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# PENNSYLVANIA BULLETIN

Volume 44

Number 14

Saturday, April 5, 2014 • Harrisburg, PA

Pages 1959—2190

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for the Subject Index for  
January—March 2014

## Part I

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Department of Agriculture

Department of Banking and Securities

Department of Conservation and Natural  
Resources

Department of Education

Department of Environmental Protection

Department of General Services

Department of Health

Department of Public Welfare

Department of Revenue

Environmental Hearing Board

Environmental Quality Board

Executive Board

Independent Regulatory Review Commission

Insurance Department

Liquor Control Board

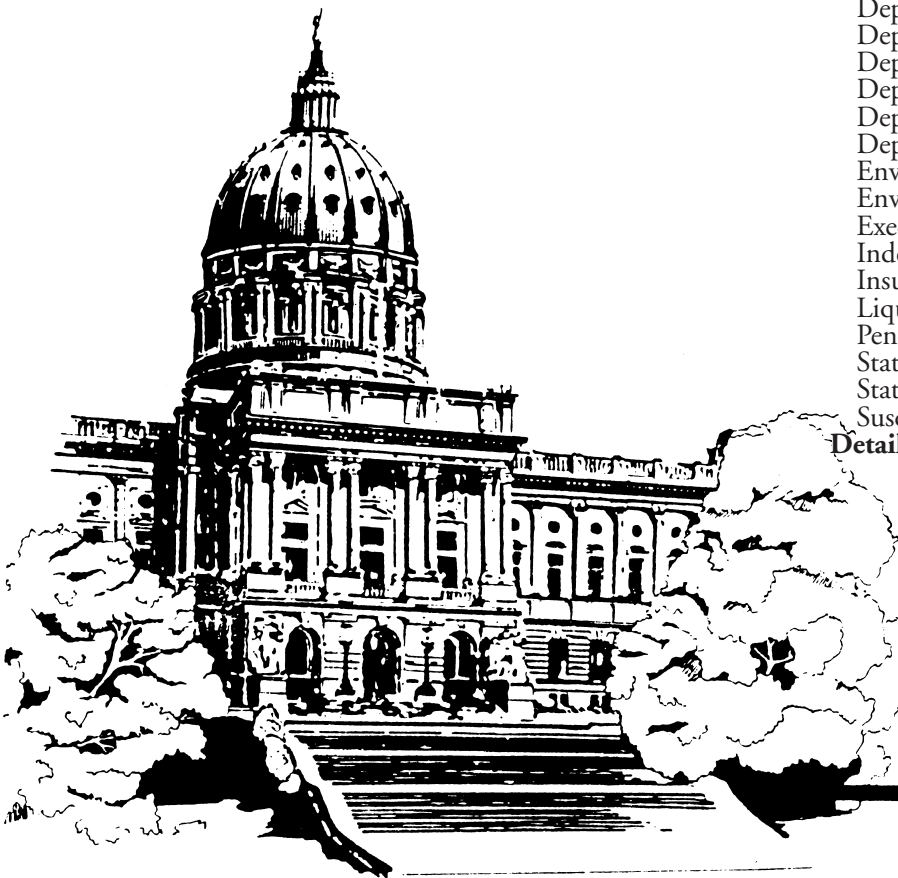
Pennsylvania Public Utility Commission

State Employees' Retirement Board

State Police

Susquehanna River Basin Commission

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**Latest Pennsylvania Code Reporters  
(Master Transmittal Sheets):**

**No. 473, April 2014**

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# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## *Pennsylvania Bulletin*

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

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

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the 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 you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us](http://www.legis.state.pa.us).

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 such a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2014.

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# THE GENERAL ASSEMBLY

## Title 204—JUDICIAL SYSTEM GENERAL PROVISIONS

### PART VIII. CRIMINAL SENTENCING [ 204 PA. CODE CH. 303 ]

#### Corrective Amendment to 204 Pa. Code § 303.16(a)

The Commission on Sentencing has discovered a discrepancy between the agency text of 204 Pa. Code § 303.16(a) (relating to Basic Sentencing Matrix) as

deposited with the Legislative Reference Bureau and the official text as published at 43 Pa.B. 3655, 3730, 3731 (June 29, 2013) and the text as codified in the *Pennsylvania Code Reporter* (Master Transmittal Sheet No. 467, October 2013). The example offenses in the chart were incorrect.

Therefore, under 45 Pa.C.S. § 901: The Commission on Sentencing has deposited with the Legislative Reference Bureau a corrective amendment to 204 Pa. Code § 303.16(a). The corrective amendment to 204 Pa. Code § 303.16(a) is effective as of September 27, 2013, the effective date of the amendment to this section.

The correct version of 204 Pa. Code § 303.16(a) appears in Annex A.

#### Annex A

### TITLE 204. JUDICIAL SYSTEM GENERAL PROVISIONS PART VIII. CRIMINAL SENTENCING CHAPTER 303. SENTENCING GUIDELINES

#### § 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 Assault-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	OGS	Example Offenses	Prior Record Score								AGG/ MIT
			0	1	2	3	4	5	RFEL	REVOC	
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 Assault-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 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  |

## PART VIII. CRIMINAL SENTENCING

## [ 204 PA. CODE CH. 303 ]

## Proposed Revision to the 7th Edition Amendment Sentencing Guidelines

The Pennsylvania Commission on Sentencing hereby publishes for public comment proposed revisions to the 7th Edition Amendment Sentencing Guidelines, 204 Pa. Code §§ 303.1—303.18. The proposed revisions are set forth in Annex A.

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. The Commission amended the 7th Edition Sentencing Guidelines to address legislation enacted between the September 13, 2012, adoption of the 7th Edition Sentencing Guidelines and the end of the legislation session in November 2012. The 7th Edition Amendment Sentencing Guidelines apply to all offenses committed on or after their effective date of September 27, 2013.

On March 6, 2014, the Commission adopted for the purpose of public comment proposed revisions primarily addressing two legislative mandates to create sentencing enhancements: Act 105 of 2013 (related to child abuse 18 Pa.C.S. § 6312) and Act 16 of 2014 (related to arson 18 Pa.C.S. § 3301). Additionally, offense gravity scores are assigned to new or amended offenses. The proposed revisions are set forth in Annex A.

In accordance with 42 Pa.C.S.A. § 2155, the Commission shall publish in the *Pennsylvania Bulletin* all proposed sentencing guidelines 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
- (iv) Law School faculty members
- (v) Pennsylvania Board of Probation and Parole
- (vi) Pennsylvania Department of Corrections
- (vii) 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 8, 2014

*Time:* 9:30 a.m.

*Location:* Allegheny County Courthouse, Courtroom 533  
436 Grant Street, Pittsburgh, PA.

*Hearing II.*

*Date:* May 21, 2014

*Time:* 2:00 p.m.

*Location:* Justice Juanita Kidd Stout Center for  
Criminal Justice, Courtroom 905  
1301 Filbert Street, Philadelphia, PA

*Hearing III.*

*Date:* June 4, 2014

*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 May 16, 2014 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 revisions to the current 7th Edition Amendment Sentencing Guidelines 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 5, 2014, 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 at 1:00 p.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 revisions to the guidelines. The proposed revisions are set forth in Annex A.

*Revisions to 303.1—Sentencing guideline standards*

The 7th Edition Amendment Sentencing Guidelines were effective September 27, 2013. They are applicable to all offenses committed on or after that date.

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

No changes

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

Language is added to address the offense gravity score assignment to modified or newly enacted offenses that are substantially similar to an offense listed in § 303.15 in terms of definition and either grade or statutory maximum sentence.

*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)*

Two enhancements are added.

The Sexual Abuse of Children Enhancement is created pursuant to the legislative mandate in Act 105 of 2013. It addresses the number of images possessed and the nature and character of abuse depicted.

The Arson Enhancement is created pursuant to the legislative mandate in Act 16 of 2014. It addresses special circumstances relating to aggravated arson.

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

The Sexual Abuse of Children Enhancement and Arson Enhancement are 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)*

The mitigated sentence under the Sexual Abuse of Children Enhancement involving number of images may not be less than 6 months for possession of more than 50 to 200 images, may not be less than 12 months for possession of more than 200 to 500 images, and may not be less than 18 months for possession of more than 500 images.

*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.

- § 2701(a) Simple assault against a child by an adult
- § 2702(a)(8) Aggravated assault-attempt/cause bodily injury to child by adult
- § 2702(a)(9) Aggravated assault-attempt/cause serious bodily injury to child by adult
- § 2709 Harassment
- § 2910 Luring a child into motor vehicle/structure
- § 3301(a.1)(1) Aggravated arson
- § 3301(a.2)(1) Arson of historic resource
- § 3502(a) Burglary
- § 3701(a) Robbery
- § 3921 Theft by unlawful taking
- § 3922 Theft by deception
- § 3923 Theft by extortion
- § 3924 Theft of property
- § 3925 Theft by receiving stolen property
- § 3926 Theft of services
- § 3927 Theft by failure
- § 3929 Retail theft
- § 3932 Theft of leased property
- § 4120(a) Identify theft

- § 4906.1 False report of child abuse
- § 4958(a) Intimidation-child abuse case
- § 4958(b) Retaliation-child abuse case
- § 4958(b.1) Obstruction-child abuse case
- § 6312 Sexual abuse of child

Removed offense:

75 Pa.C.S.A.

- § 1543 Drive with suspended license (2nd/subsequent offense)

Corrections or omissions from the 7th Edition Amendment

18 Pa.C.S.A.

- § 5513(a.1) Gambling devices

- § 6111(g) Firearms: sale/transfer

*Editor's Note:* See 44 Pa.B. 1967 (April 5, 2014) for a corrective amendment to § 303.16(a)).

### 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 to the guidelines went into effect September 27, 2013.**



(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) 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.

(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.

(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, **unless a substantially similar offense in terms of definition and either grade or statutory maximum sentence is 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 [ the crime ] an offense listed in § 303.15 is changed, but the grade or statutory maximum sentence is not changed, the previously assigned offense gravity score [ still applies ] shall apply.

Where a newly enacted offense is substantially similar to an offense listed in § 303.15 in terms of definition and either grade or statutory maximum sentence, the Offense Gravity Score assigned to the substantially similar offense 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 (REVO), 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 (REVO)*. 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 REVO 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 21 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 recommendation.** 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.**

**§ 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.

(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 range of sentences described in § 303.9(c).

(3) When the court determines both (b)(1) and (b)(2) apply, the court shall consider the range of sentences 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 range of sentences 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 range of sentences 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 range of sentences 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 range of sentences described in § 303.9(l)(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 range of sentences described in § 303.9(l)(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 range of sentences 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.

**§ 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 50 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
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

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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
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



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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
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

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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 >=[ 21 ] 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 >= [ 21 ] 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 [ 21+ ] >= 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 >=[ 21 ] 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
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
<b>2702(a)(8)</b>	<b>Aggravated assault-attempt/cause BI to child &lt;6 by person &gt;=18</b>	<b>F-2</b>	<b>7</b>	<b>2</b>
<b>2702(a)(9)*</b>	<b>Aggravated assault-cause SBI to child &lt;13 by person &gt;=18</b>	<b>F-1</b>	<b>[ 8 omnibus ] 12</b>	<b>4</b>
<b>2702(a)(9)*</b>	<b>Aggravated assault-attempt SBI to child &lt;13 by person &gt;=18</b>	<b>F-1</b>	<b>[ 8 omnibus ] 11</b>	<b>4</b>
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



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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
<b>2709(a)(1)</b>	<b>Harassment-physical contact/attempt (prev. violation of order)</b>	<b>M-3</b>	<b>1</b>	<b>m</b>
<b>2709(a)(2)</b>	<b>Harassment-follows in public (prev. violation of order)</b>	<b>M-3</b>	<b>1</b>	<b>m</b>
<b>2709(a)(3)</b>	<b>Harassment-course of conduct (prev. violation of order)</b>	<b>M-3</b>	<b>1</b>	<b>m</b>
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
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

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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)
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)

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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
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

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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
<b>2910</b>	<b>Luring a child into motor vehicle/structure (child &lt;13 yrs)</b>	<b>F-2</b>	<b>[ 7 omnibus ] 8</b>	<b>2</b>
3002(a)	Trafficking of persons	F-2	9	2
3002(a)	Trafficking of persons (victim <18 yrs)	F-1	10	4
3002(a)	Trafficking of persons-w/ BI	F-1	10	4
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
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
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

<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)(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
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
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)(ii)*	Arson endangering persons-inhabited building (person in building or BI results)	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)(ii)*	Arson endangering persons-inhabited building (no person in building and no BI)	F-1	9	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
<b>3301(a.1)(1)(i)*</b>	<b>Aggravated arson-attempt BI to civilian</b>	<b>F-1</b>	<b>10</b>	<b>4</b>
<b>3301(a.1)(1)(i)*</b>	<b>Aggravated arson-cause BI to civilian</b>	<b>F-1</b>	<b>[ 10 ] 11</b>	<b>4</b>
<b>3301(a.1)(1)(i)*</b>	<b>Aggravated arson-attempt SBI to civilian</b>	<b>F-1</b>	<b>[ 10 ] 11</b>	<b>4</b>
<b>3301(a.1)(1)(i)*</b>	<b>Aggravated arson-cause SBI to civilian</b>	<b>F-1</b>	<b>[ 10 ] 12</b>	<b>4</b>
<b>3301(a.1)(1)(i)*</b>	<b>Aggravated arson-attempt BI to firefighter, etc.</b>	<b>F-1</b>	<b>[ 10 ] 11</b>	<b>4</b>
<b>3301(a.1)(1)(i)*</b>	<b>Aggravated arson-cause BI to firefighter, etc.</b>	<b>F-1</b>	<b>[ 10 ] 12</b>	<b>4</b>
<b>3301(a.1)(1)(ii)</b>	<b>Aggravated arson-other felony arson (when person present inside property)</b>	<b>F-1</b>	<b>10</b>	<b>4</b>
<b>3301(a.1)(2)</b>	<b>Aggravated arson-fire/explosion causes death of any person</b>	<b>Murder of 2nd Degree</b>	<b>18 Pa.C.S. § 1102(b)</b>	<b>4</b>
<b>3301(a.2)(1)</b>	<b>Arson of historic resource-w/ intent (fire/explosion)</b>	<b>F-2</b>	<b>7</b>	<b>3</b>
<b>3301(a.2)(2)</b>	<b>Arson of historic resource-aids/pays (fire/explosion)</b>	<b>F-2</b>	<b>7</b>	<b>3</b>
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



<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)(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
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)

<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)(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)
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)

<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)(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
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
<b>3502(a)(4)</b>	<b>Burglary-not a home/no person present (commit theft of drugs)</b>	<b>F-1</b>	<b>[ 8 omnibus ] 7</b>	<b>3</b>
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
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
<b>3701(a)(1)(i)</b>	<b>Robbery-inflicts SBI (drug-related)</b>	<b>F-1</b>	<b>[ 8 omnibus ] 13</b>	<b>4</b>
3701(a)(1)(ii)	Robbery-threatens SBI	F-1	10	4
<b>3701(a)(1)(ii)</b>	<b>Robbery-threaten SBI (drug-related)</b>	<b>F-1</b>	<b>[ 8 omnibus ] 11</b>	<b>4</b>
3701(a)(1)(iii)	Robbery-commit/threaten any F1 or F2	F-1	9	4
<b>3701(a)(1)(iii)</b>	<b>Robbery-commit/threaten any F1 or F2 (drug-related)</b>	<b>F-1</b>	<b>[ 8 omnibus ] 10</b>	<b>4</b>
3701(a)(1)(iv)	Robbery-inflicts/threatens BI	F-2	7	2
<b>3701(a)(1)(iv)</b>	<b>Robbery-inflicts/threatens BI (drug-related)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>

<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>
3701(a)(1)(v)	Robbery-takes property by force	F-3	5	1
<b>3701(a)(1)(v)</b>	<b>Robbery-takes property by force (drug-related)</b>	<b>F-1</b>	<b>[ 8 omnibus ] 6</b>	<b>3</b>
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
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
<b>3921(a)</b>	<b>Theft by unlaw taking-movable property (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3921(a) [ * ]	Theft by unlaw taking-movable property ( [ > ] \$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3921(a)*</b>	<b>Theft by unlaw taking-movable property (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3921(a)* ]	[ Theft by unlaw taking-movable property (>\$50,000-\$100,000) ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3921(a)* ]	[ Theft by unlaw taking-movable property (>\$25,000-\$50,000) ]	[ F-3 ]	[ 6 ]	[ 1 ]
3921(a)*	Theft by unlaw taking-movable property (>\$2,000-\$25,000[ /or motorized vehicle ])	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
<b>3921(b)</b>	<b>Theft by unlaw taking-immovable property (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3921(b) [ * ]	Theft by unlaw taking-immovable property ( [ > ] \$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3921(b)*</b>	<b>Theft by unlaw taking-immovable property (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3921(b)* ]	[ Theft by unlaw taking-immovable property (>\$50,000-\$100,000) ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3921(b)* ]	[ Theft by unlaw taking-immovable property (>\$25,000-\$50,000) ]	[ F-3 ]	[ 6 ]	[ 1 ]
3921(b)*	Theft by unlaw taking-immovable property (>\$2,000-\$25,000[ /or motorized vehicle ])	F-3	5	1
3921(b)	Theft by unlaw taking-immovable property (<=\$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>
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
<b>3922(a)(1)</b>	<b>Theft by deception-false impression (= &gt; \$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3922(a)(1) [ * ]	Theft by deception-false impression ( [ > ] \$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3922(a)(1)*</b>	<b>Theft by deception-false impression (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3922(a)(1)* ]	[ Theft by deception-false impression (>\$50,000-\$100,000) ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3922(a)(1)* ]	[ Theft by deception-false impression (>\$25,000-\$50,000) ]	[ F-3 ]	[ 6 ]	[ 1 ]
3922(a)(1)*	Theft by deception-false impression (>\$2,000-\$25,000 [ /or motorized vehicle ] )	F-3	5	1
3922(a)(1)	Theft by deception-false impression (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
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
<b>3922(a)(2)</b>	<b>Theft by deception-conceal information (= &gt; \$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3922(a)(2) [ * ]	Theft by deception-conceal information ( [ > ] \$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3922(a)(2)*</b>	<b>Theft by deception-conceal information (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3922(a)(2)* ]	[ Theft by deception-conceal information (>\$50,000-\$100,000) ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3922(a)(2)* ]	[ Theft by deception-conceal information (>\$25,000-\$50,000) ]	[ F-3 ]	[ 6 ]	[ 1 ]
3922(a)(2)*	Theft by deception-conceal information (>\$2,000-\$25,000 [ /or motorized vehicle ] )	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



<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)(3)	Theft by deception-fail to correct (firearm)	F-2	8	2
<b>3922(a)(3)</b>	<b>Theft by deception-fail to correct (= &gt; \$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3922(a)(3)[ * ]	Theft by deception-fail to correct ([ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3922(a)(3)</b>	<b>Theft by deception-fail to correct (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ <b>3922(a)(3)*</b> ]	[ <b>Theft by deception-fail to correct (&gt;\$50,000-\$100,000)</b> ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ <b>3922(a)(3)*</b> ]	[ <b>Theft by deception-fail to correct (&gt;\$25,000-\$50,000)</b> ]	[ F-3 ]	[ 6 ]	[ 1 ]
3922(a)(3)*	Theft by deception-fail to correct (>\$2,000-\$25,000[ /or motorized vehicle ])	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
<b>3923(a)(1)</b>	<b>Theft by extortion-commit crime (= &gt; \$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3923(a)(1)[ * ]	Theft by extortion-commit crime ([ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3923(a)(1)*</b>	<b>Theft by extortion-commit crime (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ <b>3923(a)(1)*</b> ]	[ <b>Theft by extortion-commit crime (&gt;\$50,000-\$100,000)</b> ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ <b>3923(a)(1)*</b> ]	[ <b>Theft by extortion-commit crime (&gt;\$25,000-\$50,000)</b> ]	[ F-3 ]	[ 6 ]	[ 1 ]
3923(a)(1)*	Theft by extortion-commit crime (>\$2,000-\$25,000[ /or motorized vehicle ])	F-3	5	1
3923(a)(1)	Theft by extortion-commit crime (<=\$2,000/from indiv./by threat/breach)	M-1	4	m
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
<b>3923(a)(2)</b>	<b>Theft by extortion-accuse of crime (= &gt; \$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3923(a)(2)[ * ]	Theft by extortion-accuse of crime ([ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3923(a)(2)*</b>	<b>Theft by extortion-accuse of crime (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>

<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)(2)* ]	[ <b>Theft by extortion-accuse of crime (&gt;\$50,000-\$100,000)</b> ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3923(a)(2)* ]	[ <b>Theft by extortion-accuse of crime (&gt;\$25,000-\$50,000)</b> ]	[ F-3 ]	[ 6 ]	[ 1 ]
3923(a)(2)*	Theft by extortion-accuse of crime (>\$2,000-\$25,000[ /or motorized vehicle ])	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
<b>3923(a)(3)</b>	<b>Theft by extortion-expose secret (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3923(a)(3)[ * ]	Theft by extortion-expose secret ([ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3923(a)(3)*</b>	<b>Theft by extortion-expose secret (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3923(a)(3)* ]	[ <b>Theft by extortion-expose secret (&gt;\$50,000-\$100,000)</b> ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3923(a)(3)* ]	[ <b>Theft by extortion-expose secret (&gt;\$25,000-\$50,000)</b> ]	[ F-3 ]	[ 6 ]	[ 1 ]
3923(a)(3)*	Theft by extortion-expose secret (>\$2,000-\$25,000[ /or motorized vehicle ])	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
<b>3923(a)(4)</b>	<b>Theft by extortion-official action (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3923(a)(4)[ * ]	Theft by extortion-official action ([ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3923(a)(4)*</b>	<b>Theft by extortion-official action (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3923(a)(4)* ]	[ <b>Theft by extortion-official action (&gt;\$50,000-\$100,000)</b> ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3923(a)(4)* ]	[ <b>Theft by extortion-official action (&gt;\$25,000-\$50,000)</b> ]	[ F-3 ]	[ 6 ]	[ 1 ]
3923(a)(4)*	Theft by extortion-official action (>\$2,000-\$25,000[ /or motorized vehicle ])	F-3	5	1
3923(a)(4)	Theft by extortion-official action (<=\$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)(4)	Theft by extortion-official action (\$200-\$2,000/no threat)	M-1	4	m
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
<b>3923(a)(5)</b>	<b>Theft by extortion-strike/boycott (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3923(a)(5)[ * ]	Theft by extortion-strike/boycott ([ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3923(a)(5)*</b>	<b>Theft by extortion-strike/boycott (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3923(a)(5)* ]	[ Theft by extortion-strike/boycott (>\$50,000-\$100,000) ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3923(a)(5)* ]	[ Theft by extortion-strike/boycott (>\$25,000-\$50,000) ]	[ F-3 ]	[ 6 ]	[ 1 ]
3923(a)(5)*	Theft by extortion-strike/boycott (>\$2,000-\$25,000[ /or motorized vehicle ])	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
<b>3923(a)(6)</b>	<b>Theft by extortion-testimony (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3923(a)(6)[ * ]	Theft by extortion-testimony ([ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3923(a)(6)*</b>	<b>Theft by extortion-testimony (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3923(a)(6)* ]	[ Theft by extortion-testimony (>\$50,000-\$100,000) ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3923(a)(6)* ]	[ Theft by extortion-testimony (>\$25,000-\$50,000) ]	[ F-3 ]	[ 6 ]	[ 1 ]
3923(a)(6)*	Theft by extortion-testimony (>\$2,000-\$25,000[ /or motorized vehicle ])	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
<b>3923(a)(7)</b>	<b>Theft by extortion-inflict harm (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>

<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)(7)[ * ]	Theft by extortion-inflict harm ( [ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3923(a)(7)</b>	<b>Theft by extortion-inflict harm (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3923(a)(7)* ]	[ Theft by extortion-inflict harm (>\$50,000-\$100,000) ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3923(a)(7)* ]	[ Theft by extortion-inflict harm (>\$25,000-\$50,000) ]	[ F-3 ]	[ 6 ]	[ 1 ]
3923(a)(7)*	Theft by extortion-inflict harm (>\$2,000-\$25,000[ /or motorized vehicle ])	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
3924	Theft of property-lost/mislaidd (firearm)	F-2	8	2
<b>3924</b>	<b>Theft of property-lost/mislaidd (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3924[ * ]	Theft of property-lost/mislaidd ( [ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3924*</b>	<b>Theft of property-lost/mislaidd (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3924* ]	[ Theft of property-lost/mislaidd (>\$50,000-\$100,000) ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3924* ]	[ Theft of property-lost/mislaidd (>\$25,000-\$50,000) ]	[ F-3 ]	[ 6 ]	[ 1 ]
3924*	Theft of property-lost/mislaidd (>\$2,000-\$25,000[ /or motorized vehicle ])	F-3	5	1
3924	Theft of property-lost/mislaidd (<=\$2,000/from indiv./by threat/breach)	M-1	3	m
3924	Theft of property-lost/mislaidd (\$200-\$2,000/no threat)	M-1	3	m
3924	Theft of property-lost/mislaidd (\$50-<\$200/no threat)	M-2	2	m
3924	Theft of property-lost/mislaidd (<\$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
<b>3925(a)</b>	<b>Theft of receiving stolen property (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3925(a)[ * ]	Theft by receiving stolen property ( [ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3925*</b>	<b>Theft of receiving stolen property (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3925(a)* ]	[ Theft by receiving stolen property (>\$50,000-\$100,000) ]	[ 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>
[ 3925(a)* ]	[ <b>Theft by receiving stolen property (&gt;\$25,000-\$50,000)</b> ]	[ F-3 ]	[ 6 ]	[ 1 ]
3925(a)*	Theft by receiving stolen property (>\$2,000-\$25,000[ /or motorized vehicle ])	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
<b>3926(a)(1)</b>	<b>Theft of services-obtain service (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3926(a)(1)[ * ]	Theft of services-obtain service ([ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3926(a)(1)*</b>	<b>Theft of services-obtain service (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3926(a)(1)* ]	[ <b>Theft of services-obtain service (&gt;\$50,000-\$100,000)</b> ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3926(a)(1)* ]	[ <b>Theft of services-obtain service (&gt;\$25,000-\$50,000)</b> ]	[ F-3 ]	[ 6 ]	[ 1 ]
3926(a)(1)*	Theft of services-obtain service (>\$2,000-\$25,000[ /or motorized vehicle ])	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
3926(a)(1.1)	Theft of services-obtain telecommunications (firearm)	F-2	8	2
<b>3926(a)(1.1)</b>	<b>Theft of services-obtain telecommunications (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3926(a)(1.1)[ * ]	Theft of services-obtain telecommunications ([ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3926(a)(1.1)*</b>	<b>Theft of services-obtain telecommunications (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3926(a)(1.1)* ]	[ <b>Theft of services-obtain telecommunications (&gt;\$50,000-\$100,000)</b> ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3926(a)(1.1)* ]	[ <b>Theft of services-obtain telecommunications (&gt;\$25,000-\$50,000)</b> ]	[ F-3 ]	[ 6 ]	[ 1 ]
3926(a)(1.1)*	Theft of services-obtain telecommunications (>\$2,000-\$25,000[ /or motorized vehicle ])	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



<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 (\$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
<b>3926(b)</b>	<b>Theft of services-divert service (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3926(b)[ * ]	Theft of services-divert service ([ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3926(b)*</b>	<b>Theft of services-divert service (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ <b>3926(b)*</b> ]	[ <b>Theft of services-divert service (&gt;\$50,000-\$100,000)</b> ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ <b>3926(b)*</b> ]	[ <b>Theft of services-divert service (&gt;\$25,000-\$50,000)</b> ]	[ F-3 ]	[ 6 ]	[ 1 ]
3926(b)*	Theft of services-divert service (>\$2,000-\$25,000[ /or motorized vehicle ])	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
<b>3927(a)</b>	<b>Theft by failure-req. disposition funds (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3927(a)[ * ]	Theft by failure-req. disposition funds ([ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3927(a)*</b>	<b>Theft by failure-req. disposition funds (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ <b>3927(a)*</b> ]	[ <b>Theft by failure-req. disposition funds (&gt;\$50,000-\$100,000)</b> ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ <b>3927(a)*</b> ]	[ <b>Theft by failure-req. disposition funds (&gt;\$25,000-\$50,000)</b> ]	[ F-3 ]	[ 6 ]	[ 1 ]
3927(a)*	Theft by failure-req. disposition funds (>\$2,000-\$25,000[ /or motorized vehicle ])	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
3928(a)	Unauthorized use of auto (disaster)	F-2	8	2
3929(a)(1)	Retail theft-take merchandise (>[ \$2000 ]\$1,000/or firearm/motor vehicle)	F-3	5	1

