to 0.320 mgd (30-day average) from Well 1.

19. Project Sponsor and Facility: Nature's Way Pure-water Systems, Inc., Dupont Borough, Luzerne County, PA. Modification to increase consumptive water use by an additional 0.092 mgd (peak day), for a total of up to 0.349 mgd (peak day) (Docket No. 20110618).

20. Project Sponsor: Pennsylvania Department of Environmental Protection—South-central Regional Office, City of Harrisburg, Dauphin County, PA. Facility Location: Leacock Township, Lancaster County, PA. Application for groundwater withdrawal of up to 0.590 mgd (30-day average) from Stoltzfus Well.

21. Project Sponsor: Pennsylvania Department of Environmental Protection—South-central Regional Office, City of Harrisburg, Dauphin County, PA. Facility Location: Leacock Township, Lancaster County, PA. Application for groundwater withdrawal of up to 0.432 mgd (30-day average) from Township Well.

22. Project Sponsor and Facility: Shrewsbury Borough, York County, PA. Application for renewal and modification to increase groundwater withdrawal by an additional 0.024 mgd (30-day average), for a total of up to 0.089 mgd (30-day average) from the Blouse Well (Docket No. 19820103).

23. Project Sponsor and Facility: Shrewsbury Borough, York County, PA. Application for renewal of groundwater withdrawal of up to 0.099 mgd (30-day average) from the Smith Well (Docket No. 19811203).

24. Project Sponsor and Facility: Talisman Energy USA, Inc. (Wappasening Creek), Windham Township, Bradford County, PA. Application for renewal of surface water withdrawal of up to 1.000 mgd (peak day) (Docket No. 20110621).

25. Project Sponsor: UGI Development Company. Project Facility: Hunlock Creek Energy Center, Hunlock Township, Luzerne County, PA. Modification to increase consumptive water use by an additional 1.526 mgd (peak day), for a total of up to 2.396 mgd (peak day) (Docket No. 20090916).

*Request for Waiver of Application and Approval of Transfer*

1. Augusta Water, Inc. request for waiver of application required by 18 CFR 806.6(d)(1) and transfer of Docket No. 20021014.

*Opportunity to Appear and Comment*

Interested parties may appear at the hearing to offer comments to the Commission on the amended fee schedule or any project listed previously. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Ground rules will be posted on the Commission's web site, [www.srbc.net](http://www.srbc.net), prior to the hearing for review. The presiding officer reserves the right to modify or supplement the rules at the hearing. Written comments on any project listed previously may also be mailed to Jason Oyler, Regulatory Counsel, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788, or submitted electronically through [www.srbc.net/pubinfo/publicparticipation.htm](http://www.srbc.net/pubinfo/publicparticipation.htm). Comments mailed or electronically submitted must be received by the Commission on or before May 11, 2015, to be considered.

*Authority:* Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* March 27, 2015.

ANDREW D. DEHOFF,  
*Executive Director*

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