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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 (>[ \$2000 ]\$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 (>[ \$2000 ]\$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 (>[ \$2000 ]\$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 (>[ \$2000 ] \$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
3931	Theft of unpublished drama, etc. (\$200-\$2,000/no threat)	M-1	3	m

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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
<b>3932(a)</b>	<b>Theft of leased property (=&gt;\$500,000)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
3932(a)[ * ]	Theft of leased property ([ > ]\$100,000-<\$500,000)	[ F-3 ] F-2	[ 8 ] 7	[ 1 ] 2
<b>3932(a)*</b>	<b>Theft of leased property (&gt;\$25,000-&lt;\$100,000/or motorized vehicle)</b>	<b>F-3</b>	<b>6</b>	<b>1</b>
[ 3932(a)* ]	[ Theft of leased property (>\$50,000-\$100,000) ]	[ F-3 ]	[ 7 ]	[ 1 ]
[ 3932(a)* ]	[ Theft of leased property (>\$25,000-\$50,000) ]	[ F-3 ]	[ 6 ]	[ 1 ]
3932(a)*	Theft of leased property (>\$2,000-\$25,000[ /or motorized vehicle ])	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
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
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

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4105(a)(2)	Bad checks-issues/passes check in Commonwealth ( $\geq$ \$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 ( $\geq$ \$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 ( $\geq$ \$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 ( $\geq$ \$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 ( $\geq$ \$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 $\geq$ 60 yrs)	F-2	7	2
4107(a)(1)	Deceptive business practices-false weight/measure (\$200-\$2,000 & victim $\geq$ 60 yrs)	F-3	5	1
4107(a)(1)	Deceptive business practices-false weight/measure ( $<$ \$200/amt unk & victim $\geq$ 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

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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
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



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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
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

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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
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

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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
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

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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
<b>4120(a)</b>	<b>Identity theft (&lt;\$2,000 and victim &lt;18 yrs)</b>	<b>F-3</b>	<b>5</b>	<b>1</b>
<b>4120(a)</b>	<b>Identity theft (&gt;=\$2,000 and victim &lt;18 yrs)</b>	<b>F-2</b>	<b>7</b>	<b>2</b>
<b>4120(a)</b>	<b>Identity theft (3rd/subsq off and victim &lt;18 yrs)</b>	<b>F-1</b>	<b>8</b>	<b>3</b>
<b>4120(a)</b>	<b>Identity theft (furtherance of conspiracy and victim &lt;18 yrs)</b>	<b>F-2</b>	<b>7</b>	<b>2</b>
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
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



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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
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

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4906(b)(2)	False Reports-fictitious report of information (state of emergency)	M-2	2	m
<b>4906.1</b>	<b>False reports of child abuse</b>	<b>M-2</b>	<b>2</b>	<b>m</b>
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
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

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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
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

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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
<b>4958(a)(1)</b>	<b>Intimidation child abuse case-knowledge/intent to impede, etc.</b>	<b>M-2</b>	<b>[ 2 omnibus ] 5</b>	<b>m</b>
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	[ 2 omnibus ] 5	m
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

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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	[ 2 omnibus ] 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	[ 2 omnibus ] 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	[ 2 omnibus ] 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



<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>
4958(a)(2)(v)	Intimidation child abuse cases-intimidate/ attempt fail appear/participate legal process	M-2	[ 2 omnibus ] 5	m
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	[ 2 omnibus ] 5	m
4958(b)	Retaliation child abuse cases (force)	F-2	[ 7 omnibus ] 8	2
4958(b)	Retaliation child abuse cases (benefit)	F-2	[ 7 omnibus ] 8	2
4958(b)	Retaliation child abuse cases (furtherance consp)	F-2	[ 7 omnibus ] 8	2
4958(b)	Retaliation child abuse cases (other person)	F-2	[ 7 omnibus ] 8	2
4958(b)	Retaliation child abuse cases (prior conv)	F-2	[ 7 omnibus ] 8	2
4958(b.1)	Obstruction child abuse cases	M-2	[ 2 omnibus ] 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

<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>
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
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 >=16 yrs)	M-2	2	m

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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 >=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 >=16 yrs)	F-3	5	1
5131(a)(3)	Recruiting criminal gang member-inflict SBI (recruitee <16 yrs)	F-2	7	2
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

<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>
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
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	F-3	7	1
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
<b>5513(a.1)(1)</b>	<b>Gambling devices-electronic video monitor: indirect or direct consideration</b>	<b>M-1</b>	<b>3</b>	<b>m</b>
<b>5513(a.1)(2)</b>	<b>Gambling devices-electronic video monitor: player eligible for prize</b>	<b>M-1</b>	<b>3</b>	<b>m</b>
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

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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
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



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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
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

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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
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

THE GENERAL ASSEMBLY

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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
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
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

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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
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

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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
<b>6111(g)(2)</b>	<b>Firearms-sale/transfer: to unqualified or ineligible person</b>	<b>F-3</b>	<b>8</b>	<b>1</b>
<b>6111(g)(2)</b>	<b>Firearms-sale/transfer: to unqualified or ineligible person (2nd/subsq off)</b>	<b>F-2</b>	<b>9</b>	<b>2</b>
<b>6111(g)(4)</b>	<b>Firearms-sale/transfer: false statements, materials, ID</b>	<b>F-3</b>	<b>8</b>	<b>1</b>
<b>6111(g)(4)</b>	<b>Firearms-sale/transfer: false statements, materials, ID (2nd/subsq off)</b>	<b>F-2</b>	<b>9</b>	<b>2</b>
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



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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 <b>or determination of prepubescence</b> )	F-2	9	2
<b>6312(b)*</b>	<b>Sexual abuse of children-photographing/etc. sexual acts: when indecent contact depicted (13-&lt;18 yrs)</b>	<b>F-1</b>	<b>[ 8 omnibus ] 10</b>	<b>3</b>
<b>6312(b)*</b>	<b>Sexual abuse of children-photographing/etc. sexual acts: when indecent contact depicted (&lt;13 yrs or determination of prepubescence)</b>	<b>F-1</b>	<b>[ 8 omnibus ] 10</b>	<b>3</b>
6312(c)*	Sexual abuse of children-dissemination (13-<18 yrs)(1st off)	F-3	6	1
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 <b>or determination of prepubescence</b> )(1st off)	F-3	7	1
6312(c)*	Sexual abuse of children-dissemination (<13 yrs <b>or determination of prepubescence</b> )(2nd/subsq off)	F-2	9	2
<b>6312(c)*</b>	<b>Sexual abuse of children-dissemination: when indecent contact depicted (13-&lt;18 yrs)(1st offense)</b>	<b>F-2</b>	<b>[ 7 omnibus ] 9</b>	<b>2</b>
<b>6312(c)*</b>	<b>Sexual abuse of children-dissemination: when indecent contact depicted (13-&lt;18 yrs)(2nd/subsq offense)</b>	<b>F-1</b>	<b>[ 8 omnibus ] 10</b>	<b>3</b>
<b>6312(c)*</b>	<b>Sexual abuse of children-dissemination: when indecent contact depicted (&lt;13 yrs or determination of prepubescence)(1st offense)</b>	<b>F-2</b>	<b>[ 7 omnibus ] 9</b>	<b>2</b>
<b>6312(c)*</b>	<b>Sexual abuse of children-dissemination: indecent contact depicted (&lt;13 yrs or determination of prepubescence)(2nd/subsq offense)</b>	<b>F-1</b>	<b>[ 8 omnibus ] 10</b>	<b>3</b>
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 <b>or determination of prepubescence</b> )(1st off)	F-3	7	1
6312(d)*	Sexual abuse of children-possess child pornography (<13 yrs <b>or determination of prepubescence</b> )(2nd/subsq off)	F-2	9	2

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<b>6312(d)*</b>	<b>Sexual abuse of children-possess child pornography: when indecent contact depicted (13-&lt;18)(1st offense)</b>	<b>F-2</b>	<b>[ 7 omnibus ] 9</b>	<b>2</b>
<b>6312(d)*</b>	<b>Sexual abuse of children-possess child pornography: when indecent contact depicted (13-&lt;18)(2nd/subsq offense)</b>	<b>F-1</b>	<b>[ 8 omnibus ] 10</b>	<b>3</b>
<b>6312(d)*</b>	<b>Sexual abuse of children-possess child pornography: when indecent contact depicted (&lt;13 yrs or determination of prepubescence)(1st offense)</b>	<b>F-2</b>	<b>[ 7 omnibus ] 9</b>	<b>2</b>
<b>6312(d)*</b>	<b>Sexual abuse of children-possess child pornography: when indecent contact depicted (&lt;13 yrs or determination of prepubescence)(2nd/subsq offense)</b>	<b>F-1</b>	<b>[ 8 omnibus ] 10</b>	<b>3</b>
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
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

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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
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

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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 ( $\geq$ \$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 ( $\geq$ \$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
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

<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>
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
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



<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>
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	Penalties for failure to report or to refer-suspected child abuse (1st violation)	M-3	2	m
6319	Penalties for failure to report or to refer-suspected child abuse (2nd/subsq violation)	M-2	3	M

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	F	5	2
(a)(30)*	Possession with intent to deliver-Sched II	F	5	2
(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



<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)(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
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>
<b>[ 1543(a) ]</b>	<b>[ Drive w/ susp. lic. (2nd/subsq off) ]</b>	<b>[ M ]</b>	<b>[ 1 ]</b>	<b>[ m ]</b>
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
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	1
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

<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>
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/BII/SBI/death (1st off)	M	1	m
3802(a)(1)	DUI-incapable of safe driving: accident w/BII/SBI/death (2nd off)	M	1	1
3802(a)(1)	DUI-incapable of safe driving: accident w/BII/SBI/death (3rd off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: accident w/BII/SBI/death (4th/subsq off)	M-1	5	1
3802(a)(1)	DUI-incapable of safe driving: accident w/BII/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
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

<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(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
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



<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(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
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

<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>
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 years)	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 Defendant is Under Age 18 at the Time of the Offense and the Conviction Occurred After June 24, 2012</i>										
	OG S	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 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 range.
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 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 range.
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).

**303.18a. 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
	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
4	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. 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 6 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.
27. 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 12 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 18 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).

[Pa.B. Doc. No. 14-704. Filed for public inspection April 4, 2014, 9:00 a.m.]

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# THE COURTS

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE [ 210 PA. CODE CH. 15 ]

#### Proposed Amendments to Pa.R.A.P. 1513

The Appellate Court Procedural Rules Committee proposes to recommend amendments to Pa.R.A.P. 1513. This proposal is being submitted for public comments, suggestions, and concerns prior to submission to the Supreme Court.

Proposed new material is in bold face type and deleted material is bracketed and in bold face type.

All communications in reference to the proposed amendment should be sent no later than May 16, 2014 to:

Appellate Court Procedural Rules Committee  
 Pennsylvania Judicial Center  
 601 Commonwealth Ave., Suite 6200  
 P.O. Box 62635  
 Harrisburg, Pennsylvania 17106-2635  
 or Fax to  
 (717) 231-9551  
 or E-Mail to  
 appellaterules@pacourts.us

An Explanatory Comment follows the proposed amendment and has been inserted by this Committee for the convenience of the bench and bar. It will not constitute part of the rule nor will it be officially adopted or promulgated.

*By the Appellate Court  
 Procedural Rules Committee*

HONORABLE RENÉE COHN JUBELIRER,  
*Chair*

#### Annex A

### TITLE 210. APPELLATE PROCEDURE PART I. RULES OF APPELLATE PROCEDURE ARTICLE II. APPELLATE PROCEDURE CHAPTER 15. JUDICIAL REVIEW OF GOVERNMENTAL DETERMINATIONS PETITION FOR REVIEW

#### Rule 1513. Petition for Review.

\* \* \* \* \*

(d) *Content of appellate jurisdiction petition for review.* An appellate jurisdiction petition for review shall contain:

\* \* \* \* \*

(5) a general statement of the objections to the order or other determination[ ; and ], **but the omission of an issue from the statement shall not be the basis for a finding of waiver if the court is able to address the issue based on the certified record;**

(6) a short statement of the relief sought[ . A ]; and

(7) a copy of the order or other determination to be reviewed, **which** shall be attached to the petition for review as an exhibit. [ **The statement of objections will be deemed to include every subsidiary question fairly comprised therein.** ]

No notice to plead or verification is necessary.

\* \* \* \* \*

(e) *Content of original jurisdiction petition for review.* A petition for review addressed to an appellate court's original jurisdiction shall contain:

\* \* \* \* \*

(4) a general statement of the material facts upon which the cause of action is based [ **and** ] ;

(5) a short statement of the relief sought[ . **It shall also contain** ]; and

(6) a notice to plead and [ **be verified** ] **verification** either by oath or affirmation or by verified statement.

(f) *Alternative objections.* Objections to a determination of a government unit and the related relief sought may be stated in the alternative, and relief of several different types may be requested.

**Official Note:** The 2004 amendments to this rule clarify what must be included in a petition for review addressed to an appellate court's appellate jurisdiction and what must be included in a petition for review addressed to an appellate court's original jurisdiction. Where it is not readily apparent whether a "determination" (defined in [ **Rule** ] Pa.R.A.P. 102 as "[a]ction or inaction of a government unit) is reviewable in the court's appellate or original jurisdiction, compliance with the requirements of [ **Subdivisions** ] **paragraphs** (d) and (e) is appropriate.

[ **Subdivisions** ] **Paragraphs** (a) and (b) reflect the provisions of [ **Rule** ] Pa.R.A.P. 501 (Any Aggrieved Party May Appeal), [ **Rule** ] Pa.R.A.P. 503 (Description of Public Officers), Section 702 of the Administrative Agency Law, 2 Pa.C.S. § 702 (Appeals), and Pa.R.C.P. **No.** 1094 (regarding parties defendant in mandamus actions).

\* \* \* \* \*

[ **Subdivisions** ] **Paragraphs** (d) and (e) reflect the differences in proceeding in a court's original and appellate jurisdiction, while preserving the need for sufficient specificity to permit the conversion of an appellate document to an original jurisdiction pleading and vice versa should such action be necessary to assure proper judicial disposition. See also the notes to [ **Rules** ] Pa.R.A.P. 1501 and 1502. [ **The paragraph regarding the notice to participate was formerly found in Rule 1514(c).** ]

#### [ Explanatory Comment—1979

**The note is expanded to reflect the fact that the Department of Education does not defend its decisions in teacher tenure appeals from local school districts.**

#### Explanatory Comment—2011

With respect to the general statement of objections in an appellate jurisdiction petition for review required in subdivision (d)(5), see *Maher v. Unemployment Comp. Bd. of Review*, 983 A.2d 1264, 1266 (Pa. Cmwlth. 2009). ]

**Official Note:** The 2014 amendments to Pa.R.A.P. 1513(d) relating to the general statement of objections in an appellate jurisdiction petition for review are intended to preclude a finding of waiver if

the court is able, based on the certified record, to address an issue not within the issues stated in the petition for review but included in the statement of questions involved and argued in a brief. The amendment neither expands the scope of issues that may be addressed in an appellate jurisdiction petition for review beyond those permitted in Pa.R.A.P. 1551(a) nor affects Pa.R.A.P. 2116's requirement that "[n]o question will be considered unless it is stated in the statement of questions involved [in appellant's brief] or is fairly suggested thereby."

**Explanatory Comment**

The Committee proposes to amend and reorganize Pennsylvania Rule of Appellate Procedure 1513(d) and (e) regarding appellate jurisdiction petitions for review. The amendment to subparagraph (d)(5) is intended to minimize the likelihood of inadvertent waiver of otherwise properly preserved issues due to a defect in the required general statement of objections to the order or other determination. The reorganization of (d) and (e) highlights the required elements of appellate and original jurisdiction petitions for review. The reasons for the proposed amendments follow.

The petition for review contemplated in Pa.R.A.P. 1513(d) often serves the same function as a notice of appeal under Chapter Nine of the Rules of Appellate Procedure, but the rule requires that the filing party provide substantially more information than a notice of appeal. Among the reasons for the additional detail required are that: 1) the appellate courts may need the additional detail, for example, for the Commonwealth Court to determine whether the petition for review is more properly addressed to its original jurisdiction, or for conversions in the Supreme Court, such as filings under the Gaming Control Act; and 2) if the appellate court determines that the petition is more properly addressed to its original jurisdiction, the additional detail is needed in order to allow the respondent to answer and thereby frame the issues to be decided. Pa.R.A.P. 1513(d)(5) requires a general statement of the objections to the order or other determination, that is, a sufficiently specific statement so as to preserve and present all issues to be raised on appeal. This requirement has been interpreted to mean that the statement must be more than a mere restatement of the court's standard of review. Commentators have noted that this aspect of preparing an appellate petition for review is problematic and that case law over the years has not been entirely consistent as to the detail required in a general statement of objections. G. Darlington, K. McKeon, D. Schuckers & K. Brown, Pennsylvania Appellate Practice § 1513:9 (West 2013-2014).

Case law requires more than mere generic allegations of error and there is some concern that the requirement of a general statement of objections can result in a waiver of issues that had otherwise been properly preserved in the underlying agency proceeding. Pa.R.A.P. 1513(d)(5) currently provides that "[t]he statement of objections will be deemed to include every subsidiary question fairly compromised therein," and there is inherent subjectivity in determining whether, in fact, the general statement is general enough to preserve all issues on the one hand or too general to preserve any issues on the other hand. Because the decision as to whether the general statement has failed to raise issues can be subjective, the Committee believes that fundamental fairness mitigates against application of a strict waiver doctrine at this very preliminary stage of an appellate proceeding, particularly since

the agency will have written its opinion before the petition for review is filed. In order to avoid this possibility, the Committee proposes that Pa.R.A.P. 1513(d)(5) be amended to add that "omission of an issue from the statement shall not be the basis for a finding of waiver if the court is able to address the issue based on the certified record."

The Committee further proposes that the Supreme Court rescind the language regarding preservation of issues "fairly subsumed" in the general statement. The Committee proposes to rescind this language because it is inconsistent with the proposed amendment to Pa.R.A.P. 1513(d)(5). The Committee also proposes some minor reorganization to Pa.R.A.P. 1513(d) and 1513(e) for clarification purposes and deletion of the 1979 and 2011 Explanatory Comments as no longer necessary.

[Pa.B. Doc. No. 14-705. Filed for public inspection April 4, 2014, 9:00 a.m.]

**PART I. RULES OF APPELLATE PROCEDURE  
[ 210 PA. CODE CH. 19 ]**

**Order Amending Rule 1925 of the Rules of Appellate Procedure; No. 241 Appellate Procedural Rules Doc.**

**Order**

*Per Curiam*

And Now, this 18th day of March, 2014, the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3) in the interests of justice:

*It Is Ordered*, pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Pennsylvania Rule of Appellate Procedure 1925 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 April 18, 2014.

**Annex A**

**TITLE 210. APPELLATE PROCEDURE  
PART I. RULES OF APPELLATE PROCEDURE**

**ARTICLE II. APPELLATE PROCEDURE**

**CHAPTER 19. PREPARATION AND TRANSMISSION OF RECORD AND RELATED MATTERS**

**RECORD ON APPEAL FROM LOWER COURT**

**Rule 1925. Opinion in Support of Order.**

\* \* \* \* \*

(b) *Direction to file statement of errors complained of on appeal; instructions to the appellant and the trial court.*—If the judge entering the order giving rise to the notice of appeal ("judge") desires clarification of the errors complained of on appeal, the judge may enter an order directing the appellant to file of record in the trial court and serve on the judge a concise statement of the errors complained of on appeal ("Statement").

(1) *Filing and service.*—Appellant shall file of record the Statement and concurrently shall serve the judge. Filing of record and service on the judge shall be in person or by mail as provided in Pa.R.A.P. 121(a) and shall be complete on mailing if appellant obtains a United States Postal Service Form 3817, Certificate of Mailing, or other similar United States Postal Service form from



which the date of deposit can be verified[ , ] in compliance with the requirements set forth in Pa.R.A.P. 1112(c). Service on parties shall be concurrent with filing and shall be by any means of service specified under Pa.R.A.P. 121(c).

(2) *Time for filing and service.*—The judge shall allow the appellant at least 21 days from the date of the order’s entry on the docket for the filing and service of the Statement. Upon application of the appellant and for good cause shown, the judge may enlarge the time period initially specified or permit an amended or supplemental Statement to be filed. **Good cause includes, but is not limited to, delay in the production of a transcript necessary to develop the Statement so long as the delay is not attributable to a lack of diligence in ordering or paying for such transcript by the party or counsel on appeal.** In extraordinary circumstances, the judge may allow for the filing of a Statement or amended or supplemental Statement [ **nunc pro tunc** ] **nunc pro tunc.**

\* \* \* \* \*

[Pa.B. Doc. No. 14-706. Filed for public inspection April 4, 2014, 9:00 a.m.]

## Title 25—LOCAL COURT RULES

### LEHIGH COUNTY

**Clerk of Orphans’ Court Division; Fee Schedule;  
File No. AO2014-0001**

#### Administrative Order

*Now*, this 19th day of March, 2014, upon consideration of the motion of the Clerk of the Orphans’ Court Division,

*It Is Ordered* pursuant to 42 P.S. § 21032.1 that the Fee Schedule for the Clerk of the Orphans’ Court Division that follows hereto and incorporated herein by this reference, is approved, and the charges set forth therein shall be the fees for services rendered by the said Clerk of the Orphans’ Court Division.

*It Is Further Ordered* that said Fee Schedule is effective May 1, 2014 and shall supersede any and all previously established fee schedules for the transaction of business with the Clerk of the Orphans’ Court Division.

*It Is Further Ordered* that the District Court Administrator shall file seven (7) certified copies of this Order with the Administrative Office of the Pennsylvania Courts and shall file two (2) certified copies the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

*It Is Further Ordered* that the Clerk of the Orphans’ Court Division shall cause a copy of the annexed Fee Schedule to be published in the *Lehigh Law Journal*.

*By the Court*

CAROL K. MCGINLEY,  
*President Judge*

#### SCHEDULE OF FEES

**Clerk of the Orphans’ Court Lehigh County**

#### ADOPTIONS—PARENTAL TERMINATIONS

Report of Intention to Adopt	25.00
Counseling Fund Fee	75.00

Adoption Petition/Gestational Birth Carrier Petition	100.00
Involuntary Term/Voluntary Relinquishment Petitions	75.00
Foreign Adoption Registration IR3 Visa (no hearing)	75.00
Foreign Adoption Registration/Re-Adoption IR4 Visa (hearing)	100.00
Adoption Search	100.00
Reprinted Adoption Certificate	15.00

#### ADOPTION INVESTIGATION FEES

Adoptive Parents Only	350.00
Adoptive Parents and Biological Parents interviewed within Lehigh County or within fifty (50) mile radius	450.00
Adoptive Parents and if one or both biological parents interviewed reside outside fifty (50) mile radius	500.00

#### GUARDIANSHIP OF INCAPACITATED PERSON/MINORS

Petition for Determination of Incapacity (includes 1 certified copy of final decree)	110.00
Petition for Appt of Guardian of Person of Minor	50.00
Guardian Certificate	10.00
Will Inspection	10.00
Guardian’s Inventory	15.00
Guardian’s Inventory (Supplemental)	10.00
Petition for Review Hearing	25.00
Additional Petition Filed (e.g. sale of ward’s realty)	10.00

#### MARRIAGE LICENSES

Marriage Application	50.00
Certified Copy Marriage Record	10.00
Exemplification of Marriage Record	50.00
Certification of No Marriage	10.00
Petition for Court Approval—Applicant Under 16 years	25.00
Waiver of 3 Day Waiting Period	10.00
Search Fee {Marriage/Birth/Death/O. C.}	25.00
Reprinted Marriage License	15.00
Completion of out of state ML application	25.00

#### FORMAL ACCOUNTS—EXCLUDING Charitable Trusts

Insolvent Estates	100.00
<i>Filing fee is calculated on the gross estate</i>	
<i>Valuation of Gross Estate</i>	<i>Cost</i>
1 to 300,000	200.00
300,001 to 500,000	300.00
500,001 to 750,000	400.00
750,001 to 1,000,000	500.00
1,000,001 to 2,000,000	600.00
For each succeeding \$500,000 or fraction thereof over \$2,000,000 add an additional \$100	

FORMAL ACCOUNT OF CHARITABLE TRUSTS OR FOUNDATIONS

<i>Carrying Value of Trust Principal</i>	<i>Filing Fee determined by Account Period</i>			
	<i>1-24 months</i>	<i>24+ months to 48 months</i>	<i>48+ months to 60 months</i>	<i>60+ months</i>
Up to 5,000,000	\$750	\$1,125	\$1,675	\$2,450
5,000,001 to 15,000,000	\$1,000	\$1,500	\$2,250	\$3,250
15,000,001 to 25,000,000	\$1,500	\$2,250	\$3,375	\$4,875
25,000,001 to 50,000,000	\$2,250	\$3,375	\$5,075	\$7,300
50,000,001 or more	\$3,250	\$4,875	\$7,300	\$10,575

This scheduled does NOT apply to charitable remainder trusts during the lifetimes of non-charitable beneficiaries

Amended Petition for Distribution	25.00	Power of Attorney	25.00
Answer/Reply to any Petition	25.00	Returned Check Charge (separate check)	20.00
Appeal to Appellate Court	125.00	Small Estate Petition	50.00
Automation Fee <sup>1</sup>	5.00	Subpoena	10.00
Appeal to Appellate Court <sup>2</sup>	125.00	Will Contest Proceeding	100.00
Certified copy of any document	10.00	<sup>1</sup> This \$5.00 fee imposed pursuant to 42 P. S. § 2102.1, is in addition to the OC filing fee, the LCE fee and the JCS fee, regarding all initial filings.	
Claim, Notice of,	25.00	<sup>2</sup> In addition to the stated Orphans' Court fee there are appellate filing fees imposed by the Superior and Supreme Courts. That fee, payable to the appropriate appellate court by separate check, must accompany the requisite notice of appeal and OC filing fee. Counsel is urged to contact the appellate court to obtain the correct appellate filing fee.	
Copies/ per page (photocopies, microfiche copies or copies from scanned images)	.25	<sup>3</sup> This is a statutorily created fee imposed upon "first filings in petitions concerning adoptions, incapacitated persons, estates of minors and inter vivos trusts." 42 P. S. § 3733. Effective December 8, 2009, the JCS fee was increased from \$10.00 to \$23.50. This \$23.50 JCS fee is in addition to the OC filing fee, the LCE fee and the Automation fee.	
Corporate Fiduciary Power/Sureties Current Certificate	10.00	<sup>4</sup> Imposed upon all initial filings pursuant to 42 P. S. § 2102.1.	
Disclaimer/Renunciation	25.00	<sup>5</sup> A filing fee in an amount equal to that of the most similar pleading will be assessed regarding pleadings not specifically enumerated in the fee schedule.	
Exercise of Elective Share rights	25.00	A 2.9% service charge will be assessed for payment by credit/debit cards. (MasterCard, Visa, Discover)	
Exceptions	25.00	[Pa.B. Doc. No. 14-707. Filed for public inspection April 4, 2014, 9:00 a.m.]	
Exemplification	50.00		
Informal Account	75.00		
Judicial Computer System <sup>3</sup>	23.50		
Lehigh County E-filing fee <sup>4</sup>	5.00		
Minors' Compromise Order (time-stamped copy of Order filed in Civil Division)	25.00		
Minors' Compromise Petition + Order (No action commenced in Civil Division)	50.00		
Miscellaneous Transactions <sup>5</sup>	****		
Objections	25.00		
Petition {Contested}	100.00		
Petition {Uncontested}	50.00		

# RULES AND REGULATIONS

## Title 40—LIQUOR

### LIQUOR CONTROL BOARD

[ 40 PA. CODE CH. 11 ]

#### Sale by Licensed Limited Distilleries and Distilleries

The Liquor Control Board (Board), under the authority of sections 207(i) and 505.4 of the Liquor Code (47 P. S. §§ 2-207(i) and 5-505.4), adds Chapter 11, Subchapter N (relating to licensed limited distilleries and distilleries) to read as set forth in Annex A.

#### Summary

The act of December 22, 2011 (P. L. 530, No. 113) (Act 113) made changes to numerous sections of the Liquor Code, including section 505.4, regarding distilleries. Under section 505.4 of the Liquor Code, the Board may issue, effective February 20, 2012, a limited distillery license that allows the holder to: operate a distillery that may not produce more than 100,000 gallons of distilled liquor per year; and sell bottled liquors produced on the licensed premises to the Board, licensees and the public.

This final-form rulemaking permits licensed limited distilleries and distilleries to deliver their products directly to consumers, retail licensees or the Board, similar to licensed limited wineries. While section 505.4 of the Liquor Code does not explicitly address the issue, legislative staff members have confirmed that the intent of Act 113 was to enable limited distillery and distillery licensees to have the same privileges as limited wineries. Toward that end, the licensed limited distillery language was modeled after section 505.2 of the Liquor Code (47 P. S. § 5-505.2), which allows the Board to issue limited winery licenses. Section 505.4 of the Liquor Code authorizes limited distillery and distillery licensees to sell their products to consumers, retail licensees and the Board and does not place constraints on the manner in which products are delivered. This final-form rulemaking promotes clarity and reduces confusion as to whether limited distilleries and distilleries have direct shipping privileges identical to limited wineries. Consistent with § 11.111 (relating to sale by limited winery licensees), this final-form rulemaking allows licensed limited distilleries and distilleries to deliver their products through the use of vehicles properly registered with the Board or through properly licensed transporters.

In response to comments by the Independent Regulatory Review Commission (IRRC), the proposed rulemaking was expanded to provide guidance to the regulated community as to what other types of products they can sell, what types of payment may be accepted and how products may be delivered.

#### Affected Parties

This final-form rulemaking will affect licensed limited distilleries and distilleries. Currently, there are 12 active and 6 pending limited distilleries licensed by the Board and 2 active distilleries licensed by the Board. In addition, there are two active and one pending distilleries licensed by the Board. Potentially affected parties licensed by the Board were given notice of the proposed rulemaking, either by e-mail or United States Postal Service mail. Potentially affected parties licensed by the Board will be given notice of this final-form rulemaking, either by e-mail or United States Postal Service mail.

#### Paperwork Requirements

This final-form rulemaking is not expected to have an adverse impact on the amount of paperwork required to be completed by the regulated community.

#### Fiscal Impact

This final-form rulemaking is not expected to have an adverse fiscal impact on the regulated community or State and local governments. The final-form rulemaking is likely to have a positive fiscal impact on limited distilleries and distilleries, similar to that experienced by limited wineries.

#### Effective Date

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

#### Contact Person

Comments should be addressed to Rodrigo J. Diaz, Executive Deputy Chief Counsel, or Norina Blynn, Assistant Counsel, Office of Chief Counsel, Pennsylvania Liquor Control Board, Room 401, Northwest Office Building, Harrisburg, PA 17124-0001.

#### Regulatory Review:

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 27, 2013, the Board submitted a copy of the notice of proposed rulemaking, published at 43 Pa.B. 2040 (April 13, 2013), to IRRC and the Chairpersons of the House Liquor Control Committee and the Senate Law and Justice Committee for review and comment.

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

Under section 5.1(j.2) of the Regulatory Review Act (71 P. S. § 745.5a(j.2)), on February 26, 2014, the final-form rulemaking was deemed approved by the House and Senate Committees. Under section 5.1(e) of the Regulatory Review Act, IRRC met on February 27, 2014, and approved the final-form rulemaking.

#### Findings

The Board finds that:

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

(2) The amendments to the Board's regulations in the manner provided in this order are necessary and appropriate for the administration of the Liquor Code.

#### Order

The Board, acting under authorizing statute, orders that:

(a) The regulations of the Board, 40 Pa. Code Chapter 11, are amended by adding §§ 11.221 and 11.222 to read as set forth in Annex A.

(*Editor's Note:* Section 11.222 was not included in the proposed rulemaking published at 43 Pa.B. 2040.)

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

(c) This order shall become effective upon publication in the *Pennsylvania Bulletin*.

JOSEPH E. BRION,  
*Chairperson*

*(Editor's Note: For the text of the order of the Independent Regulatory Review Commission relating to this document, see 44 Pa.B. 1534 (March 15, 2014).)*

**Fiscal Note:** Fiscal Note 54-73 remains valid for the final adoption of the subject regulations.

**Annex A**

**TITLE 40. LIQUOR**

**PART I. LIQUOR CONTROL BOARD**

**CHAPTER 11. PURCHASES AND SALES**

**Subchapter N. LICENSED LIMITED DISTILLERIES AND DISTILLERIES**

- Sec.  
11.221. Sale by licensed limited distilleries and distilleries.  
11.222. Additional conditions.

**§ 11.221. Sale by licensed limited distilleries and distilleries.**

(a) A licensed limited distillery or distillery may sell on the licensed premises liquor produced on the premises in accordance with the Liquor Code and this title.

(b) In addition to the sale of liquor, the following items are permitted to be offered for sale on the licensed premises:

- (1) Liquor accessories as follows:
  - (i) Cork removers and other bottle openers.
  - (ii) Glasses, shot glasses, decanters and flasks.
  - (iii) Pourers and bottle stoppers.
  - (iv) Cocktail mixers, shakers and other cocktail preparation accessories.

(v) Cocktail forks, toothpicks, stirrers, napkins and gift bags.

(2) Publications dealing with liquor.

(3) Promotional items advertising the limited distillery or distillery such as tee shirts, glassware, caps, and the like.

(c) Sales on the licensed premises of merchandise not listed in subsection (b) are subject to Board approval. The approval shall be requested by letter addressed to the Board. A limited distillery or distillery licensee will be advised of approved items through an appropriate means of dissemination.

**§ 11.222. Additional conditions.**

In addition to the requirements in § 11.221 (relating to sale by licensed limited distilleries and distilleries), the sale of liquor shall conform to the following:

(1) Liquor produced by a licensed limited distillery or distillery may be shipped by transporter-for-hire as provided in Chapter 9, Subchapter A (relating to transportation of liquor, malt or brewed beverages or alcohol).

(2) A licensed limited distillery or distillery may accept checks drawn by the purchaser on his account and from retail customers, credit cards issued by banking or financial institutions, subject to State or Federal regulations.

(3) A licensed limited distillery or distillery may accept orders for the purchase of liquor produced on the licensed premises by mail, Internet or telephone. Delivery of products shall be accomplished through the use of vehicles properly registered by the limited distillery or distillery, as provided in section 491(12) of the Liquor Code (47 P. S. § 4-491(12)), or through a properly licensed transporter-for-hire, as provided in Chapter 9, Subchapter A. It is the responsibility of the limited distillery or distillery licensee to ensure that liquor is not delivered to minors and that proper records and invoices are maintained as set forth in § 5.104 (relating to licensed distilleries of historical significance).

[Pa.B. Doc. No. 14-708. Filed for public inspection April 4, 2014, 9:00 a.m.]



# PROPOSED RULEMAKING

## DEPARTMENT OF AGRICULTURE

[ 7 PA. CODE CH. 128 ]

### Pesticides; Third Party Transactions

The Department of Agriculture (Department) proposes to amend § 128.3 (relating to fees) to allow for the administration of and payment for examination of certified applicators and pesticide dealer managers conducted by other agencies or private contractors, or both, under agreements with the Department.

#### *Authority*

The rulemaking is proposed under the authority in sections 34(4) and 37.1 of the Pennsylvania Pesticide Control Act of 1973 (act) (3 P. S. §§ 111.54(4) and 111.57a), which allow: (1) the Department to cooperate and enter into agreements with other agencies, private or public, and to contract for training with other agencies for the purpose of training certified applicators; and (2) the Secretary to change fees through regulation.

#### *Need for the Proposed Rulemaking*

The Department, at this time, only has the resources available to offer examination opportunities for certifying pesticide applicators and dealer managers on a monthly basis at the seven regional offices and some additional examination locations during normal business hours. The regulated community has been requesting that the Department provide examination opportunities on a more frequent basis and at expanded locations across this Commonwealth. In an effort to address the needs of the regulated community and expand the examination opportunities, the Department has reached out to other agencies of the Commonwealth, including the State Civil Service Commission and the Department of Transportation, and contacted private industry to assess whether they may have the resources, physical facilities, technology and capability to offer certification examinations in manner that is consistent with the act and regulations. The State Civil Service Commission, the Department of Transportation and private industry have the resources and capabilities to address the needs and concerns expressed herein and to thereby enable the Department to better attend to the needs of the regulated community.

Contracted private and public agencies would incur costs in providing the services and facilities necessary for administration of certification examinations. The contracted agencies may charge for the cost of services they provide. The charge would be in addition to the examination fee in the regulations. The additional costs of service would be charged only to those members of the regulated community that decide to utilize this optional service being offered for the industry's convenience.

The current regulations do not expressly permit the Department to collect or process a service charge levied by a third party. Therefore, the Department proposes to add § 128.3(f)(6) to allow the Department to pass on to the person taking the examination any additional costs charged by a contracted agency or vendor. The Department will be required to continue to offer examination on at least a monthly basis at Department sites where additional will not be assessed.

#### *Summary of Major Features of the Proposed Rulemaking*

The proposed rulemaking would add § 128.3(f)(6), which would allow the Department to bill or pass through costs or service charges levied by a contracted vendor offering pesticide examinations. The costs would only be assessed when a person chooses to take a pesticide examination offered by an agency or vendor that is under contract with the Department. The Department will be required to continue to offer examinations on at least a monthly basis at Department sites where additional charges would not be assessed.

#### *Persons Likely to be Affected*

The proposed rulemaking promotes the efficient State-wide administration of the act and meets a need expressed by the regulated community. Only the regulated community will be affected and even then only those members of the regulated community who choose to avail themselves of the convenience offered by the additional locations and hours of operation associated with the contractor locations will be affected by any additional charges levied by the contracted vendor. Pesticide applicators and pesticide dealer managers may continue to utilize Department testing sites where additional charges are not assessed.

The proposed rulemaking is not expected to have a significant adverse impact on any group or entity. The proposed rulemaking will provide the flexibility requested by the regulated community and allow for a more timely approach to pesticide certification. At the same time, those persons not wishing to or able to pay for services provided by a contracted vendor may continue to avail themselves of the certification courses offered at Department sites.

#### *Fiscal Impact*

##### *Commonwealth*

The proposed rulemaking would impose minimal additional fiscal impacts upon the Department's Bureau of Plant Industry (Bureau). The Bureau already invoices persons for pesticide examinations. The outside vendor charge would only require an additional line item be added to the invoice. The fund transfers would not cost additional money, changes to the computer program to administer the outside vendor programs and charges would be minimal and would be done internally. The Department would not incur additional costs for the use of the contracted facilities and the convenience offered to the regulated community.

##### *Political subdivisions*

The proposed rulemaking will not impose additional fiscal impacts upon political subdivisions. There is no role enforcement or otherwise for political subdivisions with regard to this proposed rulemaking.

##### *Private sector*

The proposed rulemaking will impose additional costs only on those persons that chose to utilize the outside vendor locations to take pesticide certification examinations. The Department will continue to offer all certification at Department locations on at least a monthly basis and additional costs will not be incurred by the regulated community.



*General public*

The proposed rulemaking will not impose additional costs on the general public.

*Paperwork Requirements*

The Department will not have to develop new application forms or review procedures. It will need to amend billing statements to include any additional charges by a contracted vendor and will need to interface with the vendor's payment systems. Transfers of information between the Bureau and the outside vendors will be done by computer means with no new computer systems and only minor programming modification will have to be developed to effectuate exchanges.

*Effective Date*

The proposed rulemaking will be effective 30 days after final-form publication in the *Pennsylvania Bulletin*.

*Sunset Date*

There is not a sunset date for the regulation. The Department will review the efficacy of this regulation on an ongoing basis.

*Public Comment Period*

Interested persons are invited to submit written comments regarding the proposed rulemaking within 30 days following publication in the *Pennsylvania Bulletin*. Comments may be mailed to the Department of Agriculture, Bureau of Plant Industry, 2301 North Cameron Street, Harrisburg, PA 17110, Attention: Dave Scott. These comments are public documents that will be posted on the Independent Regulatory Review Commission (IRRC) web site.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on March 21, 2014, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to IRRC and to the Chairpersons of the House and Senate Committees on Agriculture and Rural Affairs. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory

Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor of comments, recommendations or objections raised.

GEORGE D. GREIG,  
*Secretary*

**Fiscal Note:** 2-179. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 7. AGRICULTURE**

**PART V. BUREAU OF PLANT INDUSTRY**

**CHAPTER 128. PESTICIDES**

**Subchapter A. GENERAL PROVISIONS**

**§ 128.3. Fees.**

\* \* \* \* \*

(f) *Examination fees.* Examination fees are nonrefundable. The following examination fees, with payment made in advance, will be charged:

\* \* \* \* \*

(5) Pest management consultant's examination—no charge except that a fee of \$5 will be charged if an examination is requested on other than a regularly scheduled examination date.

**(6) In addition to the examination fees in this subsection, when a person chooses to take a pesticide examination offered by an agency or vendor that is under contract with the Department, any additional costs charged by the contracted agency or vendor will be assessed to the person taking the examination. The Department will continue to offer pesticide certification examinations on at least a monthly basis at Department sites where additional charges will not be assessed. The Department will post on its web site the addresses of the contracted examinations, the dates and times examinations are offered at those locations, and the additional costs charged by the contracted agency or vendor and assessed by the Department.**

(g) *Registration fee for a pesticide application technician.*

\* \* \* \* \*

[Pa.B. Doc. No. 14-709. Filed for public inspection April 4, 2014, 9:00 a.m.]

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# STATEMENTS OF POLICY

## Title 4—ADMINISTRATION

### PART II. EXECUTIVE BOARD

#### [ 4 PA. CODE CH. 9 ]

#### Reorganization of the Department of Transportation

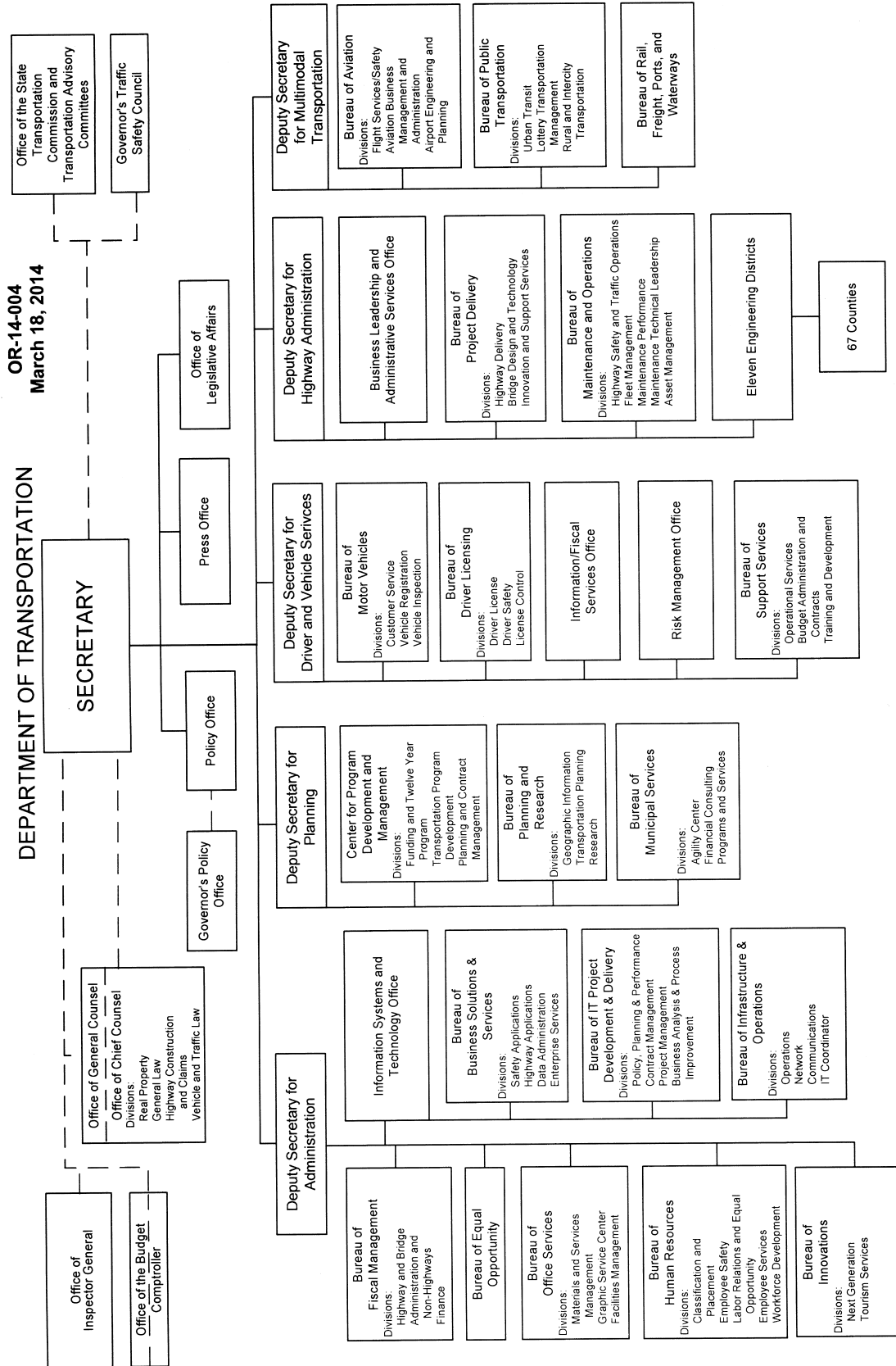
The Executive Board approved a reorganization of the Department of Transportation effective March 18, 2014.

The organization chart at 44 Pa.B. 2061 (April 5, 2014) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of *Code*).

*(Editor's Note:* The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of *Pennsylvania Code*) as a document general and permanent in nature which shall be codified in the *Pennsylvania Code*.)

[Pa.B. Doc. No. 14-710. Filed for public inspection April 4, 2014, 9:00 a.m.]

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# NOTICES

## DEPARTMENT OF AGING DEPARTMENT OF PUBLIC WELFARE

### Pennsylvania Long-Term Care Commission; Notice of Public Input Meeting

On January 31, 2014, Governor Tom Corbett issued an Executive Order creating the Pennsylvania Long-Term Care Commission (Commission). Part of the Governor's Healthy Pennsylvania plan is to ensure access to quality, affordable health care in this Commonwealth. The Commission consists of 25 members, including consumers and their families and representatives from Area Agencies on Aging, the physical disabilities community, medical community, providers of long-term care, managed care organizations and members of the General Assembly. Secretary of Public Welfare Beverly Mackereth and Secretary of Aging Brian Duke serve as the Commission's cochairs.

Governor Corbett has charged the Commission with evaluating and developing recommendations to improve this Commonwealth's long-term care system, including identifying effective ways to provide a better coordinated approach to delivering services and support, and ensuring quality health care for older residents of this Commonwealth and individuals with physical disabilities. The Commission must report its findings and recommendations to the Governor by December 31, 2014.

The Commission believes that public input is critical to fulfilling its mission. Over the next several months, the Commission will be convening a series of public input meetings throughout this Commonwealth. The first public input meeting will be held on April 11, 2014, in Harrisburg at the time and location noted as follows. The Commission invites interested persons to attend these meetings and offer their input to assist the Commission in understanding the current long-term care system and recommending ways in which it can be improved. The Commission will publish notices announcing the location, date and time of future meetings as they are scheduled.

While the Commission will accept all comments, the Commission is particularly interested in receiving feedback on the following topics:

- *Prevention and caregiver support:* What services, supports and other activities are currently available or should be provided to consumers and their caregivers to improve health and well-being, prevent or delay nursing facility admissions and enable consumers to remain in their own homes as long as possible?

- *Accessibility:* How do consumers currently obtain privately and publically funded long-term services and supports and how could the process, including intake and assessment, be improved to provide better access to individuals and families who need those services and supports? What is the capacity of the health care system to meet the growing number and needs within long-term care?

- *Provision of service:* What should be done to improve coordination of social, medical and long-term care services within the long-term care continuum? What are best practices in care coordination? What changes should be

made to promote a person-centered system for the delivery of long-term care services?

- *Quality outcomes and measurement:* What measures are currently being taken, or should be adopted, to monitor the quality and cost-effectiveness of long-term care services and supports? What information and data is, or should be, collected and used to measure quality of care and to promote and improve health outcomes for consumers?

#### *Location, Date and Time*

Harrisburg—Friday, April 11, 2014  
The Honors Suite  
333 Market Street  
Harrisburg, PA  
1 p.m. to 4 p.m.

#### *Registering for the Public Meeting*

Persons who wish to provide verbal comments at the public meeting must register to attend the meeting on or before April 10, 2014. Registration is not required for persons attending to listen, but the Commission is requesting those interested in attending to register to help ensure that there is adequate seating. If there are capacity limitations, priority will be given to those who have registered to attend.

To register to present verbal comments or to attend the public meeting go to [www.dpw.state.pa.us](http://www.dpw.state.pa.us) and follow the registration instructions. Individuals may also register by calling (717) 425-5719 or (800) 654-5984 (TDD users) with name and telephone number.

Verbal comments at the public meeting will be limited to 5 minutes to allow others time to share their comments. To assist the Commission in accurately capturing verbal comments, individuals are asked to submit a written copy of their comments by submitting a copy at the hearing, e-mailing them or mailing them to the address noted as follows.

#### *Submitting Written Comments and Feedback*

If individuals cannot attend the public meetings but would still like to provide input to the Commission, the Commission will be accepting written comments and feedback through June 27, 2014.

Submit written comments to the Department of Public Welfare, P. O. Box 2675, Attn: OLTL Policy, Harrisburg, PA 17105, [ra-LTCCommission@pa.gov](mailto:ra-LTCCommission@pa.gov).

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

BRIAN M. DUKE,  
*Secretary of Aging*

BEVERLY D. MACKERETH,  
*Secretary of Public Welfare*

[Pa.B. Doc. No. 14-711. Filed for public inspection April 4, 2014, 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 December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities 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 25, 2014.

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

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-21-2014	Peoplesbank, A Codorus Valley Company York York County	97 Sophia Drive Shrewsbury York County	Filed

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-25-2014	Royal Bank America Narberth Montgomery County	<i>To:</i> 180 West Girard Avenue Philadelphia Philadelphia County  <i>From:</i> 401 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>
11-30-2013	Huntingdon Valley Bank Huntingdon Valley Montgomery County	2190 York Road Jamison Bucks County	Closed

### SAVINGS INSTITUTIONS

No activity.

### CREDIT UNIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-25-2014	<i>From:</i> M-C Federal Credit Union Danville Montour County  <i>To:</i> Members Choice Financial Credit Union Danville Montour County  Application for approval to convert from a Pennsylvania Federal credit union to Pennsylvania State-chartered credit union.	Filed

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-712. Filed for public inspection April 4, 2014, 9:00 a.m.]



## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Request for Bids

The Department of Conservation and Natural Resources is soliciting bids for the following projects. Bid documents can be obtained from the Administrative Services Section, Bureau of Facility Design and Construction at (717) 787-5055:

*FDC-012-100700.3—Water Wells, Tiadaghton State Forest Brown Township, Lycoming County.* Work included under this contract consists of drilling two potable water wells.

Responsive bidders must hold a current small business certification from the Department of General Services (DGS).

*FDC-113-100101.3—Water Well, Leonard Harrison State Park, Shippen Township, Tioga County.* Work included under this contract consists of drilling a potable water well.

Responsive bidders must hold a current small business certification from the DGS.

*FDC-012-10621.1—Structure Rehabilitation, Bridge No. 12-1678, Pine Creek Trail over Nichols Run, Forest District 12, Tiadaghton, State Forest Jersey Shore Borough and Porter Township, Lycoming County.* Work included under this contract consists of all site work to suit project preparation, execution and completion. This includes the rehabilitation of existing structure No. 41-7935-5112-1678 consisting of a stone masonry arch that has failing inlet ring stones, wing walls and portions of the barrel. There is also scour at the inlet. Work includes but is not limited to stone masonry repairs, repointing, installation of rip rap, concrete jackets to protect the stone masonry and regrading the stream channel.

Responsive bidders must hold a current small business certification from the DGS.

Bid documents will be available on or after April 2, 2014. The bid opening will be held on May 1, 2014.

ELLEN FERRETTI,  
Secretary

[Pa.B. Doc. No. 14-713. Filed for public inspection April 4, 2014, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Gary L. Collins for Reinstatement of Teaching Certificates; Doc. No. RE-13-05

#### Notice of Opportunity for Hearing and Invitation to Protest

Under the Educator Discipline Act (act) (24 P. S. §§ 2070.1a—2070.18c), the Professional Standards and Practices Commission (Commission) will consider the application of Gary L. Collins for reinstatement of his teaching certificates.

Gary L. Collins filed an application for reinstatement of his teaching certificates under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). Under section 16 of the act, the Department of Education on March 12, 2014, advised the Commission that it opposes the application for reinstatement.

In accordance with the act, 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 22 Pa. Code § 233.123(d), the Commission will act upon the application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Commission, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protests and requests for hearing shall be filed with Carolyn Angelo, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333, on or before 4 p.m. on the due date prescribed by this notice.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact Suzanne Markowicz at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

CAROLYN ANGELO,  
Executive Director

[Pa.B. Doc. No. 14-714. Filed for public inspection April 4, 2014, 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
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**

*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>
PA0088676—SEW	Creek View Community Justin Neidlinger 493 Potato Road Carlisle, PA 17015	Cumberland County / Upper Frankford Township	Conodoguinet Creek / 7-B	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>
PA0111953 (Sewage)	Highlands Care Center STP Main Street Laporte, PA 18626	Sullivan County Laporte Borough	Unnamed Tributary to Mill Creek (10-B)	Y
PA0111902 (IW)	Dairy Farmers Of American 72 Milk Plant Road Middlebury Center, PA 16935-0102	Tioga County Middlebury Township	Norris Brook (4-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>
PA0024082 (Sewage)	Avonmore Borough STP First Street Ext Avonmore, PA 15618	Westmoreland County Avonmore Borough	Kiskiminetas River (18-B)	N
PA0093556 (Sewage)	Bethel Ct Plan STP Township Road 571 Lemont Furnace, PA 15456	Fayette County North Union Township	Unnamed Tributary to Redstone Creek (19-C)	Y
PA0098817 (Sewage)	Hickory Acres STP 669 Nelson Road Farmington, PA 15437	Fayette County Wharton Township	Unnamed Tributary to Meadow Run (19-E)	Y
PA0095150 (Sewage)	Pine Top Estates MHP II Sea Breeze Road Finleyville, PA 15332	Allegheny County Forward Township	Monongahela River (19-C)	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>
PA0002534 (Industrial Waste)	Morgan AM&T 441 Hall Avenue St Marys, PA 15857	Elk County Saint Marys City	Elk Creek (17-A)	Y
PA0263460 (Sewage)	Joseph Landis SFTF 414 Freeport Road Saxonburg, PA 16056	Butler County Clinton Township	Unnamed Tributary to the Sarver Run (18-F)	Y
PA0103829 (Industrial Waste)	Precise Plastics 7700 Middle Road Fairview, PA 16415	Erie County Fairview Township	Trout Run (15-A)	Y

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

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

**PA0065391-A1**, Pesticides, SIC Code 0782, **Ariel Landowners, Inc.**, P.O. Box 503, Lake Ariel, PA 18436-0503.

Description of Proposed Activity: The application is for an NPDES permit amendment for a reduction in the amounts of herbicides and algacides to be applied for control of aquatic plants and algae in Lake Ariel located in Lake Township, **Wayne County**.

The receiving water, Lake Ariel (on Ariel Creek), is located in State Water Plan watershed 01C and is classified for High-Quality—Cold Water Fishes (HQ-CWF), aquatic life, water supply and recreation. Applicators are required to follow product labeling instructions of pesticides, which may include provisions to reduce application doses and notify public water suppliers in the event applications are conducted near public water supply intakes. The discharges associated with the pesticide applications are not expected to affect public water supplies.

PA DEP has made a tentative determination to issue an amended NPDES permit subject to the terms and conditions of the permit. An anti-degradation analysis has been completed to document that pesticide application activities in High Quality (HQ) or Exceptional Value (EV) waters will be conducted in a manner that minimizes adverse environmental effects. The proposed permit contains conditions that require implementation of Pest Management Measures, Recordkeeping and Annual Reporting Requirements, Corrective Action Documentation and Reporting, and a Pesticides Discharge Management Plan.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570.826.5472. You may submit written comments on the application and draft permit within 30 days to the address above. After the 30-day comment period, PA DEP will make a final determination on the issuance of the permit.

The EPA waiver is not in effect.

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

**PA0088749**, Sewage, SIC Code 4952, **Gettysburg Municipal Authority**, 610 E. Middle Street, Gettysburg, PA 17325. Facility Name: Gettysburg Municipal Authority Hunterstown WWTP. This existing facility is located in Straban Township, **Adams 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), Unnamed Tributary to Beaverdam Creek, 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 0.232 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
UV Transmittance (%)	XXX	XXX	Report	XXX	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	29	43	XXX	15	22	30
Nov 1 - Apr 30	48	77	XXX	25	40	50
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	58	87	XXX	30	45	60
Total Suspended Solids (lbs/yr)	XXX	21,186.94 Total Annual	XXX	XXX	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	2.9	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	8.7	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	3.9	XXX	XXX	2.0	XXX	4.0

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	Report	XXX	XXX	XXX
Net Total Phosphorus	Report	Report	XXX	XXX	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 not in effect.

**PA0081841**, Sewage, SIC Code 4952, **MHC Tt Inc. DBA Hershey Preserve**, 493 S Mt Pleasant, Lebanon, PA 17042-8945. Facility Name: Hershey Preserve. This existing facility is located in South Annville Township, **Lebanon 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), Unnamed Tributary to Gingrich Run, is located in State Water Plan watershed 7-D 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 0.04 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>		<i>Average Monthly</i>	<i>Maximum</i>	
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
Total Residual Chlorine	XXX	XXX	XXX	0.12	XXX	0.38
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20

<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>Weekly Average</i>	
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
Nitrate-Nitrite as N	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0

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.

**PA0038415**, Sewage, SIC Code 4952, **East Pennsboro Township Cumberland County**, 98 South Enola Drive, Enola, PA 17025. Facility Name: East Pennsboro Township STP. This existing facility is located in East Pennsboro Township, **Cumberland 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), Conodoguinet Creek, is located in State Water Plan watershed 7-B 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.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.4 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>Weekly Average</i>	
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
Total Residual Chlorine	XXX	XXX	XXX	0.46	XXX	1.5
CBOD <sub>5</sub>	917	1467	XXX	25	40	50
		Wkly Avg				
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	1100	1651	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	293	XXX	XXX	8.0	XXX	16
Total Phosphorus	61	XXX	XXX	2.0	XXX	4.0
Total Copper	1.8	XXX	XXX	0.05	XXX	0.12
Total Zinc	14	XXX	XXX	0.40	XXX	1.0
Acute Toxicity—Ceriodaphnia Survival (TUa)	XXX	XXX	XXX	XXX	1.0	XXX
					Daily Max	

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameters</i>	<i>Mass (lbs)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	



Parameters	Mass (lbs)		Minimum	Concentration (mg/l)	
	Monthly	Annual		Monthly Average	Maximum
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	72206			
Net Total Phosphorus	Report	9589			

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

- Total Nitrogen offsets of 650 lbs/year toward compliance with the Annual Net TN mass load limitation based on connection of 26 on-lot sewage disposal systems to the public sewer after January 1, 2003.

- Solids Management
- Toxics Reduction Evaluation (TRE)
- Whole Effluent Toxicity (WET)
- Stormwater

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.

**PA0046680**, Industrial Waste, SIC Code 4953, 562212, **Republic Services of PA, LLC**, 4400 Mt. Pisgah Road, York, PA 17406. Facility Name: Modern Landfill. This existing facility is located in Windsor Township and Lower Windsor 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, Kreutz Creek and Unnamed Tributary to Kreutz Creek, is located in State Water Plan watershed 7-I 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.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 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
Total Residual Chlorine	XXX	XXX	0.25	Report	XXX	0.81
			Avg Mo	Daily Max		
CBOD <sub>5</sub>	41.7	83.4	XXX	10	20	25
Total Suspended Solids	41.7	83.4	XXX	10	20	25
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	129	183	322
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Ammonia-Nitrogen				Geo Mean		
May 1 - Oct 31	4.17	8.34	XXX	1.0	2.0	2.5
Nov 1 - Apr 30	12.5	25.0	XXX	3.0	6.0	7.5
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0
Total Boron	17.2	23.0	XXX	4.12	5.52	10.3
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	0.344	0.416	XXX	0.0825	0.0998	0.206
Phenol	0.0289	0.0377	XXX	0.00692	0.00903	0.0173
a-Terpineol	0.0128	0.0264	XXX	0.00307	0.00634	0.00767
Benzoic Acid	0.0567	0.0959	XXX	0.0136	0.0230	0.0340
Bis(2-Ethylhexyl)Phthalate	0.062	0.106	XXX	0.0149	0.0253	0.0372
p-Cresol	0.0112	0.0200	XXX	0.00269	0.00480	0.00672
Tetrachloroethylene	XXX	XXX	XXX	Report	Report	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.0 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
BOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX

<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 Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Antimony	XXX	XXX	XXX	XXX	Report	XXX
Total Boron	XXX	XXX	XXX	XXX	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 003 are based on a design flow of 0.0 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>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
BOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Antimony	XXX	XXX	XXX	XXX	Report	XXX
Total Boron	XXX	XXX	XXX	XXX	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 004 are based on a design flow of 0.0 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>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
BOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Antimony	XXX	XXX	XXX	XXX	Report	XXX
Total Boron	XXX	XXX	XXX	XXX	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 005 are based on a design flow of 0.0 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>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
BOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Antimony	XXX	XXX	XXX	XXX	Report	XXX
Total Boron	XXX	XXX	XXX	XXX	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	XXX	Report	XXX

<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 Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX
Phenol	XXX	XXX	XXX	XXX	Report	XXX
a-Terpineol	XXX	XXX	XXX	XXX	Report	XXX
Benzoic Acid	XXX	XXX	XXX	XXX	Report	XXX
p-Cresol	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 006 are based on a design flow of 0.0 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>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
BOD <sub>5</sub>	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Dissolved Solids	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Antimony	XXX	XXX	XXX	XXX	Report	XXX
Total Boron	XXX	XXX	XXX	XXX	Report	XXX
Hexavalent Chromium	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Lead	XXX	XXX	XXX	XXX	Report	XXX
Total Magnesium	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX
Phenol	XXX	XXX	XXX	XXX	Report	XXX
a-Terpineol	XXX	XXX	XXX	XXX	Report	XXX
Benzoic Acid	XXX	XXX	XXX	XXX	Report	XXX
p-Cresol	XXX	XXX	XXX	XXX	Report	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report	XXX	Report	XXX
Kjeldahl—N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	48803	XXX	XXX	XXX
Net Total Phosphorus	Report	131	XXX	XXX	XXX

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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.

**PA0247162**, Industrial Waste, SIC Code 4941, **Pennsylvania American Water**, 852 Wesley Drive, Mechanicsburg, PA 17055-4475. Facility Name: West Shore Regional Water Treatment Plant. This existing facility is located in Fairview 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, Unnamed Tributary to Yellow Breeches Creek, is located in State Water Plan watershed 7-E 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 0.483 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	0.19	XXX	0.62
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Aluminum	XXX	XXX	XXX	0.50	1.0	1.25
Total Iron	XXX	XXX	XXX	1.5	3.0	3.75
Total Manganese	XXX	XXX	XXX	1.0	2.0	2.5

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.

*Northcentral Regional Office: Regional Clean Water Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.0530.*

**PA0008451**, Industrial Waste, SIC Code 4911, **Sunbury Generation LP**, PO Box 517, 2384 Old Trail Road, Shamokin Dam, PA 17876-0517. Facility Name: Sunbury Generation LP. This existing facility is located in Monroe Township, **Snyder County**.

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

The receiving stream(s), Rolling Green Run and Susquehanna River, is located in State Water Plan watersheds 6-A and 6-B 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 030 are based on a design flow of 251.7 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
Total Residual Halogens	XXX	XXX	XXX	XXX	XXX	0.2
Temperature (°F)						
Intake	XXX	XXX	XXX	XXX	Report	XXX
Temperature (°F)	XXX	XXX	XXX	XXX	Report	XXX
Heat Rejection Rate (MBTUs/day)						
Jan 1-31 (Interim)	XXX	209,600	XXX	XXX	XXX	XXX
Feb 1-29 (Interim)	XXX	229,200	XXX	XXX	XXX	XXX
Mar 1-31 (Interim)	XXX	550,100	XXX	XXX	XXX	XXX
Apr 1-15 (Interim)	XXX	609,000	XXX	XXX	XXX	XXX
Apr 16-30 (Interim)	XXX	609,000	XXX	XXX	XXX	XXX
May 1-15 (Interim)	XXX	400,800	XXX	XXX	XXX	XXX
May 16-31 (Interim)	XXX	668,000	XXX	XXX	XXX	XXX
Jun 1-15 (Interim)	XXX	510,800	XXX	XXX	XXX	XXX
Jun 16-30 (Interim)	XXX	510,800	XXX	XXX	XXX	XXX
Jul 1-31 (Interim)	XXX	267,200	XXX	XXX	XXX	XXX
Aug 1-15 (Interim)	XXX	238,400	XXX	XXX	XXX	XXX
Aug 16-31 (Interim)	XXX	234,800	XXX	XXX	XXX	XXX
Sep 1-15 (Interim)	XXX	187,300	XXX	XXX	XXX	XXX
Sep 16-30 (Interim)	XXX	187,300	XXX	XXX	XXX	XXX
Oct 1-15 (Interim)	XXX	188,600	XXX	XXX	XXX	XXX
Oct 16-31 (Interim)	XXX	167,700	XXX	XXX	XXX	XXX
Nov 1-15 (Interim)	XXX	209,600	XXX	XXX	XXX	XXX
Nov 16-30 (Interim)	XXX	167,700	XXX	XXX	XXX	XXX
Dec 1-31 (Interim)	XXX	157,200	XXX	XXX	XXX	XXX
Jan 1-31 (Final)	XXX	43,405	XXX	XXX	XXX	XXX
Feb 1-29 (Final)	XXX	70,996	XXX	XXX	XXX	XXX
Mar 1-31 (Final)	XXX	186,262	XXX	XXX	XXX	XXX
Apr 1-15 (Final)	XXX	246,457	XXX	XXX	XXX	XXX
Apr 16-30 (Final)	XXX	184,843	XXX	XXX	XXX	XXX
May 1-15 (Final)	XXX	170,670	XXX	XXX	XXX	XXX
May 16-31 (Final)	XXX	409,609	XXX	XXX	XXX	XXX
Jun 1-15 (Final)	XXX	224,333	XXX	XXX	XXX	XXX
Jun 16-30 (Final)	XXX	224,333	XXX	XXX	XXX	XXX
Jul 1-31 (Final)	XXX	106,993	XXX	XXX	XXX	XXX
Aug 1-15 (Final)	XXX	99,253	XXX	XXX	XXX	XXX

<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>
Aug 16-31 (Final)	XXX	109,178	XXX	XXX	XXX	XXX
Sep 1-15 (Final)	XXX	103,511	XXX	XXX	XXX	XXX
Sep 16-30 (Final)	XXX	79,624	XXX	XXX	XXX	XXX
Oct 1-15 (Final)	XXX	94,783	XXX	XXX	XXX	XXX
Oct 16-31 (Final)	XXX	103,400	XXX	XXX	XXX	XXX
Nov 1-15 (Final)	XXX	112,338	XXX	XXX	XXX	XXX
Nov 16-30 (Final)	XXX	56,169	XXX	XXX	XXX	XXX
Dec 1-31 (Final)	XXX	49,405	XXX	XXX	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Total PCBs (µg/L)	XXX	XXX	XXX	XXX	XXX	1.75

The proposed effluent limits for Outfall 031 are based on a design flow of 4.6 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 Suspended Solids	XXX	XXX	XXX	30	100	130
Oil and Grease	XXX	XXX	XXX	15	20	30
Total Copper	Report	Report	XXX	Report	Report	XXX
Dissolved Iron	11.89	18.41	XXX	0.31	0.48	0.77
Total Thallium (µg/L)	0.009	0.014	XXX	0.25	0.39	0.62
Bromide	Report	Report	XXX	Report	Report	XXX
Total PCBs (µg/L)	XXX	XXX	XXX	XXX	XXX	1.75

The proposed effluent limits for Outfall 032 are based on a design flow of 0.022 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>
pH (S.U.)	XXX	XXX	XXX	XXX	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Oil and Grease	XXX	XXX	XXX	XXX	Report	XXX
Total Copper	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX
Total Nickel	XXX	XXX	XXX	XXX	Report	XXX
Total Zinc	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 130 are based on a design flow of 1.21 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 Suspended Solids	XXX	XXX	XXX	30	XXX	50
Oil and Grease	XXX	XXX	XXX	15	20	30
Dissolved Iron	XXX	XXX	XXX	XXX	XXX	7.0
Bromide	Report	Report	XXX	Report	Report	XXX
Total PCBs (µg/L)	XXX	XXX	XXX	XXX	XXX	1.75

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 031.

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report			Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report			Report	
Total Phosphorus	Report			Report	
Net Total Nitrogen	Report				
Net Total Phosphorus	Report				

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 130.



<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	Report			
Net Total Phosphorus	Report	Report			

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

- Outfall Meter Installation and Operation
- Cooling Water Intake Structures

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 not in effect.

**PA0232475**, Concentrated Animal Feeding Operation (CAFO), **Edward H Martin (West Buffalo Township Swine Finishing Operation)**, 14435 Old Turnpike Road, Milmont, PA 17845.

Edward H Martin has submitted an application for an Individual NPDES permit for a new CAFO known as West Buffalo Township Swine Finishing Operation, located in West Buffalo Township, **Union County**.

The CAFO is situated near Rapid Run in Watershed 10-C, which is classified for High Quality Waters—Cold Water Fishes and Migratory Fishes. The CAFO will be designed to maintain an animal population of approximately 683 animal equivalent units (AEUs) consisting of 4800 Finishing Hogs. Manure will be collected in an underbarn manure storage area through slatted floors. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate PA Technical Guide Standards. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25- year, 24-hour storm event.

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

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

- Nutrient Management Plan and Manure Management.
- PPC Plan.
- E&S Plans.
- NPDES Permit for Stormwater Discharges during Construction Activities.
- Animal Mortality.
- Manure Storage Structures.
- Storage of Feed and other Raw Materials.
- BMPs.
- Leak Detection and Self-inspection Reporting.

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 570-327-3693.

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

**PA0027049**, Sewage, SIC Code 4952, **Williamsport Sanitary Authority**, 253 West Fourth Street, Williamsport, PA 17701-6113. Facility Name: West Plant. This existing facility is located in Williamsport City, **Lycoming 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), West Branch Susquehanna River, is located in State Water Plan watershed 10-A and is classified for Warm Water Fishes, 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 3.92 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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Dissolved Oxygen	XXX	XXX	Report	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.48	XXX	1.58
CBOD <sub>5</sub>	815	1,305	XXX	25	40	50
		Wkly Avg			Wkly Avg	
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	980	1470	XXX	30	45	60
		Wkly Avg			Wkly Avg	
Total Dissolved Solids	Report	Report	XXX	Report	Report	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10000
				Geo Mean		
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	XXX	XXX
Total Barium	Report	Report	XXX	Report	Report	XXX
Total Copper	Report	Report	XXX	Report	Report	XXX
Sulfate	Report	Report	XXX	Report	Report	XXX
Bromoform	Report	Report	XXX	Report	Report	XXX
Chloride	Report	Report	XXX	Report	Report	XXX
Chlorodibromomethane (µg/L)	2.88	4.50	XXX	88.38	137.8	220.9
Dichlorobromomethane	Report	Report	XXX	Report	Report	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	71,597			
Net Total Phosphorus	Report	9,546			

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department's Chapter 96 regulations. The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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 not in effect.

Northwest Regional Office: Regional Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Telephone: 814.332.6942.

**PA0023043**, Sewage, SIC Code 4952, **North East Borough Erie County**, 31 W Main Street, North East, PA 16428-1135. Facility Name: North East Borough STP. This existing facility is located in North East Borough, **Erie 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, Sixteenmile Creek, is located in State Water Plan watershed 15 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.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.9 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.21	XXX	0.7
CBOD <sub>5</sub>	604	967	XXX	25	40	50
Total Suspended Solids	726	1,088	XXX	30	45	60
BOD <sub>5</sub> (influent)	Report	XXX	XXX	Report	XXX	XXX
TSS (influent)	Report	XXX	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Total Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	29.8	XXX	XXX	1.7	XXX	3.4
Nov 1 - Apr 30	89.3	XXX	XXX	5.1	XXX	10.2
Total Phosphorus	XXX	XXX	XXX	1	XXX	XXX
Total Aluminum						
(Interim)	17.4	XXX	XXX	0.72	XXX	1.4
(Final)	15.2	XXX	XXX	0.63	XXX	1.2
Chlorodibromomethane						
(Interim)	XXX	XXX	XXX	0.0018	XXX	0.0036
(Final)	XXX	XXX	XXX	0.0014	XXX	0.0028

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

- Toxics Reduction Evaluation for Aluminum & Chlorodibromomethane
- Federal Pretreatment Program
- Annual WET testing
- Sludge Management

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.

**PA0272710**, Industrial Waste, SIC Code 9500, **PA DEP NWRO**, 230 Chestnut Street, Meadville, PA 16335. Facility Name: Presque Isle Chemical Site. This facility is located in Washington Township, **Erie County**.

Description of Proposed Activity: The application is for an NPDES permit for an existing discharge of treated groundwater from an Applicable or Relevant and Appropriate Requirements (ARAR) site.

The receiving stream, an unnamed tributary to Conneauttee Creek (Edinboro Lake), is located in State Water Plan watershed 16-A 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 0.0576 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 Suspended Solids	XXX	XXX	XXX	30	XXX	60
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Total Arsenic	XXX	XXX	XXX	Report	XXX	XXX
Total Cadmium	0.0004	0.0008	XXX	0.0008	0.0016	0.002
Total Lead	XXX	XXX	XXX	Report	XXX	XXX
Total Thallium	0.0002	0.0004	XXX	0.00038	0.0008	0.001
Tetrachloroethylene	XXX	XXX	XXX	Report	XXX	XXX
Vinyl Chloride	XXX	XXX	XXX	0.00018	0.0004	0.0005

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

- Electronic Discharge Monitoring Reporting requirement
- Water Quality Based Limits Below Quantization Limits

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 in effect.

**PA0272817**, Industrial Waste, SIC Code 2096, **Greater Erie Industrial Development Corp.**, 5240 Knowledge Parkway, Erie, PA 16510. Facility Name: Barrel-O-Fun Snack Foods. This proposed facility is located in Waterford Township, **Erie County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated food processing wastewater from a potato chip manufacturer.

The receiving stream, French Creek, is located in State Water Plan watershed 16-A 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 0.3 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
BOD <sub>5</sub>	Report	Report	XXX	100	Report	250
Total Suspended Solids	Report	Report	XXX	100	Report	250
Oil and Grease	XXX	XXX	XXX	15	XXX	20

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

- eDMR reporting requirement

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 in effect.

### III. WQM Industrial Waste and Sewerage Applications Under the Clean Streams Law (35 P. S. §§ 691.1—691.1001)

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

**WQM Permit No. 4014401**, Sewage, **Can Do Inc.**, One South Church Street, Hazleton, PA 18201.

This proposed facility is located in Hazle Township, **Luzerne County**.

Description of Proposed Action/Activity: Conversion of the existing chlorination/dechlorination disinfection process to Ultraviolet (UV) disinfection at the WWTP.

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

**WQM Permit No. 1602402**, Sewage, Amendment, **Beaver Township Sewer Authority**, 324 Tippecanoe Road, Knox, PA 16232.

This proposed facility is located in Beaver Township, **Clarion County**.

Description of Proposed Action/Activity: Sewer extension to previously unsewered portion of Beaver Township.

**WQM Permit No. WQG01251405**, Sewage, **Gay & Harry Diz**, 9820 Old Waterford Road, Erie, PA 16509.

This proposed facility is located in Greene Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to replace a malfunctioning on-lot system.

### IV. NPDES Applications for Stormwater Discharges from MS4

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

**PAI136106**, MS4, **Chippewa Township**, 2811 Darlington Road, Beaver Falls, PA 15010. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Chippewa Township, **Beaver County**. The receiving stream(s), Brady Run, Unnamed Tributary of North Fork Little Beaver Creek, Unnamed Tributary to North Branch Brady Run, Unnamed Tributary to Wallace Run, Wallace Run and Walnut Bottom Run, is located in State Water Plan watershed 20-B and is classified for Trout Stocking, Warm Water Fishes and High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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.

**PAI136111**, MS4, **South Beaver Township**, 1164 State Route 168, Darlington, PA 16115. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in South Beaver Township, **Beaver County**. The receiving stream(s), Painter Run, Unnamed Tributary of Brush Run, Unnamed Tributary of North Fork Little Beaver Creek, Unnamed Tributary to Brush Run and Unnamed Tributary to North Fork Little Beaver Creek, is located in State Water Plan watershed 20-B and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. 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.

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**V. Applications for NPDES Waiver Stormwater Discharges from MS4**


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


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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011514011	PPL Electric Utilities Corporation 2 North Ninth Street Allentown, PA 18101	Chester	Honey Brook Township	Conestoga River WWF E. Br. Brandywine Creek and W. Br. Brandywine Creek HQ—TSF Unnamed Tributary to W. Br. Brandywine Creek HQ—TSF

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

*Lehigh County Conservation 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>
PAI023914002	Woodmont at Upper Macungie Steven Varneckas 100 Passaic Ave. Ste. 240 Fairfield, NJ 07004	Lehigh	Upper Macungie Township	Cedar Creek (HQ-CWF, MF)

*Northampton County Conservation District, 14 Gracedale Avenue Greystone Bldg., Nazareth PA 18064-9211*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024808017(2)	Bethlehem Manor Village, LLC Abraham Atiyeh 1177 N. Sixth Street Whitehall, PA 18052	Northampton	City of Bethlehem	Monocacy Creek (HQ-CWF, MF)
PAI024813018	LIG Holdings, LLC Devon Katzev 2020 Highland Avenue Bethlehem, PA 18020	Northampton	Forks Township	Bushkill Creek (HQ-CWF, MF)
PAI024814004	City of Bethlehem Matt Dorner 10 East Church Street Bethlehem, PA 18018	Northampton	City of Bethlehem	Saucon Creek (HQ-CWF, MF)

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033614002	Frey Dairy Farms, Inc. 2646 River Road Conestoga, PA 17516	Lancaster	Manor Township	UNT Manns Run (WWF) UNT Wisslers Run (HQ-CWF)

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

*Lawrence County Conservation District, 430 Court Street, New Castle PA 16101*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI063714001	Borough of Enon Valley Attn: Mr. Tyrone Petrich, Council President 341 Cherry Alley Enon Valley PA 16120	Lawrence	Enon Valley Borough	UNT North Fork Little Beaver Creek HQ

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**VII. List of NOIs for NPDES and/or Other General Permit Types**


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PAG-12            CAFOs



## 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.

Agricultural Operation Name and Address	County	Total Acres	Animal Equivalent Units	Animal Type	Special Protection Waters (HQ or EV or NA)	New or Renewal
Country View Family Farm, LLC—Smiling Porker Farm 676 Graanger Lane Morris, PA 16938	Lycoming	226.0	2,978.55	Swine	Hughes Run-EV (existing use)	New

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

**Application No. PA0267716**, Concentrated Animal Feeding Operation (CAFO), **Hillcrest Saylor Dairy LLC (Hillcrest Saylor Dairy Farm)**, 3684 Kingwood Road, Rockwood, PA 15557-7802.

Hillcrest Saylor Dairy LLC has submitted an application for an Individual NPDES permit for a new CAFO known as Hillcrest Saylor Dairy Farm, located in Middlecreek Township, **Somerset County**.

The CAFO is situated near Middle Creek in Watershed 19-F, which is classified for Trout Stocking. The CAFO is designed to maintain an animal population of approximately 1,248 animal equivalent units (AEUs) consisting of 600 mature dairy cows, 379 dairy heifers, 60 dry cows, and 209 calves. The milk cow manure is collected as liquid manure, while all other manure is collected as a solid bedded penpack. Additional food waste, approximately 30 ton/week, (374,400 gallons/yr) will be imported onto the farm and run through the manure digester. Milking parlor wastewater is directed into the manure handling system.

A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25- year, 24-hour storm event.

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

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

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

### 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

*Southeast Region: Safe Drinking Water Program Manager, 2 East Main Street, Norristown, PA 19401*

##### Permit No. 4614501 Public Water Supply

Applicant **Superior Water Company**  
 City Montgomery  
 Township New Hanover  
 Responsible Official Dave Rinehart  
 P.O. Box 525  
 Gilbertsville, PA 19525  
 Type of Facility PWS  
 Consulting Engineer Gary J. Weaver, P.E.  
 Castle Valley Consultants, Inc.  
 10 Beulah Road New Britain, PA  
 18901  
 Application Received Date January 30, 2014  
 Description of Action Redevelopment of an existing well at Boyertown Junior High School East and upgrades to the treatment facility.

##### Permit No. 1514502 Public Water Supply

Applicant **Downingtown Municipal Water Authority**  
 Borough Downingtown  
 Township Chester  
 Responsible Official Nathan Roush  
 Acting Executive Director  
 100 Water Way  
 Downingtown, PA 19335-1951  
 Type of Facility PWS  
 Consulting Engineer Charlie Liu, P.E.  
 Cardno BCM  
 920 Germantown Pike, Suite 200  
 Plymouth Meeting, PA  
 19420-7400  
 Application Received Date February 5, 2014  
 Description of Action Installation of a third pump in the existing High Service Pump Station at Downingtown Municipal Water Authority's Water Treatment Plant.

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

##### Application No. 4514501, Public Water Supply.

Applicant **Wesley Enhanced Living**  
 30 Weir Lake Rd.  
 Brodheadsville, Pa 18322

[Township or Borough] Chestnuthill Twp,  
**Monroe County**  
 Responsible Official Alan Hulsman, Administrator  
 Type of Facility Public Water System  
 Consulting Engineer Niclaus Engineering  
 804 Sarah St  
 Stroudsburg, PA 18360  
 Application Received Date 3/12/14  
 Description of Action A new well, transmission main, and 4 log disinfection contact tank.

##### Application No. 3514503, Public Water Supply.

Applicant **Aqua Pennsylvania Inc.**  
 1775 N. Main St  
 Honesdale, Pa  
 [Township or Borough] Jefferson Twp,  
**Lackawanna County**  
 Responsible Official Steve Clark  
 Type of Facility Public Water System  
 Consulting Engineer Entech Engineering  
 4 South Fourth St  
 Reading Pa  
 Application Received Date 2/20/14  
 Description of Action A booster pump station at Jefferson Heights well 3 and storage tank.

##### Application No. 5214503, Public Water Supply.

Applicant **Pennsylvania American Water Co.**  
 800 West Hershey Park Drive  
 Hershey, PA  
 [Township or Borough] Lehman Twp.,  
**Pike County**  
 Responsible Official David Kaufman  
 Type of Facility Public Water System  
 Consulting Engineer Daniel Rickard PE  
 Pennsylvania American Water Co.  
 Application Received Date 1/27/14  
 Description of Action An increase in the pumping rate of Pine Ridge Well #2. New chemical feed pump for pH adjustment.

##### Application No. 3514502, Public Water Supply.

Applicant **Aqua Pennsylvania Inc.**  
 1 Aqua Way  
 White Haven, Pa  
 [Township or Borough] S. Abington Twp,  
**Lackawanna County**  
 Responsible Official Patrick R. Burke  
 Type of Facility Public Water System  
 Consulting Engineer William A. La Dieu, PE GHD  
 1240 N. Mountain Rd  
 Harrisburg, PA

Application Received Date 2/7/14

Description of Action An increase in the production capacity of Chinchilla well #2

*Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745*

**Application No. 0214523**, Public Water Supply.

Applicant **Pittsburgh Water & Sewer Authority**  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

[Township or Borough] City of Pittsburgh

Responsible Official James L. Good,  
Executive Director  
Pittsburgh Water & Sewer Authority  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

Type of Facility Water system

Consulting Engineer

Application Received Date March 19, 2014

Description of Action Modifications to the Bruecken Pump Station valve vault.

#### MINOR AMENDMENT

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

#### Application No. 6414502

Applicant **Woodland Hills Association**

[Township or Borough] Paupack Township  
**Wayne County**

Responsible Official John P. Koser, Association  
President  
7 Pine Tree Court  
Lakeville, PA 18438

Type of Facility Community Water System

Consulting Engineer Edmund G. Slocum, PE  
Milnes Engineering, Inc.  
12 Frear Hill Road  
Tunkhannock, PA 18657  
570-836-2145

Application Received Date March 11, 2014

Description of Action Application to modify the community water system serving Woodland Hills development to allow for upgrading of the existing booster pumps and interconnecting the two (2) active water supply wells.

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

**Application No. 0214522MA, Minor Amendment.**

Applicant **Pittsburgh Water & Sewer Authority**  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

[Township or Borough] City of Pittsburgh

Responsible Official James L. Good,  
Executive Director  
Pittsburgh Water & Sewer Authority  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

Type of Facility Water system

Consulting Engineer

Application Received Date March 19, 2014

Description of Action Installation of approximately 2,100 feet of 16-inch diameter waterline along River Avenue.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

#### Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907)

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 mediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the mediator 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:

*Northeast Region: Eric Supey, Environmental Cleanup and Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Shay Property**, 400 Shay Lane, Westfall Township, **Pike County**, Stephen Fulton, ARM Group, Inc., has submitted a Notice of Intent to Remediate on behalf of his client, Charles Shay, 400 Shay Lane, Matamoras, PA 18336, concerning the remediation of soil and groundwater from some metals, and polycyclic aromatic hydrocarbons, are present in some locations and potential of leaching to groundwater at residential and non-residential sites from an historical site. The applicant proposes to remediate the site to meet the Residential and Non-Residential Statewide Health Standards for soil and groundwater along with Site Specific Standards for soil and groundwater. The intended future of the 17 acre site will be non-residential used for a parking lot.

A summary of the Notice of Intent to Remediate was published in the *Pike County Dispatch* on February 13, 2014.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**PREIT / Logan Valley Mall**, Plank Road and Goods Lane, Altoona, PA 16602, Logan Township, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of PREIT, 5580 Goods Lane, Suite 1, Altoona, PA 16602, submitted a Notice of Intent to Remediate site soils contaminated with BTEX, PAHs, and lead. The site will be remediated to the Site-Specific standard and remain commercial. The Notice of Intent to Remediate was published in the *Altoona Mirror* on August 16, 2013. This corrects the notice that was published in the *Pennsylvania Bulletin* on March 29, 2013.

**Dart Container and HM Stauffer & Sons Site**, 60 East Main Street and 33 Glenola Drive, Leola, PA 17540, Upper Leacock Township, **Lancaster County**. Gannett Fleming, Inc., 207 Senate Avenue, Camp Hill, PA 17011, on behalf of Dart Container Corporation, 60 East Main Street, PO Box 546, Leola, PA 17540-0546 and H. M. Stauffer and Sons, Inc., 33 Glenola Drive, Leola, PA 17540, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with heating oil, diesel fuel and gasoline. The site will be remediated to a combination of the Nonresidential Statewide Health and Site-Specific Standards. Future use of the site remains manufacturing. The Notice of Intent to Remediate was published in the *Intelligencer Journal—New Era* on January 13, 2014.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745*

**Almono Site (Eliza Furnace & Monongahela Connecting Railroad Parcels)**, Second Avenue, City of Pittsburgh, **Allegheny County**. KU Resources, 22 South Linden Street, Duquesne, PA 15110 on behalf of Almono, L.P., 210 Sixth Avenue, Suite 3620, Pittsburgh, PA 15222 has submitted a Notice of Intent to Remediate to meet the residential Statewide Health/ Site Specific Standards concerning site soils contaminated with metals and semi-volatile organic compounds, and site groundwater contaminated with metals. The notice was published in the *Tribune Review* on February 15, 2014.

**Johnstown Associates**, 350 Market Street, Johnstown, PA 15901, **Cambria County**. Johnstown Associates, 3555 Washington Road, McMurray PA 15317 has submitted a Notice of Intent Remediate to meet the residential Statewide Health standard concerning site soils contaminated with naphthalene and 1,3,5-trimethylbenzene. This notice was published in the *Tribune-Democrat* on March 19, 2014.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass*

**Galloway Property**, 3655 Galloway Street, City of Philadelphia, **Philadelphia County**. Joanne Van Rensselaer, Envirosearch Consultants, Inc., P. O. Box 940, Springhouse, PA 19477 on behalf of Eddie Duff, Car & Duff, 2100 Byberry Road, Huntingdon Valley, PA 19006 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with petroleum. The current use is offices for Carr & Duff. The Notice of Intent to Remediate was published in the *Spirit Community Newspaper* on January 29, 2014. PF773685.

**Edmund Optical MFG**, 601 Montgomery Avenue, Upper Hanover Township, **Montgomery County**. Chad Moose, Compliance Management International, 1350 Welsh Road, Suite 200, North Wales, PA 19454 on behalf of Jay Budd, Edmund Optics, Inc., 101 East Gloucester Pike, Barrington, NJ 08077 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of volatile organic compounds. The property will be used for light industrial purpose in the future. The Notice of Intent to Remediate was published in the *Town and Country* on August 1, 2013. PF618779.

**Brandywine Mills**, 1731, 1737, 1751 Wilmington Pike, Chadds Ford Township and Township of Concord, **Delaware County**. Walter H. Hungarter, III, P.E., RT Environmental Services, Inc. 215 West Church Road, King of Prussia, PA 19406 on behalf of Peter Miller, Chadds Ford Investors, L.P., 875 Berkshire Boulevard, Suite 102, Wyomissing, PA 19610 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of volatile organic compounds and pce. The site will be redeveloped as a commercial development. The Notice of Intent to Remediate was published in the *Delaware County Daily Times* on February 23, 2014. PF773948.

**MNM Group, Inc.**, 2421-A Wyandott Road, Upper Moreland Township, **Montgomery County**. Scott Smith, PE, EnviroSure, Inc., 103 South High Street, Suite 1, West Chester, PA 19382, Thomas Lloyd, EnviroSure, Inc., 103 South High Street, Suite 1, West Chester, PA 19382 on behalf of Greg Carson, MNM Group, Inc., 2421-A Wyandotte Road, Willow Grove, PA 19090 has submitted a Notice of Intent to Remediate. Soil at the site has been

impacted with the release of arsenic. The planned future site use will remain non-residential. The Notice of Intent to Remediate was published in the *Intelligencer* January 7, 2014. PF769585.

**21 Trinley Drive Property**, 21 Trinley Road, Limerick Township, **Montgomery County**. Jamie Kleinle, Barry Isett & Associates, 85 South Route 100, Allentown, PA 18106 on behalf of Mark Irwin, Mark Irwin Associates, Inc., P.O. Box 575, Southampton, PA 18966, Kimberly Laffredo, P.O. Box 62103, King of Prussia, PA 19406 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the property will remain residential. The Notice of Intent to Remediate was published in the *Mercury* on December 26, 2013. PF762448.

**Biello Auto Parts**, 7875 Mill Road, Cheltenham Township, **Montgomery County**. George Guzdek, PG, Bison Environmental, LLC, 89 Jennifer Lane, Burlington, NJ 08016-1145, Joe Cancelliere, Auto X Change, Inc. 5011 Torresdale Avenue, Philadelphia, PA 19124 on behalf of Frank Biello, Biello Auto Park, 7875 Mill Road, Elkins Park, PA 19027 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of chlorinated solvents. The property will continue to be used as an auto parts salvage yard. The Notice of Intent to Remediate was published in the *Intelligencer* on February 13, 2014. PF773553.

**701 Burmont Road Apt. Complex**, 701 Burmont Road, Upper Darby Township, **Delaware County**. Val F. Britton, P.G., Val F. Britton, P.G., LLC 325 Conestoga Road, Wayne, PA 19087 on behalf of Alex Cook, Zandre Co Management, Inc., 923 Fayette Street, Conshohocken, PA 19428 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The apartment complex will continue to operate as an apartment complex, but will be using heat instead of fuel oil. The Notice of Intent to Remediate was published in the *Delaware County Daily Times* on November 1, 2013. PF768477.

**Perry Residence**, 119 Harrow Road, Middletown Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Theresa O'Connor, State Farm Insurance, PA Fire Claims, P.O. Box 106110, Atlanta, GA 30348-6110 on behalf of Sandra Perry, 119 Harrow Road, Levittown, PA 19056 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of no. 2 fuel oil. The intended future use of the site is residential. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on January 19, 2014. PF773334.

**Country Fresh Mushrooms**, 8991 Gap Newport Pike, New Garden Township, **Chester County**. Tripp Fischer, P.G., Brownfield Science & Technology, 3157 Limestone Road, Cochranville, PA 19330 on behalf of Ed Leo, Country Fresh Mushrooms Company, 289 Chambers Road, Toughkenamon, PA 19374 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the pce. The future use of the property is residential/commercial. The Notice of Intent to Remediate was published in the *Chester County Press* on January 29, 2014. PF773548.

**Direnzo Residence**, 10 Dewberry Lane, Bristol Township, **Bucks County**. Stephen A. Wheeler, Wheeler Environmental Services, P.O. Box 501, Boyertown, PA 19512, Christine Dimmig, State Farm Insurance, PA Fire Claims, P.O. Box 106110, Atlanta, GA 30348-6110 on behalf of Francis Direnzo, 10 Dewberry Lane, Levittown, PA 19055 has submitted a Notice of Intent to Remediate.

Soil at the site has been impacted with the release of no. 2 fuel oil. The site is presently residential. The intended future use of the site is residential. The Notice of Intent to Remediate was published in the *Bucks County Courier Times* on January 24, 2014. PF724347.

**Fleagel Property**, 659 Vine Street, Honey Brook Township, **Chester County**. Michael Raffoni, Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, Mark E. Zurich, Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602 on behalf of John Fleagel, 659 Vine Street, Honey Brook, PA 19344 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The property will remain to be utilized for residential purposes. The Notice of Intent to Remediate was published in the *Daily Local News* on February 5, 2014. PF773563.

**Pathan Chemical Site**, 427-447 Moyer Street, City of Philadelphia, **Philadelphia County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Kevin Gray, New Kensington CDC, 2515 Frankford Avenue, Philadelphia, PA 19125-1708 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of lead and chlorinated solvents. The planned future use of the site is residential. The Notice of Intent to Remediate was published in the *Spirit Community Newspaper* on December 18, 2013. PF636522.

**Hale Production Inc. Facility**, 720 Spring Mill Avenue and 701 Jones Street, Borough of Conshohocken, **Montgomery County**. Josh Rutledge, ARCADIS, U.S. Inc., 10 Friends Lane, Suite 200, Newtown, PA 18940 on behalf of Keith Miller Hursh Jaws of Life, Inc., f/k/a Hale Products, Inc., 607 NW 27th Avenue Ocala, FL 34475 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of voc's and metals. The properties are currently zoned residential and the proposed future use of the two properties will be residential. The Notice of Intent to Remediate was published in the *Times Herald* on January 21, 2014. PF772990.

#### DETERMINATION OF APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

**Application(s) 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**

*Southcentral Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGM027-SC003. AJ Stove and Pellet, LLC**, 3840 Williamson Road, Antrim Township, **Franklin County**. This Determination of Applicability under Municipal Waste General Permit No. WMGM027 is for the processing by grinding, shredding, screening, and blending of the various organic wastes for beneficial use as an alternate fuel material. This application was determined to be administratively complete on March 21, 2014.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA



17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

#### Application(s) for Permit Amendment Received Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash

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

**General Permit Number WMGR019D007. Donsco Inc,** 124 N Front St, PO Box 2001, Wrightsville, PA 17368-0040. General Permit Number WMGR019 authorizes beneficial use of waste foundry sand for use as roadway construction material, a component or ingredient in the manufacturing of concrete or asphalt products, a soil additive or soil substitute and for non-roadway construction activity. The request is to amend General Permit Number WMGR019 to authorize beneficial use of system dust, slag and refractory generated by ferrous metal foundries. The application to amend the general permit was received by Central Office on January 13, 2014.

Written comments concerning the 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 WMGR019" 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. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

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 public. This approach allows the owner or operator of a facility to complete and submit permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department received applications for Plan Approvals or Operating Permits from the following facilities.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office listed before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

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

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920*

**15-0145: The Vanguard Group, Inc.** (800 Vanguard Blvd, Malvern, PA 19355) for installation of one (1) diesel-fired emergency generator set rated at 1,850 brake horsepower and having an electrical production capacity 1.25 megawatts at their facility in Tredyffrin Township, **Chester County**. The plan approval is for a non-Title V, State-only facility. The unit will be used to provide back-up electrical power to the office building (located at 800 Vanguard Boulevard) during utility power outages and during electrical infrastructure maintenance and is applying to operate this engine a maximum of 500 hours per year. Potential emissions (in tons/year) shall not exceed the following: 0.46 (NO<sub>x</sub>), 0.28 (NMHC), 2.20 (CO), and 0.06 (PM). The unit is subject to the NSPS requirements found in 40 CFR 60, Subpart III. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**15-0144: The Vanguard Group, Inc.** (1000 Vanguard Blvd, Malvern, PA 19355) for installation of six (6) diesel-fired emergency generator sets at their facility in Tredyffrin Township, **Chester County**. Three (3) of the units will be rated at 2,560 brake horsepower each and have an electrical production capacity 1.75 megawatts, while the remaining three (3) units will be rated at 2,220 brake horsepower each and have an electrical production capacity 1.50 megawatts. The plan approval is for a non-Title V, State-only facility. The units will be used to

provide back-up electrical power to five (5) separate office buildings in this complex during utility power outages and during electrical infrastructure maintenance. Each engine will be limited to a maximum operating time of 500 hours per year. Aggregate potential emissions for all six units (in tons/year) shall not exceed the following: 3.06 (NO<sub>x</sub>), 0.08 (NMHC), 2.55 (CO), and 0.08 (PM). The units are subject to the NSPS requirements found in 40 CFR 60, Subpart III. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-0020K: Superior Tube Co., Inc.** (3900 Germantown Pike, Colleagueville, PA 19426) to install a lubrication station to lubricate the inside of tubing in Lower Providence Township, **Montgomery County**. Volatile Organic Compound (VOC) emission increase due to this source is 5.80 tons per year. There will be no change in other air pollutant emissions due to this source. This facility is a Title V facility. The Plan approval will contain record keeping and operating restriction designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

**46-0286: CSL Behring** (1020 First Avenue, King of Prussia, PA 19406) for installation of four emergency generators at their existing facility in King of Prussia. CSL Behring owns and operates a data center at this location in Upper Merion Township, **Montgomery County**. The company will use the generators to provide power during periods of power outages. Two of the generators are considered existing, and were previously exempt from plan approval requirements. The other two other generators are new. The Nitrogen Oxide emissions from these stationary engines will not exceed 10.25 tons per year. The Plan Approval also contains work practice standards, monitoring and recordkeeping requirements, and operating restrictions designed to keep the sources and facility operating within all applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**38-05003H: Carmeuse Lime & Stone, Inc.** (3 Clear Spring Road, Annville, PA 17003) for modification to existing Plan Approval No. 38-05003H, issued on January 14, 2013, for authorization to combust Engineered Fuel in the facility's No. 5 Kiln in North Londonderry Township, **Lebanon County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a Plan Approval to the abovementioned company for the abovementioned project.

The Plan Approval modification will authorize the facility to receive Engineered Fuel at a higher moisture, ash, and halogen content than previously authorized under the initial plan approval. The use of the Engineered Fuel in the No. 5 Kiln has the potential to emit 13 tpy of CO and 24.0 tpy of NO<sub>x</sub>. All other criteria pollutants will be reduced when using this type of fuel. The plan approval modification will not exceed the contaminant concentrations or allowable emissions as previously authorized in the initial plan approval and will not trigger PSD or NNSR 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, 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests, or for requests for a public hearing. 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.

Thomas Hanlon, Facilities Permitting Chief, may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

Plan approvals issued to sources identified in 25 Pa. Code § 127.44(b)(1)–(4) or plan approvals issued to sources with limitations on the potential to emit may become part of the SIP, and will be submitted to EPA for review and approval.

**06-05069V: East Penn Manufacturing Co., Inc.** (P. O. Box 147, Lyon Station, PA 19536) for modifying their Industrial Facility production lines. The sources are located at their Lyon Station Plant in Richmond Township, **Berks County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received an application and intends to issue a Plan Approval to the abovementioned company for the abovementioned project. This plan approval may be incorporated into the company's facility-wide permit via an administrative amendment at a later date.

Plan Approval 06-05069V is for installation and startup of pieces of equipment controlled by fabric filters and mist eliminators. The company shall be subject to and comply with 40 CFR 60 Subpart KK, 40 CFR 63 Subpart M and BAT. The expected actual air emissions from the proposed project are 13.7 tpy of NO<sub>x</sub>, 1.5 tpy of SO<sub>2</sub>, 23.1 tpy of CO, 5.9 tpy of particulate, 1.5 tpy of VOC and 29.5 tpy of HAP. The specific changes proposed are as follows:

1.) For the dry pasting operations:

(a) Upgrade of Baghouse C29 (controlling part of Source 146) with a larger 60,000 CFM fan

(b) Install a second baghouse with a 60,000 CFM fan next to existing Baghouse C29 as a part of C29

(c) Install one new secondary HEPA filtration (C29A) designed for 120,000 CFM air flow for control of the combined exhaust of the two C29 baghouses

(d) Install three new paste lines and three new paste operating hoods as a part of Source 146 controlled by C29.

2.) For wet pasting operations:

Install three new paste mixers and three new flash dry ovens as a part of Source 146 and controlled by an existing baghouse (to be designated as C40) with secondary HEPA filtration (to be designated as C40A)

3.) For gridcasting operations:

(a) Install two new gridcast machines as part of Source 143

(b) Install one new concast machine as part of Source 143

(c) Install one new stripcast/punchcast machine as part of Source 143

(d) Install one new baghouse (C39) with a secondary HEPA filter (C39A) to control these new machines and to control twelve existing uncontrolled gridcast machines

4.) For lead oxide receiving:

Install two new lead oxide receiving tanks as a part of Source 135 controlled by bin vent filters (C135) with secondary HEPA filters (C135A)

5.) For lead oxide storage:

Install three new lead oxide storage silos as a part of Source 144A controlled by bin vent filters (C26A) with secondary HEPA filters (C26AA)

6.) For heat sealing operations:

Install four new heat sealers as a part of Source 141 controlled by filter beds (C141) with secondary HEPA filters (C141A)

7.) For battery finishing operations:

(a) Install three new finishing lines as a part of Source 605 with fugitive emissions from hand painting batteries (Z605)

(b) Install one new spray paint booth as a part of Source 604 controlled by filter pads (C604)

(c) Install one 1.5 mmBtu/hr air make-up unit as an insignificant source

8.) For formation support operations:

(a) Install two new cassette loading machines as a part of Source 147

(b) Install six new dry-charge stacking stations as a part of Source 147

(c) Relocate two existing wrapping machines to be a part of Source 147

(d) Install one new 120,000 CFM baghouse (C147) with secondary HEPA filtration (C147A) to control the above items.

9.) For three process operations:

(a) Install two new COS machines as a part of Source 148

(b) Install two new assembly lines as a part of Source 148

(c) Install one new wrapping machine as a part of Source 148

(d) Install one new stacker machine as a part of Source 148

(e) Install one new 120,000 CFM baghouse (C148) with secondary HEPA filtration (C148A) to control the above items.

10.) For plate formation operations (Source 149):

(a) Decommission and remove two existing 32,000 CFM mist eliminators (part of C31)

(b) Decommission and remove three existing 16,000 CFM mist eliminators (part of C31)

(c) Decommission and remove 32 single rows of formation, 3500 CFM each (part of C31)

(d) Install four new 63,000 CFM mist eliminators as a part of C31

(e) Install three new 42,000 CFM mist eliminators as a part of C31

(f) Install one new 48,000 CFM mist eliminator as a part of C31

(g) Install 81 single rows of formation evacuated by fans, 5250 CFM each, exhausting through C31 mist eliminators

11.) For battery boosting operations (Source 150):

(a) Decommission and remove four existing 26,500 CFM mist eliminators (part of C33)

(b) Install four new 38,000 CFM mist eliminators as a part of C33

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, 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests or for requests for a public hearing. 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.

Thomas Hanlon, Facilities Permitting Chief, may be contacted at 717.705.4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments, protests, or requests for a public hearing.

Plan approvals issued to sources identified in 25 Pa. Code § 127.44(b)(1)–(4) or plan approvals issued to sources with limitations on the potential to emit may become part of the SIP, and will be submitted to EPA for review and approval.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**25-090E: Zurn Industries, LLC—Cast Metals Division** (1801 Pittsburgh Avenue, Erie PA 16502-1543) for removal of annual operation hour limits for their site and sources 102 (Molding, Pouring, Cooling), 107 (Paint Dip) and 110 (Electric Induction Melt Furnaces 4), as well as the addition of Sources 106 (Cleaning Machine) and four natural gas fueled blow torches. The blow torches and source 106 have been exempted from plan approval through Request For Determinations (RFD) approved on December 19, 2013, modifications to Plan Approval 43-356B for the expansion of the Bobby Run Watter Pollution Control Plant. The Cast Metals Division is located at 1301 Raspberry Street in Erie City, **Erie County**. This application was determined to be administratively complete on March 10, 2014.

**43-356C: Hermitage Municipal Authority** (800 North Hermitage Road, Hermitage, PA 16148-3220) for modification of Source 101 (Combined Heat and Power Unit), last permitted in Plan Approval 43-356B. The facility will use natural gas as a supplemental fuel for



Source 101. This equipment is located at the Bobby Run Water Pollution Control Plant in the City of Hermitage, **Mercer County**.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (DEP) intends to issue Plan Approval 43-356C to the Hermitage Municipal Authority for the operation of a combined heat and power unit at the Bobby Run Water Pollution Control Plant located in the City of Hermitage, Mercer County. The Plan Approval will subsequently be incorporated into a facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 43-356C is for the modification of the combined heat and power unit. Based on the information provided by the applicant and DEP's own analysis, the combined subject sources will have the potential to emit approximately 15.8 tons of year of nitrogen oxides; 2.58 tons per year of carbon monoxide; 1.16 tons per year of particulate matter; 0.85 ton per year of sulfur oxides and 0.73 ton per year of volatile organic compounds.

The Plan Approval will contain emission restrictions, along with testing, monitoring, recordkeeping, reporting, work practice and additional requirements designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335.

Any person(s) wishing to provide the Department 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. The Department will consider any written comments received within 30 days of the publication of this notice.

Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 43-356C, Hermitage Municipal Authority and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that 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 the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to the New Source Review Section, Air Quality Program, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335, 814-332-6940.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by calling 814-332-6940, or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

#### OPERATING PERMITS

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**Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

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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*

**23-00119: Sunoco Partners Marketing & Terminals** (100 Green Street, Marcus Hook, PA 19061) for operation of a separation and storage petrochemical facility in Marcus Hook Borough, **Delaware County**. As a result of potential emissions of NO<sub>x</sub>, CO, GHG, VOCs and HAPs, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting for the remaining sources at the facility.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**03-00975: Armstrong Power, LLC** (2313 State Route 156, Shelocta, PA 15774) for fossil fuel electric power generation at the South Bend Facility in South Bend Township, **Armstrong County**. This is a Title V Operating Permit renewal application submittal.

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**Intent to Issue Operating Permits 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 19428*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**46-00256: Horgan Recycling, Inc.** (2188 Detwiler Road, Harleysville, PA 19348) for renewal of a State-Only Operating Permit for a concrete and asphalt crushing plant in Upper Gwynedd Township, **Montgomery County**. This Operating Permit contains all applicable state and federal regulations applicable to the facility including emission limitations, operating restrictions, work practice, monitoring, and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

**23-00088: Southco, Inc.** (210 North Brinton Lake Road, Concordville, PA 19331) for primary manufacturing of industrial gaskets and fasteners, natural minor facility located at 210 North Brinton Lake Road, Concord Township, **Delaware County**. This action is a renewal of the facility's State Only Operating Permit originally issued on May 14, 2008. The renewal does not allow any new changes other than updating of the source inventory and changes of minor significance, as well as updating the applicable federal and state regulations. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

**23-00064: Lawn Croft Cemetery** (1000 West Ridge Road, Linwood, PA 19061) for operation of two (2) units of human crematoriums in Lower Chichester Township, **Delaware County**. This is a renewal of their state-only operating permit issued in 2004. The renewal contains all applicable monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.

**28-05029: Fayetteville Contractors Inc.** (3185 Lincoln Way East, Fayetteville, PA 17222) for operation of a batch asphalt plant in Antrim Township, **Franklin County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit renewal for the abovementioned facility.

The actual emissions of the facility are 6.5 tons of PM per year, 96 tons of CO per year, 28.8 tons of NO<sub>x</sub> per year, 21.1 ton of SO<sub>x</sub> per year, 2.0 tons of VOC per year, and 3.6 tons of Total HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 60, Subpart I-Standard of Performance for Hot Mix Asphalt Facilities.

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 the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests. 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.

Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**06-05114: Birchcraft Kitchens, Inc.** (425 Richmond Street, Reading, PA 19605) for their wood cabinet manufacturing plant in the City of Reading, **Berks County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility.

The subject facility has actual emissions of 3.5 tpy of VOC and 1.2 tpy of total HAP. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.52.

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 the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

Mr. Thomas Hanlon, Facilities Permitting Chief, may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**67-03045: ACCO Material Handling Solutions, Inc.** (P.O. Box 792, York, PA 17405) for their hoist and crane components manufacturing facility in York Township, **York County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility.

The subject facility had the following estimated actual emissions in 2013: 0.8 ton VOC; 0.2 ton glycol ethers; and 0.2 ton aggregate HAPs. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, recordkeeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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 the PA DEP Southcentral Regional Office at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period from the date of publication of this notice in the *Pennsylvania Bulletin* will exist for the submission of comments or protests.

William R. Weaver, Air Quality Program Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**36-03007: F.L. Smidth, Inc.** (236 South Cherry Street, Manheim, PA 17545) for operation of their two natural gas boilers, metal build-up lathes, a shotblast booth and degreasing units in the Manheim Borough, **Lancaster County**. This is a renewal of the State-only operating permit issued in 2009.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility.



Potential emissions from the facility are estimated to be around 7.3 tpy CO, 8.8 tpy NO<sub>x</sub>, 3.7 tpy PM<sub>10</sub>, 0.9 tpy SO<sub>x</sub>, & 0.7 tpy VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR 63, Subpart JJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

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 the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

Thomas Hanlon, Facilities Permitting Chief, Air Quality Program, may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**04-00718: Three Rivers Aggregates, LLC** (1288 Reese Road, Slippery Rock, PA 16057) for construction sand and gravel mining at the Palmer Plant in Darlington Township, **Beaver County**. This is an initial State-Only Operating Permit application submittal.

**63-00916: Perryman Company** (213 Vandale Drive, Huston, PA 15342) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to Perryman Company to authorize the continued operation of titanium wire pickling facility located in the North Strabane Township, **Washington County**.

The facility consists of titanium pickling lines, grit blaster, spray booth, an emergency generator, acid storage tanks and other miscellaneous equipment associated with this type of operation. There is a scrubber to control emissions from the pickling line and acid storage tanks and dust collectors to control particulate emissions. This facility has the potential to emit 0.56 ton per year of PM<sub>10</sub>, 1.2 ton per year of NO<sub>x</sub> and 0.2 ton per year of HF. The proposed SOOP renewal contains conditions relating to monitoring, recordkeeping and work practice standards.

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 the Department's Southwest Regional Office, 400 Wa-

terfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 63-00916) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Noor Nahar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, and 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Noor Nahar at 412-442-5225.

**63-00646: Ritchey Metals Company, Inc.** (30 Georgetown Road, Canonsburg PA 15317) In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives notice that they intend to issue a State Only Operating Permit (SOOP) renewal to Ritchey Metals Company to authorize the continued operation of an Aluminum and Zinc based alloys manufacturing facility located in the Cecil Township, **Washington County**.

The facility consists of kettle furnaces, rotary furnaces and galvalume reverbs. All the sources are equipped with dust collectors to control particulate emissions. The estimated emissions from this facility are approximately 5 ton per year of PM<sub>10</sub>, 11 ton per year of NO<sub>x</sub> and 15 tons per year of CO. The proposed SOOP renewal contains conditions relating to monitoring, recordkeeping and work practice standards.

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 the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the

Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 63-00646) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Noor Nahar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, and 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Noor Nahar at 412-442-5225.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6131*

**25-01006: Lake Erie Biofuels LLC DBA Hero BX** (1540 East Lake Road, Erie PA 16511-1032) for renewal of a synthetic minor operating permit located in the City of Erie, **Erie County**. The significant sources are two process steam boilers, the biodiesel production, storage tanks, a high pressure steam generator for the fatty acid stripper, a parts washer, emergency generator, and an emergency fire pump. The conditions of the previous plan approvals 25-1006A and 25-1006B were previously incorporated into the operating permit. The permittee is a synthetic minor source of SO<sub>x</sub> emissions by accepting an elective throughput restriction on the quantity of residual oil combusted in the two process boilers (1.21 million gallons) based on a consecutive 12-month period. The permittee shall keep records of the SO<sub>x</sub> emissions based on the quantity of residual oil burned. The facility is a natural minor facility for the remaining pollutants. The emergency generator and emergency fire pump are both subject to the requirements of 40 CFR 60 Subpart III-Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

## 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 Received*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**30841316 and NPDES No. PA0213535. Consol Pennsylvania Coal Company LLC**, (1525 Pleasant Grove Rd., PO Box J, Claysville, PA 15323). To revise the permit for the Bailey Mine & Prep Plant in Richhill Township, **Greene County** to install three gob degasification boreholes. Surface Acres Proposed 18.7. No additional discharges. The application was considered administratively complete on March 18, 2014. Application received January 10, 2014.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**Permit No. 56130111 and NPDES No. PA0269361. Coal Loaders, Inc.**, 210 East Main St., P.O. Box 556, Ligonier, PA 15658-0556, commencement. Operation and restoration of a bituminous surface mine in Stonycreek Township, Somerset County, affecting 44.9 acres. Receiving stream: Stonycreek River, classified for the following use: warm water fishery. The first downstream potable water supply intake from the point of discharge is Hooversville Borough. Application Received: March 3, 2014.

**Permit No. 56930110 and NPDES No. PA0212610. Rosebud Mining Co.,** P.O. Box 157, Meyersdale, PA 15552, permit renewal for reclamation only of a bituminous surface mine in Black Township, **Somerset County**, affecting 129.0 acres. Receiving streams: unnamed tributaries to and Rhoades Creek; unnamed tributary to Cassleman River and unnamed tributary to Isers Run (topographic drainage only) classified for the following use: warm water fisheries and Exceptional Value for unnamed tributary to Isers Run. There are no potable water supply intakes within 10 miles downstream. Application received: March 5, 2014.

**Permit No. 07100101 and NPDES No. PA0262943. Heritage Mining Co., Inc.,** P.O. Box 126, Cresson, PA 16630, revision of an existing bituminous surface mine to increase the surface mining permit boundary by 17.0 acres, strictly for support activities, in Logan and Galitzin Townships, **Blair and Cambria Counties**, affecting 116.0 acres. Receiving streams: Kittanning Run Classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 10, 2014.

*Greensburg District Mining Office: Armbrust Professional Center; 8205 Route 819, Greensburg, PA 15601, 724-925-5500*

**03130101 and NPDES Permit No. PA0252409. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Application for commencement, operation and reclamation of bituminous surface mine, located in Madison Township, **Armstrong County**, affecting 186.0 acres. Receiving streams: unnamed tributaries to Mahoning Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: March 10, 2014.

**63813210 and NPDES Permit No. PA0615129. PA Coal Reclamation, Inc.** (P.O. Box 136, Cuddy, PA 15031). Revision application to the NPDES for revising the water handling procedures to include an additional monitoring point for injection of treated water into the underlying abandoned Clyde Mine, for the existing surface mine, located in Deemston Borough, **Washington County**, affecting 53.3 acres. Receiving stream: North Fork Ten Mile Creek, classified for the following use: TSF. The potable water supply intake within 10 miles downstream from the point of discharge: Tri-County Municipal Authority. Application received: March 13, 2014.

**26100104 and NPDES Permit No. PA0252158. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Revision application for land use change to some of the affected forestland to post-mining land use of pastureland and/or land occasionally cut for hay, and some of the affected pastureland and/or land occasionally cut for hay to post-mining land use of forestland to an existing bituminous surface mine, located in Wharton Township, **Fayette County**, affecting 100.6 acres. Receiving streams: unnamed tributaries to Mill Run and Mill Run, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: March 14, 2014.

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**04070103. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous surface mine in Ohioville Borough, **Beaver County**, affecting 30.0 acres. Receiving streams: Bieler Run, classified for the following uses: WWF. This application is for reclamation only. Application received: March 20, 2014.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 54040102R2. Neumeister Coal Company,** (29 Frank Lane, Ashland, PA 17921), renewal of an existing anthracite surface mine and coal refuse disposal operation in Foster Township, **Schuylkill County** affecting 23.7 acres, receiving stream: Swatara Creek, classified for the following use: cold water fishes. Application received: March 18, 2014.

*Coal Applications Withdrawn*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**32921301, Consol Mining Company LLC,** (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317), To transfer the permit for the Plumcreek No. 1 Mine in Washington Township, **Indiana County** to transfer the permit from Keystone Coal Mining Corporation to Consol Mining Company LLC. No additional discharges. The application was considered administratively complete on January 27, 2014. Application received January 6, 2014. Application withdrawn March 17, 2014.

*Noncoal Applications Received*

**Effluent Limits**—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

Parameter	Table 2		
	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 35910301T and NPDES Permit No. PA0595209. Scranton Materials, LLC,** (PO Box 127, Meshoppen, PA 18630), transfer of an existing quarry operation from West Mountain Sand, Stone and Aggregates, LTD in Newton and Ransom Townships, **Lackawanna County** affecting 249.0 acres, receiving stream: Keyser Creek, classified for the following uses: cold water and migratory fishes. Application received: March 13, 2014.

**Permit No. 5077SM1C and NPDES Permit No. PA0225452. Reading Materials, Inc.,** (PO Box 1467, Skippack, PA 19474), correction of an existing quarry operation to merge SMP Permit No. 40960303 into this operation and include an



NPDES Permit for discharge of treated mine drainage for a total of 142.99 acres, receiving stream: Pikes Creek, classified for the following use: HQ-cold water fishes. Application received: March 14, 2014.

### 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.

In addition, the Department imposes a technology-based aluminum limit of 2.0 mg/l (30 day average) to protect stream uses.

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 BAT limits for noncoal mining activities as provided in 40 CFR Part 436 and 25 Pa. Code Chapter 77 are as follows:

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity*			
pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

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 362-0600-001, NPDES Program Implementation—Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. 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, 814-472-1900*

**NPDES No. PA0269280 (Mining Permit No. 11130201), Ebensburg Power Company**, 2840 New Germany Road, P.O. Box 845, Ebensburg, PA 15931, new NPDES permit for a bituminous surface/refuse reprocessing mine in Richland Township, **Cambria County**, affecting 63.2 acres. Receiving stream: Paint Creek, classified for the following use: trout stocked fishery. This receiving stream is included in the Kiski-Conemaugh TMDL and effluent limits are consistent with the requirements of the TMDL. Application received: October 25, 2013.

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 Paint Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	Y

The proposed effluent limits for the above listed outfall(s) are as follows:

<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)	XXX	XXX	5
Osmotic Pressure (milliosmoles/kg)		Monitor and Report	
Selenium (mg/l)		Monitor and Report	
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

This proposed mine site also contains or is hydrologically connected to substandard discharges for which there is no responsible party. Pursuant to 25 Pa. Code Chapter 87.201, effluent limits for those discharges will be based upon the existing baseline pollution load, or the standards found at 25 Pa. Code Chapter 87.102(a) Group A, whichever is least stringent.

**NPDES No. PA0262722 (Mining Permit No. 56090102), PBS Coals, Inc.**, P.O. Box 260, Friedens, PA 15541, renewal of an NPDES permit for surface coal mining in Somerset Township, **Somerset County**, affecting 83.5 acres. Receiving streams: unnamed tributary to/and Wells Creek, classified for the following use: Cold Water Fisheries. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: March 3, 2014.

The outfall listed below discharges to an unnamed tributary to Wells Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001 (TP-1)	N

The proposed effluent limits for the above listed outfall is as follows:

<i>Outfall: 001 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
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			

The outfalls listed below discharge to an unnamed tributary to/and Wells Creek:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
002 (SP-1)	N
003 (SP-2)	N

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfall: 002 and 003 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
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			



**NPDES No. PA0125547 (Mining Permit No. 32813031), Indiana Investments, Inc.**, 301 Market Street, Kittanning, PA 16201, renewal of an NPDES permit for bituminous surface mine in Center Township, **Indiana County**, affecting 59.1 acres. Receiving stream: unnamed tributary to Tearing Run, classified for the following use: cold water fishery. This receiving stream is included in the Kiski-Conemaugh TMDL. Application received: December 18, 2013.

This notice was previously published March 15 and is being republished due to an error in the NPDES permit number.

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 outfalls listed below discharge to unnamed tributary to Tearing Run:

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N
002	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<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)	XXX	XXX	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			

#### *Noncoal NPDES Draft Permits*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**NPDES Permit No. PA0012904 on Surface Mining Permit No. 8074SM2. Highway Materials, Inc.**, (1750 Walton Road, Blue Bell, PA 19422), renewal of an NPDES Permit for a Limestone Quarry operation in Whitemarsh Township, **Montgomery County**, affecting 345.2 acres. Receiving streams: Lorraine Run, classified for the following use: trout stocking fishes and Plymouth Creek, classified for the following use: warm water fishes (TMDL for nutrients/siltation on Wissahickon Creek Watershed). Application received: February 27 2012.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are BAT limits described above for noncoal mining activities.

The outfalls listed below discharge to Lorraine Run and Plymouth Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Pit/Groundwater
002	No	Pit/Groundwater

## 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

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E40-750. John and Virginia Bucha**, 310 Follies Road, Dallas, PA 18612, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a 625 square foot, pile-supported boathouse and a 1,335 square foot, pile-supported dock with three boat slipstotaling 340 square feet in Harveys Lake (HQ-CWF). The project is located along Lakeside Drive (SR 415) at Pole #52 (Harveys Lake, PA Quadrangle, Latitude: 41°22'0"; Longitude: -76°2'23").

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**F22-602: Lower Paxton Township Authority**, 425 Prince Street, Suite 139, Harrisburg, PA 17109 in Lower Paxton Township, **Dauphin**, ACOE Baltimore District

The applicant proposes to decommission and remove the Springford Village Wastewater Treatment Plant (WWTP), and install and maintain 185 linear feet of 8-inch polyvinyl chloride sanitary sewer pipe and two (2) manholes in the floodplain of a UNT to Beaver Creek (WWF, MF) (Latitude 40° 17' 52", Longitude -76° 46' 12"). The project proposes to temporarily impact approximately 0.25 acre of floodplains.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E18-489. Bunnell Hill Development Co. Inc.**, 3000 Henkle Drive, Suite G, Lebanon, OH 45036-9258. Tractor Supply—Bald Eagle Township, in Bald Eagle Township, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle, N: 41°07'09"; W: -77°28'23").

To: 1) remove existing commercial buildings, 2) place and maintain a net total of 24,973 cubic yards of clean fill over 2.3 acres in the far right 100-year FEMA floodway of Bald Eagle Creek to construct and maintain a 19,097 square foot commercial building with its associated parking lot, stormwater management controls and lawn area located 450 feet southwest of the Hogan Boulevard Bridge over Bald Eagle Creek. There will be no direct or indirect impacts to Bald Eagle Creek, which is classified as a Warm Water Fishery.

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E65-960. Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672; Hempfield Township, **Westmoreland County**; ACOE Pittsburgh District.

The applicant is proposing to construct, operate and maintain two 48" waterline stream crossings across an unnamed tributary to Brush Creek (TSF). As a result of this project, approximately 60 LF of stream will be impacted. The project is located along North Greengate Road and will cross over Route 30 (Greensburg, PA Quadrangle N: 11.2 inches; W: 11.3 inches, Latitude: 40° 18' 29"; Longitude: 79° 34' 35"), in Hempfield Township, Westmoreland County.

**E65-961. Municipal Authority of Westmoreland County**, 124 Park & Pool Road, New Stanton, PA 15672; Adamsburg Borough, Hempfield Township, and City of Jeannette, **Westmoreland County**; ACOE Pittsburgh District.

The applicant is proposing to construct, operate and maintain two 48" waterline stream crossings across Brush Creek and an unnamed tributary to Brush Creek (TSF). As a result of this project, approximately 60 LF of stream will be impacted. The project is located along Chestnut Street and Chambers Avenue, and will cross over Penn High Park Road, Western Avenue, and Division Street. The project starts at (Irwin, PA Quadrangle N: 11.25 inches; W: 3.5 inches, Latitude: 40° 18' 47"; Longitude: 79° 39' 3") and ends at Chambers Avenue (Greensburg, PA Quadrangle N: 13.5 inches; W: 15.8 inches, Latitude: 40° 19' 31"; Longitude: 79° 36' 47") in Adamsburg Borough, Hempfield Township, and the City of Jeannette, Westmoreland County.

*District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E4129-089 Anadarko E&P Onshore LLC**, 33 West Third Street, Suite 200, Williamsport, PA 17701, McIntyre Township, **Lycoming County**, ACOE Baltimore District. To construct, operate, and maintain:

1) a surface water withdrawal impacting 4,313 square feet of Lycoming Creek (EV, MF) (Bodines, PA Quadrangle 41°29'06"N 76°58'11"W). The proposed withdrawal will include two intake screens buried beneath the stream bed;

2) two 6-inch water lines and a timber mat bridge impacting 337 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°14'22"N 76°36'13"W).

The project will result in 100 linear feet of stream impact and 0.01 acre of wetland impact all for the purpose of obtaining water for use to develop multiple Marcellus Shale wells.

**E4129-087: Inflection Energy PA LLC**, 416 Pine Street, Williamsport, PA 17701, Eldred Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 80-foot long, 54-inch diameter culvert and associated fill impacting 100 linear feet of an unnamed tributary to Loyalsock Creek (EV) (Montoursville North, PA Quadrangle 41°20'05"N 76°55'38"W).

The project will result in a total of 100 linear feet of stream impacts all for the purpose of installing a permanent access roadway to a natural gas well site for Marcellus well development.

**E5829-071. Williams Field Services Company, LLC**; Park Place Corporate Center 2, 2000 Commerce Park Drive, Pittsburgh, PA 15275; Ararat and Jackson Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 8-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 41 linear feet of an unnamed tributary of Tunkhannock Creek (EV, CWF-MF) (Thompson, PA Quadrangle; N 41° 49' 24" Lat., W -75° 33' 30" Long.),

2) a 8-inch diameter natural gas pipeline crossing impacting 3,604 square feet (0.08 acre) of a PSS wetland (Thompson, PA Quadrangle; N 41° 49' 29" Lat., W -75° 33' 56" Long.),

3) a 8-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 102 linear feet of an unnamed tributary of Tunkhannock Creek (EV, CWF-MF) (Thompson, PA Quadrangle; N 41° 49' 31" Lat., W -75° 33' 51" Long.),

4) a 8-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 52 linear feet of an unnamed tributary of Tunkhannock Creek (EV, CWF-MF) (Thompson, PA Quadrangle; N 41° 49' 29" Lat., W -75° 33' 48" Long.),

5) a 8-inch diameter natural gas pipeline crossing and timber mat crossing impacting 6,880 square feet (0.16 acre) of a PFO wetland (Thompson, PA Quadrangle; N 41° 49' 38" Lat., W -75° 34' 30" Long.),

6) a 8-inch diameter natural gas pipeline crossing and timber mat crossing impacting 2,855 square feet (0.07 acre) of a PEM wetland and 1,394 square feet (0.03 acre) of a PFO wetland (Thompson, PA Quadrangle; N 41° 49' 35" Lat., W -75° 34' 23" Long.),

7) a timber mat crossing impacting 2,189 square feet (0.05 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 49' 46" Lat., W -75° 34' 35" Long.),

8) a 8-inch diameter natural gas pipeline crossing and timber mat crossing impacting 2,776 square feet (0.06 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 49' 40" Lat., W -75° 34' 35" Long.),

9) a 8-inch diameter natural gas pipeline and temporary timber bridge crossing impacting 82 linear feet of an unnamed tributary of Tunkhannock Creek (EV, CWF-MF) (Thompson, PA Quadrangle; N 41° 49' 40" Lat., W -75° 34' 34" Long.),

10) a 8-inch diameter natural gas pipeline crossing and timber mat crossing impacting 4,610 square feet (0.11 acre) of a PEM wetland (Thompson, PA Quadrangle; N 41° 49' 52" Lat., W -75° 34' 34" Long.).

The project consists of constructing approximately 9,418 lineal feet (1.78 miles) of 8" steel natural gas gathering line, within a maintained 50 to 75 foot permanent right of way located in Ararat and Jackson Townships, Susquehanna County. The project will result in 277 lineal feet of temporary stream impacts, 1.24 acres of temporary wetland impacts, and 0.19 acre of permanent wetland conversion impacts; all for the purpose of conveying Marcellus Shale natural gas to market.

**E4129-086 Inflection Energy PA LLC**, 1200 17th Street, Suite 1350, Denver, CO 80202-5835, Upper Fairfield Township, **Lycoming County**, ACOE Baltimore District. To construct, operate, and maintain:

1) a surface water withdrawal impacting 3,250 square feet of Loyalsock Creek (EV) (Montoursville North, PA Quadrangle 41°18'34"N 76°55'04"W). The proposed withdrawal will include a 4-foot square intake screen buried flush with the stream bed.

The project will result in 65 linear feet of stream impact all for the purpose of obtaining water for use to develop multiple Marcellus Shale wells.

#### ENVIRONMENTAL ASSESSMENT

*Central Office: Attention: Brian Bradley, Environmental Program Manager, P. O. Box 69205, Harrisburg, PA 17106.*

**EA5910-001. Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, P.O. Box 69205, Harrisburg, PA 17106. Abandoned Mine Land Reclamation Project, in Hamilton Township, **Tioga County**, Baltimore ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 5,610 linear feet of dangerous highwall. The project will include the backfilling of 0.49 acre of open water and 0.014 acre of wetlands that have developed within the open surface mine pits. (Blossburg Quadrangle N: 7 inches, W: 3.5 inches).

#### DAM SAFETY

*Southwest Regional Oil and Gas Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Permit # 95-7-60915-23. Range Resources—Appalachia LLC**, 3000 Town Center Boulevard, Canonsburg, PA 15317. Project proposes to operate and maintain the Loffert Centralized Impoundment Dam as a centralized wastewater impoundment to collect and store 15.3 MG (47.1 ac-ft) of fracturing fluids and freshwater for the use and re-use of hydraulic fracturing water, to the Inches Unit 4H, Pareas Unit (2H, 3H), and Dalbo Unit (1H, 2H, 3H).

PA Quadrangle; Midway, Latitude: N 40° 21' 40.03", Longitude: W 80° 18' 31.91", Smith Township, **Washington County**. Pittsburgh ACOE District, State Water Plan Basin 20-D, Raccoon Creek Watershed (WWF).

## 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

*Northeast Regional Office: 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>
PA0065234 (Sewage)	Karol K. Schmick SRSTP 10371 Old 22 Kutztown, PA 19530	Lehigh County Weisenberg Township	UNT to Mill Creek (03B)	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>
PA0082601— SEW	Mr. Christian Foust Landmark Signature Homes, LLC—(Hartslog Court MHP) 138 Arbutus Park Road Bloomsburg, PA 17815	Huntingdon County / Porter Township	UNT Crooked Creek / 11-B	Y
PA0082759— SEW	Ms. Reba Fouse Hopewell Township— (Shy Beaver Lakeview Estates) 1115 Dorman Road James Creek, PA 16657	Huntingdon County / Hopewell Township	UNT Shy Beaver Creek / 11-D	Y
PA0009016— IW	Charles Williamson Osram Sylvania, Inc. 1128 Roosevelt Avenue York, PA 17404	York County / West Manchester Township	Willis Run & UNT Willis Run / 7-H	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>
PA0209431 (Sewage)	Thomas R. Shroul Residence Orchard Park Road Port Matilda, PA 16870	Centre County Halfmoon Township	Unnamed Tributary of Halfmoon Creek (11-A)	Y
PA0101427 (Sewage)	Brian J. Buchsen SFTF System 383 Irish Road Coudersport, PA 16915	Potter County Sweden Township	Trout Run (16-C)	Y

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

<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>
PA0205699 (Industrial Waste)	Yatesboro Numine WTP SR 1037 Numine, PA 16244	Armstrong County Cowanshannock Township	Unnamed Tributary to Cowanshannock Creek (17-E)	Y
PA0216950	Creswell Hts Joint Authority 3961 Jordan Street South Heights, PA 15081-0301	Beaver County South Heights Borough	Ohio River (20-G)	Y
PA0093726 (Sewage)	Armstrong School District 410 Main Street Ford City, PA 16226	Armstrong County Kittanning Township	Rupp Run (17-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>
PA0101745 (Sewage)	Clairview Nursing Rehabilitation Center 14663 Route 68 Sligo, PA 16255	Clarion County Piney Township	Unnamed Tributary to Licking Creek (17-B)	Y
PA0221520 (Sewage)	Highland Township Municipal Authority P. O. Box 143 James City, PA 16734	Elk County Highland Township	UNT to Wolf Run (16-F)	Y
PA0004766 (IW)	Ellwood National Forge 1 Front Street, Irvine, PA 16329-1801	Warren County Brokenstraw Township	Brokenstraw Creek (16-B)	Y

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

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

**NPDES Permit No. PA0095087**, Sewage, SIC Code 4952, **Chippewa Township Sanitary Authority**, 2811 Darlington Road, Beaver Falls, PA 15010-1027.

This existing facility is located in Chippewa Township, **Beaver County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

## III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900*

**WQM Permit No. 1505402**, Sewage, **Aqua Pennsylvania Wastewater, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

This proposed facility is located in Londonberry Township, **Chester County**.

Description of Action/Activity: Permit transfer from Little Washington Wastewater Co. to Aqua PA Wastewater Inc.

**WQM Permit No. 1513406**, Sewage, **Camphill Soltane**, 224 Nantmeal Road, Glenmoore, PA 19343.

This proposed facility is located in East Nantmeal Township, **Chester County**.

Description of Action/Activity: Construction and operation of an 11,498 wastewater treatment plant with drip disposal.

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

**WQM Permit No. 6313402**, **Burgettstown Smith Township Joint Sewer Authority**, PO Box 358, Atlasburg, PA 15004-0358.

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

Description of Proposed Action/Activity: This project involves the construction of approximately 6,965 L.F. of 8-inch PVC gravity sewer.

### Categorical Exclusion

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

Location: Johnstown Redevelopment Authority, 4th Floor PSB, 401 Washington Street, Johnstown PA 15901

Description of Proposed Action/Activity: Proposed construction of the Franklin Street Interceptor Rehabilitation Project.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a funding source. The Department's review of the project and the information received has not identified any significant adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

## IV. NPDES Stormwater Discharges from MS4 Permit Actions

## V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 2313004	Melmark 2600 Wayland Road Berwyn, PA 19312	Delaware	Newtown Township	Crum Creek HQ—CWF—MF



<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 2309002-2	Rose Tree Media School District 308 North Olive Street Media, PA 19063	Delaware	Upper Providence Township	Ridley Creek HQ—TSF—CWF
PAI01 2312009	Sunoco Partners Marketing & Terminals, LP 4041 Market Street Aston, PA 19014	Delaware	Marcus Hook Borough	Delaware River WWF—MF
PAI01 4613006	Righter Ferry Associates, LP 2701 Renaissance Boulevard Fourth Floor King of Prussia, PA 19406	Montgomery County	Lower Merion Township	Schuylkill River WWF—MF

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024813006	Prologis 60 State Street Suite 1200 Boston, MA 02109	Northampton	Lower Nazareth Township	Monocacy Creek (HQ-CWF, MF)

## VII. Approvals to Use NPDES and/or Other General Permits

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

### List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

*General Permit Type—PAG-02*

#### *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>
Warminster Township Bucks County	PAG0200 0913036	Pierce Aluminum Company, Inc. 34 Forge Parkway Franklin, MA 02038	Little Neshaminy Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<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>
Warrington Township Horsham Township Montgomery Township Bucks County	PAG0200 0911062R	PA Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Little Neshaminy Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Concord Township Delaware County	PAG0200 2307005R	Crossings at Concordville Development, LLC 110 North Phoenixville Pike Suite 110 Malvern, PA 19355	Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAG0200 4614012	Providence Corporate Center LP 100 Springhouse Drive Suite 105 Collegeville, PA 19426	Doe Run TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAG0200 4613065	Moscariello Development Company, Inc. 24 Donny Brook Way Collegeville, PA 19426	Hartenstine Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Pottsgrove Township Montgomery County	PAG0200 4614018	Upper Pottsgrove Township 1409 Farmington Avenue Pottstown, PA 19464	Sprogels Run WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Towamencin Township Montgomery County	PAG0200 4612040R	Towamencin Township 1090 Troxel Road Lansdale, PA 19446	Perkiomen Creek TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Montgomery Township Montgomery County	PAG0200 4608148	Select Properties, Inc. 2312 North Broad Street Colmar, PA 18915	West Branch Neshaminy WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511335	The Scatter Good Foundation 4641 Roosevelt Boulevard Philadelphia, PA 19124	Frankford (Tacony) Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511405	Philadelphia Energy Solutions Refining and Marketing, LLC 3144 W. Passyunk Avenue Philadelphia, PA 19145	Lower Tidal Schuylkill River WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

<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>
Dunmore Borough Lackawanna County	PAG02003514002	Debbie Noone 55 Keystone Industrial Park Dunmore, PA 18512	Lackawanna River (CWF, MF) Meadow Brook (CWF, MF) Eddy Creek (WWF, MF)	Lackawanna County Conservation District 570-392-3086
Salisbury Township Lehigh County	PAG02003913015	Paul Cesanek 3602 Country Club Road Allentown, PA 18103	Saucon Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583

NOTICES

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<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>
Lower Saucon Township Northampton County	PAG02004813018	Charles Mertz 723 Saucon View Drive Bethlehem, PA 18015	UNT Saucon Creek (CWF, MF)	Northampton County Conservation District 610-746-1971
Butler Township Adams County	PAG02000114004	Jonathan Patrono 160 Country Club Lane Gettysburg PA 17325	UNT to Conewago Creek (WWF)	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Straban Township Adams County	PAG02000114005	Chad L. Rudisill 5 Ivy Circle Hanover, PA 17331	UNT to Rock Creek (WWF)	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Maidencreek Township Berks County	PAG02000614001R	Maidencreek Plaza Company, LLC PO Box 96 Temple, PA 19560	Willow Creek (CWF, MF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Cumru Township Berks County	PAG02000624056	Joseph Lachina 1126 Meade Street Reading, PA 19611	UNT to Angelica and Allegheny Creeks (CWF,MF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Birdsboro Boro and Exeter Township Berks County	PAG02000611051R	PA Department of Transportation District 5-0 1002 Hamilton Street Allentown, PA 18101	Schuylkill River (WWF, MF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Bern Township Berks County	PAG02000613044	Berkshire Greens Inc. 10 Village Center Drive Reading, PA 19607	Schuylkill River (WWF, MF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Marion Township Berks County	PAG02000610018R	Dutch Valley Food Distributors, Inc. 7615 Lancaster Avenue Myerstown, PA 17067	UNT to Little Swatara (CWF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142

<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>
Cumru Township Berks County	PAG02000613056	Olivia Golden 404 Lynn Avenue Wyomissing, PA 19610	UNT to Schuylkill River (WWF, MF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Hampden Township Cumberland County	PAG02002109005 (1)	CART 38, LTD 5020 Trindle Road Mechanicsburg, PA 17050	UNT to Cedar Run (CWF)	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Hampden Township Cumberland County	PAG02002113050	Mt. Zion Associates LP 3400 Gateway Drive, Suite 100 Pompano Beach, FL 33069	Sears Run (WWF)	Cumberland
Shippensburg and Southampton Townships Cumberland County	PAG02002110002R	Shippensburg University Foundation 1871 Old Main Drive Shippensburg, PA 17257	Burd Run and Middle Spring Creek (CWF)	Cumberland
Penn Township Cumberland County	PAG02002113040	KTR PA Cent LLC/Key Logistics Park Unit C	Mount Rock Spring Creek (WWF)	Cumberland
Lower Paxton Township Dauphin County	PAG02002213050	Triple Crown Corporation 5351 Jaycee Avenue Harrisburg, PA 17112	Beaver Creek (WWF, MF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Susquehanna Township Dauphin County	PAG02002214003	River Drive Service Center 4613 North Front Street Harrisburg, PA 17110	Susquehanna River (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Derry Township Dauphin County	PAG02002207007R	DSG Development Corp PO Box 42 Hershey, PA 17033 and Abel Construction Co. Inc. PO Box 476 Mountville, PA 17554	Swatara Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Susquehanna Township Dauphin County	PAG02002214018	The McNaughton Company 4400 Deer Path Road Suite 201 Harrisburg, PA 17110	Paxton Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Swatara Township Dauphin County	PAG02002214007	Cornerstone at Wellington Manor LP 200 Bailey Drive Suite 202 Stewartsztown, PA 17363	Beaver Creek (WWF, MF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
Swatara Township Dauphin County	PAG02002214008	Sheetz, Inc. 351 Sheetz Way Claysburg, PA 16625	Spring Creek (CWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100

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*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>
Highspire Borough Dauphin County	PAG02002213045	NDS, LLC 5351 Jaycee Avenue Harrisburg, PA 17112	Susquehanna River (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
West Hanover Township Dauphin County	PAG02002204017R	Richard E. Yingst 4712 Smith Street Harrisburg, PA 17109	Beaver Creek (WWF)	Dauphin Co Conservation District 1451 Peters Mountain Rd Dauphin, PA 17018 717.921.8100
East Hanover Township Lebanon County	PAG02003813048	Kenneth E. Moyer 823 Ono Road Jonestown, PA 17038	Trib 09845 to Swatara Creek (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
East Hanover Township Lebanon County	PAG02003813044	Eve Beamesderfer 10702 Jonestown Road Anneville, PA 17003	North: Trib 09823 to Reeds Creek (WWF) South: Trib 09821 to Reeds Creek (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Swatara Township Lebanon County	PAG02003814002	Jeffrey Werner 897 North Lancaster Street Jonestown, PA 17038	UNT to Swatara Creek (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Derry Township Mifflin County	PAG02004414001	MABL 70 Chestnut Street Lewistown, PA 17044	UNT to Jack's Creek (CWF)	Mifflin Co. Conservation District 20 Windmill Hill #4 Burnham, PA 17009 717.248.4695

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

*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>
Canton Borough Bradford County	PAG02000814002	Lester E Hilfiger Canton Boro Auth 100 Park Place Canton PA 17724	Towanda Creek CWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
Wayne Township Clinton County	PAG02001814001R	Big Woods Land Co PO Box 400 McElhattan PA 17748	UNT to West Branch of Susquehanna River CWF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798
Madison Township Columbia County	PAG02001914003	Cellco Partnership d/b/a Verizon Wireless 4642 Jonestown Rd Ste 200 Harrisburg PA 17109	UNT to Little Fishing Creek CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, X 102



<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>
City of Williamsport Lycoming County	PAG02004113010	William Nichols River Valley Transit 1500 W 3rd St Williamsport PA 17701	West Branch of Susquehanna River WWF, MF	Lycoming County Conservation District 542 County Farm Rd Suite 202, Montoursville, PA 17754, (570) 433-3003
<i>Southwest Region: Regional Waterways &amp; Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.</i>				
<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Jefferson Hills Borough Allegheny County	PAG2000204049R	John Rhatcher 6 Clairton Blvd Pittsburgh, PA 15236	UNT to Beams Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Franklin Park Borough Allegheny County	PAG2000207020R	Kress Brothers Builders, LP 4390 South Pioneer Road Gibsonia, PA 15044	UNT to Fish Run (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Ross Township Allegheny County	PAG2000209007R	Minnock Land & Development Co. 7202 McKnight Road Pittsburgh, PA 15237	UNT to Jacks Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000210007R	The Urban Redevelopment Authority of Pittsburgh 200 Ross Street Pittsburgh, PA 15219	Monongahela River (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
City of Duquesne Allegheny County	PAG02000210009R	Redevelopment Authority of Allegheny County One Chatham Center Suite 900 Pittsburgh, PA 15219	Monongahela River (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Robinson Township Allegheny County	PAG02000213070	Michael & Susan Pendel 145 William Drive Coraopolis, PA 15108	Montour Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Neville Township Allegheny County	PAG02000213090	Speedway, LLC. 500 Speedway Drive Enon, OH 45323	Ohio River (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Robinson Township Allegheny County	PAG02000213099	Montour School District 233 Clever Road McKee's Rocks, PA 15136	Moon Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Franklin Park Borough Allegheny County	PAG02000213128	CZ Franklin, LLC 401 Liberty Ave Pittsburgh, PA 15222	Rippling Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Elizabeth Township Allegheny County	PAG02000213131	Midwest XV, LLC. 403 Oak Street Spring Lake, MI 49456	Youghiogheny River (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Marshall Township Allegheny County	PAG02000213134	Altmeyer Fields, LP PO Box 449 Mars, PA 16046	UNT to Pine Creek (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000213135	CMU 500 Forbes Avenue Pittsburgh, PA 15213 Mosites Construction Co 4839 Campbells Run Road Pittsburgh, PA 15205	Monongahela River (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Upper St. Clair Township Allegheny County	PAG02000214001	1800 Washington Road Associates, LP 650 Washington Road Suite 700 Pittsburgh, PA 15228	UNT to McLaughlin Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Robinson Township Allegheny County	PAG02000214005	The Presbyterian Church of America 77 Phillips Lane McKees Rocks, PA 15136	UNT to Montour Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Municipality of Bethel Park Allegheny County	PAG02000214007	JRMC Health Pavilion One Bigalow Square Suite 629 Pittsburgh, PA 15219	Catfish Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Marshall Township Allegheny County	PAG02000214009	RWP Development LP 110 VIP Drive Wexford, PA 15090	UNT to Pine Creek (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
West Deer Township Allegheny County	PAG02000214019 Previously PA-R10-A605R	Richland Holdings, LLC 1426 Pittsburgh Road Valencia, PA 16059	UNT to Deer Creek (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Findlay Township Allegheny County	PAG02000214021	Chapman Business Properties, LP 100 Leetsdale Industrial Drive Leetsdale, PA 15056	Saint Patrick Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Brighton Township Beaver County	PAG02000409005R	Maronda Homes, Inc. 1383 SR 30 Clinton, PA 15026	UNT to Four Mile Run (WWF)	Beaver County CD 156 Cowpath Rd Aliquippa, PA 15001 (724) 378-1701
Economy Borough Beaver County	PAG02000412002R	Michael Sinker 169 Warren Road Warrendale, PA 15086	UNT to Big Sewickley Creek (WWF)	Beaver County CD 156 Cowpath Rd Aliquippa, PA 15001 (724) 378-1701
Harmony Township Beaver County	PAG02000413023	Speedway, LLC. 500 Speedway Drive Enon, OH 45323	Ohio River (WWF-N)	Beaver County CD 156 Cowpath Rd Aliquippa, PA 15001 (724) 378-1701

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
New Sewickley Township Beaver County	PAG02000414001	Big Knob Garage 336 Grange Road Rochester, PA 15074	Snake Run (WWF)	Beaver County CD 156 Cowpath Rd Aliquippa, PA 15001 (724) 378-1701
Freedom Borough Beaver County	PAG02000414002	Freedom Area Highschool 1701 8th Avenue Freedom, PA 15042	Crows Run (WWF)	Beaver County CD 156 Cowpath Rd Aliquippa, PA 15001 (724) 378-1701
Elder Township and Hastings Borough Cambria County	PAG02001113019	Hastings Municipal Authority PO Box 559 Hastings, PA 16646	Brubaker Run (CWF, MF)	Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Dean Township Cambria County	PAG02001114003	Verizon Wireless 18 Abele Road Bridgeville, PA 15017	Clearfield Creek (WWF)	Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Summit Township Somerset County	PAG02005613014	Joseph B. Fay Company, LLC. PO Box 66 Russellton, PA 15076	Casselman River (WWF)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Peters Township Washington County	PAG02006312006R	Investors Mark Acquisitions, LLC. PO Box 1287 McMurray, PA 15317	UNT to Brush Run (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Cecil Township Washington County	PAG02006314005	Crown Castle 2000 Corporate Drive Canonsburg, PA 15317	UNT to Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
South Strabane Township Washington County	PAG02006314009	PA American Water Company 300 Galley Road McMurray, PA 15317	UNT to Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Clarion Borough and Clarion Township Clarion County	PAG02001614003	PA American Water 425 Waterworks Road Clarion PA 16214	Trout Run CWF	Clarion County Conservation District 814-297-7813
Hamlin Township McKean County	PAG02004214001	Department of Conservation and Natural Resources PO Box 8451 Harrisburg PA 17105	Kinzua Creek CWF	McKean County Conservation District 814-887-4001

*Facility Location:  
Municipality &  
County*Jay Township,  
Elk County*Permit No.*

PAG2092409001R

*Applicant Name and  
Address*Bureau of Abandoned Mine  
Reclamation  
Cambria Office  
286 Industrial Park Road  
Ebensburg, PA 15931-4119*Receiving  
Water / Use*Unnamed Tributary  
to Kersey Run  
(CWF)*Contact Office and  
Phone No.*Attention: Patrick M.  
WebbPA DEP  
Cambria Office  
286 Industrial Park  
Road  
Ebensburg, PA  
15931-4119  
814-472-1800*General Permit Type—PAG-03**Facility Location:  
Municipality &  
County*Philadelphia City  
Philadelphia County*Permit No.*

PAR800158

*Applicant Name &  
Address*Greenwich Terminal LLC  
3301 S Columbus Boulevard  
Philadelphia, PA 19148*Receiving  
Water / Use*

Delaware River 3-J

*Contact Office &  
Phone No.*Southeast Region  
Clean Water Program  
484.250.5970Philadelphia City  
Philadelphia County

PAR800154

CSX Intermodal Inc.  
550 Water Street J-732  
Jacksonville, FL 32202

Delaware River 3-J

Southeast Region  
Clean Water Program  
484.250.5970Philadelphia City  
Philadelphia County

PAR200038

Allied Tube & Conduit Corp  
11350 Norcom Road  
Philadelphia, PA 19154

Walton Run 3-J

Southeast Region  
Clean Water Program  
484.250.5970East Brandywine  
Twp  
Chester County

PAG100027

Transcontinental Gas Pipe Line  
Co. LLC  
2800 Post Oak Boulevard, Ste.  
900  
Houston, TX 77056East Branch  
Brandywine Creek  
3-HSoutheast Region  
Clean Water Program  
484.250.5970Bensalem Township  
Bucks County

PAR800059

YRC Inc.  
10990 Roe Avenue  
Overland Park, KS 66211Unnamed Tributary  
to Neshaminy Creek  
2-FSoutheast Region  
Clean Water Program  
484.250.5970Philadelphia City  
Philadelphia County

PAR800148

Covanta 4recovery Philadelphia  
LLC  
2209 South 58th Street  
Philadelphia, PA 19143

Schuylkill River 3-F

Southeast Region  
Clean Water Program  
484.250.5970West Chester  
Borough  
Chester County

PAR230031 A-1

Arkema Inc.  
610 S Bolmar Street  
West Chester, PA 19382Unnamed Tributary  
of Chester Creek 3-GSoutheast Region  
Clean Water Program  
484.250.5970East Brunswick  
Township  
Schuylkill County

PAR602206

J.W. Zaprazny, Inc. dba Joe's  
Used Auto Parts  
2401 Summer Valley Road  
New Ringgold, PA 17960

Koenigs Creek—03A

DEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511Scott Township,  
Lackawanna County

PAR202224

Sandvik Materials Technology  
982 Griffin Pond Road  
Clarks Summit, PA 18411Unnamed Tributary  
to Leggetts  
Creek—5-A  
CWF/MFDEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511Northampton  
Borough  
Northampton County

PAR602229 A-1

Greenstar Allentown LLC  
Waste Management  
PO Box 28  
Northampton, PA 18067Hokendauqua  
Creek—2-C /  
CWF, MFDEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511

*Facility Location:  
Municipality &  
County*Delmar Township  
Tioga CountyPermit No.  
PAR804854Applicant Name &  
Address  
Northern Tier SWA  
PO Box 10  
Burlington, PA 18814Receiving  
Water / Use  
Marsh Creek—9-AContact Office &  
Phone No.DEP Northcentral  
Regional Office  
Clean Water Program  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.0530*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481**Facility Location:  
Municipality &  
County*Bradford Township  
McKean CountyPermit No.  
PAR808388Applicant Name &  
Address  
Crossett Inc.  
201 S. Carver Street,  
Warren, PA 16365-2867Receiving  
Water / Use  
East Branch  
Tunungwant Creek  
15-CContact Office &  
Phone No.DEP  
NWRO  
Clean Water Program  
230 Chestnut Street  
Meadville, PA  
16335-3481  
814/332-6942*General Permit Type—PAG-8**Facility Location: Municipality &  
County*Borough of Phoenixville WWTP  
Chester County  
Phoenixville BoroughPermit No.  
PAG080003Applicant's Name &  
Address  
Borough of Phoenixville  
351 Bridge Street  
Phoenixville, PA 19460Contact Office & Telephone No.  
Southeast Region  
Clean Water Program  
484.250.5970*General Permit Type—PAG-10**Facility Location:  
Municipality &  
County*Gibson and Harford  
Townships  
Susquehanna CountyPermit No.  
PAG102303Applicant Name &  
Address  
Williams Field Services  
Company, LLC  
2000 Commerce Drive Park  
Place 2  
Pittsburgh, PA 15275Receiving  
Water / Use  
Unnamed  
Tributaries to Butler  
Creek / 04FContact Office &  
Phone No.DEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511Auburn Township  
Susquehanna CountyPermit No.  
PAG102305Williams Field Services Co. LLC  
Park Place Corporate Center 2  
2000 Commerce Drive  
Pittsburgh, PA 15275Receiving  
Water / Use  
Dority Creek and  
Unnamed Tributary  
to Dority Creek—4-GDEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511Penn Township  
Butler CountyPermit No.  
PAG108321Mountain Gathering, LLC  
810 Houston Street  
Fort Worth, TX 76102Receiving  
Water / Use  
Unnamed Tributary  
to Thorn CreekDEP  
NWRO  
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>
Mt. Pleasant Farms 2071 Mt. Pleasant Rd. Fayetteville, PA 17222	Franklin	617.5	512.69	Duck/ Heifer	NA	Approved
Hissong Farmstead, Inc. 6841 Buchanan Trail West Mercersburg, PA 17236	Franklin	1506.3	1526.75	Dairy	NA	Approved
Paul Ebersol 4970 Sunset Pike Chambersburg, PA 17202	Franklin	224.2	93.5	Duck	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. 2313508, Public Water Supply.**

Applicant	<b>Aqua Pennsylvania, Inc.</b> Aqua PA-Main System 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Marple
County	<b>Delaware</b>
Type of Facility	PWS
Consulting Engineer	Aqua Pennsylvania, Inc. Aqua PA-Main System 762 West Lancaster Avenue Bryn Mawr, PA 19010
Permit to Construct Issued	March 21, 2014

**Permit No. 2313509, Public Water Supply.**

Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Marple
County	<b>Delaware</b>
Type of Facility	PWS
Consulting Engineer	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
Permit to Construct Issued	March 21, 2014

**Permit No. 4613509**, Public Water Supply.  
 Applicant **Aqua Pennsylvania, Inc.**  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010  
 Township Perkiomen  
 County Chester  
 Type of Facility PWS  
 Consulting Engineer Aqua Pennsylvania, Inc.  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010  
 Permit to Construct February 12, 2014  
 Issued

**Permit No. 4613511**, Public Water Supply.  
 Applicant **Aqua Pennsylvania, Inc.**  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010  
 Various Locations Essington, Clifton Heights,  
 Springfield, Upper Darby, West  
 Chester, Broomall, Newtown  
 Square, Havertown, Bala  
 Cynwyd, Gladwyne, Elkins Park,  
 Glenside, and Hatboro  
 Counties **Montgomery, Delaware, and  
 Chester**  
 Type of Facility PWS  
 Consulting Engineer Aqua Pennsylvania, Inc.  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010  
 Permit to Construct March 18, 2014  
 Issued

**Permit No. 1514501**, Public Water Supply.  
 Applicant **Aqua Pennsylvania, Inc.**  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010  
 Township Honey Brook  
 County **Chester**  
 Type of Facility PWS  
 Consulting Engineer Aqua Pennsylvania, Inc.  
 762 West Lancaster Avenue  
 Bryn Mawr, PA 19010  
 Permit to Construct March 18, 2014  
 Issued

**Permit No. 0913524**, Public Water Supply.  
 Applicant **Olde Colonial Greene**  
 P. O. Box 557  
 Fountainville, PA 18923  
 Borough Doylestown  
 County **Bucks**  
 Type of Facility PWS  
 Consulting Engineer Ebert Engineering, Inc.  
 4092 Skippack Pike  
 Schwenksville, PA 19473  
 Permit to Construct March 18, 2014  
 Issued

**Permit No. 5113501**, Public Water Supply.  
 Applicant **Philadelphia Water  
 Department**  
 1101 Market Street, 2nd Floor  
 Philadelphia, PA 19107  
 Township City of Philadelphia  
 County **Philadelphia**  
 Type of Facility PWS  
 Consulting Engineer Arcadis U.S., Inc.  
 1128 Walnut Street, Suite 400  
 Philadelphia, PA 19107  
 Permit to Construct March 18, 2014  
 Issued

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

**Permit No. 2406498, Operations** Permit Public Water Supply.

Applicant **Nature's Way Springs, LP**  
 164 Commerce Rd.  
 Pittston, Pa 18701  
 [Borough or Township] Foster Township  
 County **Luzerne**  
 Type of Facility PWS  
 Consulting Engineer N/A  
 Permit Rescinded March 13, 2014

**Permit No. 3396552, Operations** Permit Public Water Supply.

Applicant **Niagara Bottling, LLC**  
 5675 East Concoors Street  
 Ontario, CA 91764  
 [Borough or Township] Upper Macungie Township  
 County **Lehigh**  
 Type of Facility PWS  
 Consulting Engineer N/A  
 Permit Rescinded March 13, 2014

**Permit No. 2406411, Operations** Permit Public Water Supply.

Applicant **Nature's Way Purewater  
 Systems, Inc.**  
 164 Commerce Rd.  
 Pittston, Pa 18701  
 [Borough or Township] Dupont Borough

County **Luzerne**  
 Type of Facility PWS  
 Consulting Engineer N/A  
 Permit Rescinded March 17, 2014

*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit No. 3614502 MA, Minor Amendment**, Public Water Supply.

Applicant **Manheim Borough Authority**  
 Municipality Rapho Township  
 County **Lancaster**  
 Responsible Official David Fenicle, Operations  
 Manager  
 15 East High Street  
 Manheim, PA 17545

Type of Facility	Conversion from power to liquid fluoride and the relocation of the orthophosphate injection location to before the air stripping tower.	Permit Issued	March 25, 2014
Consulting Engineer	Daniel S. Hershey Rettew Associates Inc 3020 Columbia Avenue Lancaster, PA 17603	Description of Action	Construction of the non-potable bulk water loading station which includes installation of a double check valve backflow prevention device between the existing fire hydrant and quick disconnect to 4" flexible pipe.
Permit to Construct Issued	3/21/2014		
	<i>Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.</i>		<i>Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745</i>
	<b>Permit No. 1712501—Operation</b> Public Water Supply.	<b>Permit No. 6513508</b> , Public Water Supply.	
Applicant	<b>Clearfield Municipal Authority</b>	Applicant	<b>Municipal Authority of Westmoreland County</b> 124 Park & Pool Road New Stanton, PA 15672
Township/Borough	Lawrence and Pike Townships	[Borough or Township]	Borough of Avonmore
County	<b>Clearfield</b>	County	<b>Westmoreland</b>
Responsible Official	Kevin Shifter, Manager Clearfield Municipal Authority 107 East Market Street Clearfield, PA 16830	Type of Facility	Avonmore water storage tank
Type of Facility	Public Water Supply	Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Consulting Engineer	James F. Potopa, P.E. Gwin, Dobson & Foreman Consulting Engineers, Inc. 3121 Fairway Drive Altoona, PA 16602	Permit to Construct Issued	March 18, 2014
Permit Issued	March 24, 2014		<b>Permit No. 6513509</b> , Public Water Supply.
Description of Action	Operation of 1,050 LF of 16" diameter pump discharge main from the Tee-joint near the Montgomery water treatment plant to the bypass near the foundation area of the future 1.5 MG Montgomery water storage tank and 10,500 LF of 20" diameter water transmission main from the bypass near the foundation area of the future 1.5 MG Montgomery water storage tank to the existing waterline and new fire hydrant at the intersection of Montgomery Run and Coal Hill Roads.	Applicant	<b>Municipal Authority of Westmoreland County</b> 124 Park & Pool Road New Stanton, PA 15672
	<b>Permit No. 1214501-MA—Construction</b> Public Water Supply.	[Borough or Township]	Salem Township
Applicant	<b>Emporium Water Company</b>	County	<b>Westmoreland</b>
Township/Borough	Emporium Borough	Type of Facility	New Alexandria water storage tank
County	<b>Cameron</b>	Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
Responsible Official	Ron Andrews, President Emporium Water Company 174 Nickler Road Emporium, PA 15834	Permit to Construct Issued	March 18, 2014
Type of Facility	Public Water Supply		<b>Permit No. 6513510</b> , Public Water Supply.
Consulting Engineer	Craig J. Bauer, P.E. KLH Engineers, Inc. 5173 Campbells Run Road Pittsburgh, PA 15205	Applicant	<b>Municipal Authority of Westmoreland County</b> 124 Park & Pool Road New Stanton, PA 15672
		[Borough or Township]	Kiskiminetas Township
		County	<b>Westmoreland</b>
		Type of Facility	Kiski #1 water storage tank
		Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street PO Box 853 Latrobe, PA 15650
		Permit to Construct Issued	March 18, 2014

**Permit No. 0313507MA, Minor Amendment.** Public Water Supply.

Applicant **Rural Valley Water Works**  
PO Box 345  
Rural Valley, PA 16249

[Borough or Township] Rural Valley Borough  
County **Armstrong**

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
Indianola, PA 15051

Permit to Construct Issued March 18, 2014

**Permit No. 0213546MA, Minor Amendment.** Public Water Supply.

Applicant **Pittsburgh Water & Sewer Authority**  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

[Borough or Township] City of Pittsburgh  
County **Allegheny**

Type of Facility Water system

Consulting Engineer

Permit to Construct Issued March 18, 2014

**Permit No. 0213541MA, Minor Amendment.** Public Water Supply.

Applicant **Monroeville Municipal Authority**  
219 Speelman Lane  
Monroeville, PA 15146

[Borough or Township] Monroeville Borough  
County **Allegheny**

Type of Facility Water system

Consulting Engineer Chester Engineers  
501 McKean Avenue  
Third Floor  
Charleroi, PA 15022

Permit to Construct Issued March 18, 2014

**Permit No. 0213542MA, Minor Amendment.** Public Water Supply.

Applicant **Monroeville Municipal Authority**  
219 Speelman Lane  
Monroeville, PA 15146

[Borough or Township] Monroeville Borough  
County **Allegheny**

Type of Facility Water system

Consulting Engineer Chester Engineers  
501 McKean Avenue  
Third Floor  
Charleroi, PA 15022

Permit to Construct Issued March 18, 2014

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

**Permit No. 3313502** Public Water Supply

Applicant **Mr. Ray Nemeth d/b/a Mama Doe's Kitchen and Lodge**

Township or Borough Barnett Township  
County **Jefferson**

Type of Facility Public Water Supply

Consulting Engineer Anthony J. Coval, P.E.  
Lee-Simpson Associates, Inc.  
P. O. Box 504  
203 W. Weber Avenue  
DuBois, PA 15801

Permit to Construct Issued March 19, 2014

**WATER ALLOCATIONS****Actions taken on 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.**

*Northeast Region: Safe Drinking Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**WA 48-1000A**, Water Allocation, **Lower Saucon Authority**, 3706 Old Philadelphia Pike, Bethlehem, PA 18015, Lower Saucon Township, **Northampton County**. This permit grants Lower Saucon Authority the right to purchase up to 650,000 gpd, based on a daily average in a peak month, from the City of Bethlehem/Bethlehem Authority. Permit issued March 19, 2014.

**SEWAGE FACILITIES ACT PLAN APPROVAL****Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)**

*Southcentral Region: Water Management 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>
Bethel Township	PO Box 24 Bethel, PA 19507	Berks County

*Plan Description:* Approval of a revision to the official plan of Bethel Township, Berks County. The project is known as Prologis Midway Industrial Development. The plan provides for a 1 lot industrial development to generate a total of 6,090 gallons of sewage per day to be served by a private pump station tributary to the Bethel wastewater treatment plant. The proposed development is located on Old Rt. 22, Bethel Twp. Berks 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 A3-06922-251-3A and the APS Id is 603333. Any permits must be obtained in the name of Authority.

**BIOSOLIDS INDIVIDUAL PERMITS (PABIG, SSN AND PABIS)**

The Department has taken the following actions on the previously received individual permit applications for the land application of treated sewage sludge (biosolids).

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.

**PABIS 3501. Municipal Authority of the Borough of Bedford**, 244 West Penn Street, Bedford, PA 15522, **Bedford County**, Bedford Borough is approved to beneficially use their biosolids on the Natali Brothers Farm at 2031 Centennial Road in Colerain Township, Bedford County.

## 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 submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, 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:

*Northeast Region: Eric Supey, Environmental Cleanup and Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Bartorillo Residence**, (Fmr. William Reed Residence), 6 North View Road, Hughestown Borough, **Luzerne County**, Jason Charles, Environmental Maintenance Co., Inc., has submitted a Notice of Intent to Remediate and a Final Report on behalf of his clients, Robert and Lyn Bartorillo, 6 North View Road, Hughestown, PA 18640, concerning the remediation of soil and groundwater due to #2 fuel oil released for corrosion holes in the tank from an underground storage tank. The applicant proposes to remediate the site to meet the Residential Statewide Health Standards for soil and groundwater. The intended future use of the site is residential. A summary of the Notice of Intent and Final Report were published in *The Times Leader* on February 18, 2014.

**Slate Belt YMCA**, aka Scotty's Fashions Facility, 315 W Pennsylvania Ave, Pen Argyl Borough, **Northampton County**, Vincent Carbone, HDR Engineering, Inc., has submitted an RIR (Remedial Investigation Report and a CP (Corrective Action Plan) on behalf of his client Frank Frey, YMCA of Nazareth, 33 S Main Street, Nazareth, PA 18064, concerning the remediation of soil impacted from benzo(a)pyrene, arsenic, lead and thallium due to prior railroad maintenance operations. The applicant proposes to remediate the site to meet the Site Specific Standard for soil. The intended future use of the site is residential. A summary of the RIR and CP were published in *The Express Times* on February 28, 2014.

**Stefko Boulevard Shopping Center**, 1802-1880 Stefko Boulevard, City of Bethlehem, **Northampton County**, George Keil, URS Corporation, has submitted a Final Report on behalf of his client, Eric Silvers, Regency Center, One Independent Drive, Suite 114, Jacksonville, Florida 32202, concerning the remediation of soil groundwater due to presence of related dry cleaning constituents (PCE) discovered. The applicant proposes to remediate the site to meet the Non-Residential Statewide Health Standards and Site Specific Standards both for soil and groundwater. The intended future use will be non-residential. A summary of the Final Report was published in the *Express Times*, on February 11, 2014.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**PREIT / Logan Valley Mall**, Plank Road and Goods Lane, Altoona, PA 16602, Logan Township, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of PREIT, 5580 Goods Lane, Suite 1, Altoona, PA 16602, submitted a Remedial Investigation Report, Risk Assessment Report, and Final Report concerning remediation of site soils contaminated with BTEX, PAHs, and lead. The report is intended to document remediation of the site to meet the Site-Specific standard.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass 484-250-5787*



**Lenhart Residence**, 101 Woodland Lane, Lower Providence Township, **Montgomery County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038, Clayton Lenhart, 101 Woodland Avenue, Norristown, PA 19403 on behalf of Linda Hampton, Valley Forge Group, LP 1311 Catfish Lane, Norristown, PA 19403 has submitted a 90 day Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF772677.

**U. S. Magnet Site**, 85 North Main Street, Yardley Borough, **Bucks County**. Richard S. Werner, P.G., Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19408, Alex J. Clinefelter, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406, Anthony Cino, Cold Springs Investment Group, LP., 301 Oxford Valley Road, Suite 702, Yardley, PA 19057 on behalf of Robert White, Redevelopment Authority County of Bucks, One North Wilson Avenue, Bristol, PA 19007 has submitted a Final Report concerning remediation of site soil contaminated with arsenic, cobalt, and pah's. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF633827.

**Bieberman Residence**, 2726 Mill Road, Buckingham Township, **Bucks County**. Thomas M. Hippensteal, P.G., Envirosearch Consultants, Inc. P. O. Box 940, Springhouse, PA 19477 on behalf of Jane Bieberman, 2726 Mill Road, Doylestown, PA 18902 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF767735.

**500 East Washington Street**, 500 East Washington Street, Norristown Borough, **Montgomery County**. Matthew Lesley, ARCADIS U.S. Inc., 824 North Market Street, Suite 820, Wilmington, DE 19801, Ose Carr, ARCADIS U.S. Inc., 824 North Market Street, Suite 820, Wilmington, DE 19801 on behalf of John Nugent, Redevelopment Authority of Montgomery County, 104 West Main Street, Suite 2, Norristown, PA 19401 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with metals and volatile organics compounds. The report is intended to document remediation of the site to meet the Statewide Health Standard and Site Specific Standard. PF762419.

**Brandywine Mills**, 1731, 1737, 1751 Wilmington Pike, Chadds Ford Township and Township of Concord, **Delaware County**. Walter H. Hungarter, III, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Peter Mile, Chadds Ford Investors, L.P., 875 Berkshire Boulevard, Suite 102, Wyomissing, PA 19610 has submitted a Remedial Investigation /Cleanup Plan concerning remediation of site soil and groundwater contaminated with volatile organic compound and pce. The report is intended to document remediation of the site to meet the Site Specific Standard. PF773948

**Galloway Property**, 3655 South Galloway Street, City of Philadelphia, **Philadelphia County**. Joanne Van Rensselaer, Envirosearch Consultants, Inc., P. O. Box 940, Springhouse, PA 19477 on behalf of Eddie Duff, Carr & Duff, 2100 Byberry Road, Huntingdon Valley, PA 19006 has submitted a Final Report concerning remediation of site soil contaminated with unleaded and leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF 773685

**Syrena Auto Body Shop**, 6201 Oxford Avenue, City of Philadelphia, **Philadelphia County**. Christina M.

Helms, P. G., Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Chester Chrzanowski, Syrena Auto Body Shop, Inc., 6201 Oxford Avenue, Philadelphia, PA 19111 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF768636

**Mercer Residence Property**, 25 Barneston Road, West Nanmetal Township, **Chester County**. Michael P. Raffoni, Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602 on behalf of Angelike Mercer, 6224 23rd Avenue NE, Seattle, WA 98115 has submitted a Remedial Investigation/Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Site Specific Standard. PF 762431

**Murphy Residence**, 999 Monroe Court, Warrington Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Christine Dimmig, State Farm Insurance, PA Fire Claims, P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of Kevin Murphy, 999 Monroe Court, Warrington, PA 18976 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 oil fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF773617

**1900 & 1820 West Allegheny Avenue**, 1900 & 1820 West Allegheny, City of Philadelphia, **Philadelphia County**. William F. Schmidt, PE, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of R. Max Kent, New Courtland Elder Services, 6950 Germantown Avenue, Philadelphia, PA 19119 has submitted a Remedial Investigation/Cleanup Plan concerning remediation of site soil and groundwater contaminated with pah's, pp metals, and ppvoc's. The report is intended to document remediation of the site to meet the Statewide Health Standard/Site Specific Standard. PF765076

**Demuro Residence**, 1030 Anne Street, Bristol Township, **Bucks County**. Patrick S. Crawford, Crawford Environmental Services, 100 East Benjamin Franklin Highway, Birdsboro, PA 19508, Scott Sullivan, Supervisor Plus Energy Services, Inc., 700 Brook Avenue, Rochester PA 14619 on behalf of Bruce & Michelle Demuro 1030 Anne Street, Croydon, PA 19021 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF771841.

**110 Noells Way**, 110 Noells Way, Montgomery Township, **Montgomery County**. Staci Cottone, J&J Spill Service and Supplies, Inc., P. O. Box 370, Blue Bell, PA 19422 on behalf of Arthur Herling, 112 Mark Drive, LLC, 5 Loni Court, Hatfield, PA 19440 has submitted a Final Report concerning remediation of site soil contaminated with other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF773201

**701 Burmont Road Apt Complex**, 701 Burmont Road, Upper Darby Township, **Delaware County**. Val F. Britton, P. G., V. F. Britton Group, LLC, 326 Conestoga Road, Wayne, PA 19087 on behalf of Alex Cook, ZanderCo Management, Inc., 923 Fayette Street, Conshohocken, PA 19428 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF768477

**Direnzo Residence**, 10 Dewberry Lane, Bristol Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Christine Dimmig, State Farm Insurance Company, PA Fire Claims, P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of Francis Direnzo, 10 Dewberry Lane, Levittown, PA 19055 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF724347

**Aramingo Crossing Shopping Center** (Tioga Pipe Supply Company & April Warehouse Property), 2201, 2301, 2335 and 2365 East Butler Street, City of Philadelphia, **Philadelphia County**. Thomas A. Petrecz, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Steven Wolfson, BDP Realty and BDP Realty II, L.P. 120 West Germantown Pike, Suite 120, Plymouth Meeting, PA 19462 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with no. 2 fuel oil and pah's. The report is intended to document remediation of the site to meet the Site Specific Standard/Statewide Health Standard. PF650886

**2 West Market Street**, 2 West Main Street Borough of West Chester, **Chester County**. David B. Farrington, P.G., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Thomas Myles, Myles Land & Improvement Company, 900 Airport Road, Suite 6, West Chester, PA 19380 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF773689

**Riegel Residence**, 624 Erlen Road, Plymouth Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Robin Sigler, State Farm Insurance Company, PA Fire Claims, P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of Tony Riegel, 624 Erlen Road, Plymouth Meeting, PA 19462 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF755575.

**2400 South Street**, 2400 South Street, City of Philadelphia, **Philadelphia County**. Mark Fortna Sr. DeVal Soil & Environmental Consultants, Inc., Sky Run II Suite A1, 4050 Skyron Drive, Doylestown, PA 18902 on behalf of Michael Nice, P.E/V.P. Land Development, Toll brothers, Inc., 250 Gibraltar Road, Horsham, PA 19044 has submitted a Final Report concerning remediation of site soil contaminated with gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF767352.

**Painter Residence**, 14011 Barcalow Avenue, City of Philadelphia, **Philadelphia County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Joseph Painter, 14011 Barcalow Avenue, Philadelphia, PA 19116 has submitted a 90 day Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF773953.

**Madison @ French Creek**, 45 North Main Street, Phoenixville Township, **Chester County**. Stephan D. Brower, P. G. Environmental Standards, Inc., 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482, John Forde, Madison at French Creek, 3815 West Chester Pike, Newtown Square, PA 19073 on behalf of John Forde, BPG Development Company, LP, 3815 West Chester Pike, Newtown Square, PA 19073 has submitted a Risk Assess-

ment Report concerning remediation of site groundwater contaminated with inorganics. The report is intended to document remediation of the site to meet the Site Specific Standard. PF760601.

**Schleinkofer Residence**, 39 North Court Lane, Falls Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Ty Gawlik, State Farm Insurance Company, PA Fire Claims, P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of Christopher Daniel Bower, 39 North Court Lane, Levittown, PA 19054 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard. PF767309.

**Mt Airy Shopping Center**, 7115-7163 Stenton Avenue and 1416 Washington Lane, City of Philadelphia, **Philadelphia County**. Mark Kuczynski, REPSG, Inc., 6901 Kingessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Judith F. Brahin, Lee Brahin, and Jeffery Brahin, Trustees under the will of Leon Freeman dated August 29, 1981 and First Codicil thereto dated August 15, 1986, and Leonida, Inc., a Pennsylvania Corporation, 1535 Chestnut Street, Philadelphia, PA 19102 has submitted a Remedial Investigation/Risk Assessment and Final Report concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site Specific Standards. PF735938.

## 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:

*Northeast Region: Eric Supey, Environmental Cleanup and Brownfields Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Bartorillo Residence**, (Fmr. William Reed Residence), 6 North View Road, Hughestown Borough, **Luzerne County**, Jason Charles, Environmental Maintenance Co., Inc., had submitted a Notice of Intent to Remediate and a Final Report on behalf of his clients, Robert and Lyn Bartorillo, 6 North View Road, Hughestown, PA 18640, concerning the remediation of soil and groundwater due to #2 fuel oil released for corrosion holes in the tank from an underground storage tank. The report was submitted to document attainment of the Residential Statewide Health Standard for soil and groundwater and was approved on March 14, 2014.

**Pike County Business Park #512 Property** (aka-Valient Enterprises Property), Well Road, Blooming Grove Township, **Pike County**, Martin Gilgallon, PA Tectonics, has submitted a Final Report on behalf of his client, Ms. Tammy Savarese, Pike County Industrial Development Authority, 209 E Harford St, Milford, PA 18337, concerning the remediation of soil found during the closure of a 1000 and a 2000 gallon underground storage tanks containing #2 fuel oil (heating oil). The report documented attainment of the Non-Residential Statewide Health Standards for soil and was approved on January 30, 2014.

**Dionicio Property**, 467 South River Street, Wilkes-Barre City, **Luzerne County**, Wes Fitchett, Curren Environmental Inc., has submitted a Final Report on behalf of his client, Michael Lomont, PennyMac Loan Services, LLC, 6101 Condor Drive, Moorpark, CA 93021, concerning the remediation of soil from #2 fuel release from an aboveground storage tank in the basement. The report was submitted to document attainment of the Residential Statewide Health Standards for soil. The report documented attainment of the Residential Statewide Health Standards for soil and was approved on January 30, 2014.

**Penn's Best Property**, (Newell Fuel Oil release), 7318 State Route 6, PO Box 128, Meshoppen and Washington Townships, **Wyoming County**, Martin Gilgallon, PA Tectonics, Inc., has submitted a Final Report on behalf of his clients, Patrick Heavly & Dean Mitchell (property owner representatives), Penn's Best Inc., concerning the remediation of soil due to a Newell Fuel Oil driver pumping fuel oil into the interior of the generator and pump room. The report documented attainment for the

non-residential Statewide Health Standard for soil and was approved on February 18, 2014.

**Mount Laurel Motel**, 1039 South Church Street, Hazle Township, **Luzerne County**, Gregg Walters, MEA, Inc., has submitted a Final Report on behalf of his client, Kiran Patel, Nilkanth, Inc., 1039 South Church Street, Hazleton, PA 18201, concerning the remediation of soil and groundwater due to a failure in a tank tightness test done in November of 2002. The report documented attainment of the non-residential Statewide Health Standards for soil and groundwater and was approved on February 10, 2014.

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

**XTO Energy Inc.—John Waschok #3 Site**, 1843 Rhine Road, Brush Valley Township, **Indiana County**. Groundwater and Environmental Services, Inc., 301 Commerce Park Drive, Cranberry, PA 16066 submitted a Final Report on behalf of XTO Energy, Inc. 395 Airport Road, Indiana PA 15701 concerning remediation of site soils contaminated with aluminum, antimony, arsenic, barium, beryllium, boron, cadmium, chromium, cobalt, copper, iron, lead, manganese, mercury, nickel, selenium, silver, thallium, vanadium, zinc and chloride. The final report demonstrated attainment of site specific standard for chlorides and residential statewide health standard for all other constituents sampled for in soils, and was approved by the Department on March 19, 2014.

*Southeast Regional Office: Regional Manager, Environmental Cleanup and Brownfields, 2 East Main Street, Norristown, PA 19401, Telephone 484.250.5960. Charline Bass 484-250-5787*

**110 Noells Way**, 110 Noells Way, Montgomery Township **Montgomery County**. Stacie Cottone, J&J Spill Service and Supplies, Inc., P. O. Box 370, Blue Bell, PA 19422 on behalf of Author Healing, 112 Mark Drive, LLC, 5 Loin Court, Hatfield, PA 19440 has submitted a Final Report concerning the remediation of site soil contaminated with other organics. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 25, 2014. PF773201.

**Demuro Residence**, 1030 Anne Street, Bristol Township, **Bucks County**. Patrick S. Crawford, P.G., Crawford Environmental Services, 100 East Benjamin Franklin Highway, Birdsboro, PA 1508, Scott Sullivan, Supervisor Plus Energy Services, Inc., 700 Brook Avenue, Rochester, NY 14619 on behalf of Bruce & Michelle De Murro, 1030 Ann Street, Croydon, PA 19021 has submitted a 90 day Final Report concerning the remediation of site soil and groundwater contaminated with no. 2 fuel oil. The 90 day Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 25, 2014. PF771841.

**Sunoco Inc.**, (R&M) Philadelphia Refinery AO1-4, 3144 Passyunk Avenue, City of Philadelphia, **Philadelphia County**. James Oppenheim, Sunoco, Inc., 10 Industrial Highway, MS4, Lester, PA 19029, Kevin McKeever, Langan Environmental Services 30 South 17th Street, Suite 1500, Philadelphia, PA 19103 on behalf of Charles Barksdale, PES, 3144 Passyunk Avenue, Philadelphia 19145 has submitted a Remedial Investigation Report concerning the remediation of site groundwater contaminated with vocs, svocs, phas, and metals. The Remedial Investigation was disapproved by the Department on January 15, 2014. PF770318.

**Bieberman Residence**, 2726 Mill Road, Buckingham Township, **Bucks County**. Thomas Hippensteal, Enviro-

search Consultants, Inc., P. O. Box 940, Springhouse, PA 19477 on behalf of Jane Bieberman, 2726 Mill Road, Doylestown, PA 18902 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on March 10, 2014. PF767735.

**US Magnet Site**, 85 North Main Street, Yardley Borough, **Bucks County**. Richard S. Werner, P.G., Environmental Consulting, In, 2002, Renaissance Boulevard, Suite 100, King of Prussia, PA 19406, Anthony Cino, Cold Springs Investment Group, LP, 301 Oxford Valley Road, Suite 702, Yardley PA 19067-7713 on behalf of Robert White, Redevelopment Authority of the County of Bucks, One North Wilson Avenue, Bristol, PA 19007 has submitted a Final Report concerning the remediation of site soil contaminated with arsenic, cobalt, and pha's. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 28, 2014. PF633827

**Westnor LP Facility**, 2030 Main Street, West Norriton Township, **Montgomery County**. Craig Herr, RT Environmental Services Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of Martin MacGregor, Westnor, L.P., 10059 Sandmeyer Lane, Philadelphia, PA 19116 has submitted a Remedial Investigation/ Final Report concerning the remediation of site soil and groundwater contaminated with pce and breakdown compounds. The Final report did not demonstrate attainment of the Site Specific Standard and was disapproved by the Department on January 21, 2014. PF749200

**Biddle Residence**, 2803 Diamond Street, Hilltown Township, **Bucks County**. Spencer Waybrant, CB&I, 200 Horizon Center Boulevard, Trenton, NJ 08691, Gary Ecott, Petro Heating Oil Service, 650 Knowles Avenue, Southampton, PA 18966 on behalf of Larry Biddle, 2803 Diamond Street, Hilltown, PA 18927 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on January 2, 2014. PF 716036.

**Cynwyd Trail**, Montgomery Avenue and Conshohocken State Road, Belmont Avenue and Hill Road, Lower Merion Township, **Montgomery County**. William F. Schmidt, PE, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Christopher Leswing, Lower Merion Township, 75 East Lancaster Avenue, Ardmore, PA 19003-2323 has submitted a Remedial Investigation/Cleanup and Final Report concerning the remediation of site groundwater and soil contaminated with inorganics. The Remedial Investigation and Cleanup Plan was approved by the Department on February 26, 2014. PF708292.

**Sunoco Pipeline-Lima Release**, Rt. 452 and Rt. 1, Middletown Township, **Delaware County**. Stephanie Grillo, Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, Carl G. Borkland, Sunoco Logistics Partners, L.P., 4041 Market Street, PA 19014, Gregory J. Rosenzweig, P.G., Groundwater & Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341 on behalf of Bruce Clark, CVS, 3 South Pennell Road, Lima, PA 19014 has submitted a Remedial Investigation /Risk Assessment and Cleanup Plan concerning the remediation of site Soil and groundwater and soil contaminated with mtb. The Remedial Investigation /Risk Assessment and Cleanup Plan were disapproved by the Department on January 17, 2014. PF617929.

**Wellness Center**, 2108-2144 Cecil B Moore Avenue, City of Philadelphia, **Philadelphia County**. Richard S. Werner Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Janet Stearns, MPower Development Corporation, 1515 Fairmount Avenue, Philadelphia, PA 19130 has submitted a Remedial Investigation /Risk Assessment and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with inorganics. The Remedial Investigation /Risk Assessment and Cleanup Plan were approved by the Department on February 28, 2014. PF769620.

**Buggy Residence**, 4750 Anaconda Road, Bensalem Township **Bucks County**. Tom Hippensteal, PG, Envirosearch Consulting, Inc., P. O. Box 940, Springhouse, PA 19477, Dan Yorker, Phoenix Confuting, P. O. Box 229, Succasunna, NJ 19460 on behalf of Ay Buggy, 4750 Anaconda Road, Bensalem, PA 19020 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 30, 2014. PF768877.

**809 Sproul Street**, 801-911 Sproul Street, City of Chester, **Chester County**. Richard Sacks, IES Engineers, Inc., 1720 Walton Road, Blue Bell, PA 19422, Brian Crimmins, Crozer Keystone, Health System, 100 West Sproul Road, Springfield, PA 19064, Robert J. Lavin, 1508 Carter Place, West Chester, PA 19382 on behalf of James Duffy, New Chester Holding, LP, 1120 Clover Lane, Glen Mills, PA 19342 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 4, 2014. PF768863.

**Langheim Residence**, 120 North Midland Avenue, Lower Providence Township **Montgomery County**. Staci Cottone, J&J Environmental, P. O. Box 370, Blue Bell, PA 19422 on behalf of Kenneth Langheim 120 North Midland Avenue, Norristown, PA 19403 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 23, 2014. PF766082.

**Village Center Shopping Center**, 1 through 29 Quaker Way, Richland Township, **Bucks County**. Jim LaRegina, PG, HRG, Inc., 369 East Park Drive, Harrisburg, PA 17111 on behalf of Michael Weaver, DePaul Management Company, 1750 Walton Road, Blue Bell, PA 19422 has submitted a Remedial Investigation/ Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Remedial Investigation/ Final Report were disapproved by the Department on November 5, 2013. PF766154.

**2413-2429 North Broad Street**, 2413-2429 North Broad, City of Philadelphia, **Philadelphia County**. Richard S. Werner, Environmental Consulting, Inc., 2002 Renaissance Boulevard, Suite 110, King of Prussia, PA 19406 on behalf of Janet Stearns, 2415 North Broad Limited Partnership, 1515 Fairmount Avenue, Philadelphia, PA 19130 has submitted a Final Report concerning the remediation of site soil contaminated with voc's, lead pah, and carbazole. The Final report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department on March 6, 2014. PF769618.

**Holland Shell**, 287 Holland Road, Northampton Township **Bucks County**. Dan Forest, Bristol Environmental



Services, 1123 Beaver Street, Bristol, PA 19007 on behalf of ARFA Enterprise, 4350 Haddonfield Road, Suite 200, Pennsauken NJ 08109 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 29, 2014. PF772610.

**Decker Residence**, 377 Sherwood Drive, Lower Makefield Township, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 135 Old Plains Road, Pennsburg, PA 18073, Robin Sigler, State Farm Insurance Company, PA Fire Claims, P. O. Box 106110, Atlanta, GA 30348-6110 on behalf of Rebecca Decker, 377 Sherwood Drive, Yardley, PA 19067 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on January 28, 2014. PF741016.

**JB'S Restaurant**, 482 West Trenton Avenue, East Falls Township, **Bucks County**. Jeremy W. Bolyn, Environmental Maintenance, 1420 East Mermaid Lane, Glenside, PA 19038, Carl Wright, The Wright Group, P. O. Box 19098, Media, PA 19063 on behalf of Anthony Vitella, 378 Alexander Street, Princeton, NJ 08540 Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 6, 2014. PF771772.

#### REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

Registration issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Residual Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.*

**General Permit Registration No. WMGR123NC028. Anadarko E&P Offshore, LLC**, 33 West 3rd Street, Williamsport, PA 17701, Cummings Township, **Lycoming County**. Registration to operate under General Permit No. WMGR123 for Seijas Water Storage and Transfer Facility for oil and gas liquid waste. The registration was issued by Northcentral Regional Office on March 21, 2014.

Persons interested in reviewing the permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

#### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit was issued Under the Solid Waste Management Act; the Municipal Waste Planning, Recycling and Waste Reduction Act; 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.

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701*

**General Permit No. WMGR098NC001. Hitachi Metals Automotive Components USA, LLC**, 18986 Route 287, Lawrenceville, PA 16929, Lawrence Township, **Tioga County**. The application is for Determination of Applicability (DOA) for beneficial use of foundry sand and sand system dust generated by ferrous metal foundries and steel. The Determination of Applicability was issued by Northcentral Regional Office on March 18, 2014.

Persons interested in reviewing the general permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

**General Permit No. WMGR098NC002. Ward Manufacturing LLC**, 117 Gulick Street, Blossburg, PA 16912, Blossburg Borough, Tioga County. The application is for Determination of Applicability (DOA) for beneficial use of foundry sand and sand system dust generated by ferrous metal foundries and steel. The Determination of Applicability was issued by Northcentral Regional Office on March 18, 2014.

Persons interested in reviewing the general permit may contact Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

#### AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920*

**GP19-46-0116: Neptune** (295 Dekalb Pike, North Wales, PA 19454) on March 19, 2014, was authorized to operate a dry abrasive blasting operation in Montgomery Township, **Montgomery County**.

**GP1-09-0101: Kampack, Inc.** (100 Main Street, Tullytown, PA 19007) on March 19, 2014, was authorized to operate one (1) natural gas-fired boiler in Tullytown Borough, **Bucks County**.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**GP3-40-007: Commonwealth Equipment Corp.** (36 Hazleton Street, Ashley PA 18706) on March 18, 2014, to construct and operate a Portable Crushing Operation with watersprays at their site in Ashley Borough, **Luzerne County**.

**GP11-40-005: Commonwealth Equipment Corp.** (36 Hazleton Street, Ashley PA 18706) on March 18, 2014, to install and operate a Diesel I/C Engine at their site in Ashley Borough, **Luzerne County**.

**GP9-39-006: St. Luke's University Health Network** (801 Ostrum Street, Bethlehem, PA 18015-1000) on



March 18, 2014, to install and operate a diesel/#2 oil fired I.C Engine at their facility in Fountain Hill Borough, **Lehigh County**.

**GP5-58-017: Williams Field Services Co., LLC** (Park Place Corporate Center 2, 2000 Commerce Drive, Pittsburg, PA 15275) on March 17, 2014, for construction and operation of natural gas compressor station at the facility located in Springville Township, **Susquehanna County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**GP3-60-00017A: Contract Crushing Construction, Inc.** (432 Quarry Road, Elysburg, PA 17824) on March 17, 2014, to relocate and operate a Metso LT1213 portable crusher and a Metso ST356 portable screen pursuant to General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the Eastern Industries Lewisburg Quarry in Buffalo Township, **Union County**.

**GP9-60-00017A: Contract Crushing Construction, Inc.** (432 Quarry Road, Elysburg, PA 17824) on March 17, 2014, to relocate and operate a 425 bhp Caterpillar C-12 diesel-fired engine pursuant to the General Plan Approval and/or General Operating Permit for Diesel or #2 Fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at their Eastern Industries Lewisburg Quarry in Buffalo Township, **Union County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**GP5-10-358B: Iron City Extractions—Samuel Shepeck Station** (951 Maple Furnace Road, Parker, PA 16049) on March 17, 2014, to operate and renew an existing compressor engine and two existing tanks, lean burn four stroke natural gas engine, Caterpillar Model No. G3508TALE, rated 630 bhp at 1,400 rpm (BAQ-GPA/GP-5) in Allegheny Township, **Butler County**.

**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.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**67-05016G: R. H. Sheppard Company, Inc.** (P. O. Box 877, Hanover, PA 17331) on March 12, 2014, to construct the following: a molding/pouring/cooling/shakeout line controlled by four fabric collectors in parallel; a shotblast machine controlled by a cartridge collector; and a cold box coremaking machine controlled by a packed bed gas scrubber, at their iron foundry in Hanover Borough, **York County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**08-00016C: Dalrymple Gravel & Contracting Co., Inc.** (2105, South Broadway, Pine City, NY 14871) on March 10, 2014, to issue a plan approval relating to removal of the pounds per ton emissions limits estab-

lished under plan approval 08-0016B for the existing drum mix and batch mix asphalt plants at their Chemung Plant in Athens Township, **Bradford County**.

**47-00001M: PPL Montour, LLC** (PO Box 128, Washingtonville, PA 17884-0128) on March 19, 2014, for the plan approval that establishes the initial applicable compliance demonstration requirements from Subpart DDDDD at 40 CFR Part 63 for the two (2) auxiliary boilers at the Montour Steam Electric Station in Derry Township, **Montour County**.

**59-00004H: Ward Manufacturing, LLC** (117 Gulick Street, P. O. Box 9, Blossburg, PA 16912-0009) on March 20, 2014, to construct a metal castings shot blast machine and for the installation of an air cleaning device, an existing cartridge collector, for the control of air contaminant emissions from the proposed shot blast machine at their facility in Blossburg Borough, **Tioga County**. This is a Title V facility for which Title V Operating Permit 59-00004 has been issued.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers - Telephone: 412-442-4163/5226*

**30-00116A: Columbia Gas Transmission Co.** (1700 MacCorkle Avenue, Charleston, WV 25314-1518) on March 20, 2014, for the construction and temporary operation of one (1) natural gas-fired compressor turbine rated at 4,700 bhp and one (1) natural gas-fired emergency generator rated at 585 bhp at the Waynesburg Compressor Station located in Waynesburg Borough, **Greene County**. Additional ancillary heating equipment will also be installed.

**63-00983A: Columbia Gas Transmission, LLC** (1700 MacCorkle Avenue, SE Charleston WV 25314-1518) Plan Approval issuance date effective March 25, 2014, to allow the installation and operation of two (2) Solar Centaur natural gas-fired Turbines, each rated at 4,700 bhp, one (1) Waukesha natural-gas fired emergency generator rated @ 440 bhp, and ancillary heating equipment at its Redd Farm Compressor Station located in Amwell Township, **Washington County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**33-002E: Owens-Brockway Glass Container, Inc.—Crenshaw Plant No. 19** (3831 Route 219 North, Brockport, PA 15823) on March 17, 2014, for the modification of Furnace C, due to the age of the furnace and its general condition, to reduce NO<sub>x</sub> emissions in Snyder Township, **Jefferson County**. This is a Title V facility.

**43-366A: National Fuel Gas Supply Corp.** (6363 Main Street, Williamsville, NY 14221) on March 19, 2014, to install: two (2) natural gas fired compressor engines rated 1,775 bhp each, one (1) natural gas fired emergency generator engine rated 1,153 bhp, eight (8) natural gas fired catalytic heaters, and three (3) storage tanks at their proposed Mercer Compressor Station in Jefferson Township, **Mercer County**.

**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.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920

**23-0004A: Covanta Delaware Valley** (10 Highland Avenue, Chester PA 19013) on March 13, 2014, for the operation of a cooling tower in Chester City, **Delaware County**.

**46-0276: Quad County Crematory, LLC.** (222 Washington Street, East Greenville, PA 18041) on March 13, 2014, for operation of a new human crematory unit in East Greenville Borough, **Montgomery County**.

**46-0026G: Global Packaging, Inc.** (209 Brower Avenue, Oaks, PA 19456) on March 13, 2014, for operation of a new 10-station flexographic printing press in Upper Providence Township, **Montgomery County**.

**46-0274A: Tegrant Diversified Brands, Inc.** (161 Corporate Drive, Montgomeryville, PA 18936) on March 13, 2014, for operation of a rigid polyurethane foam manufacturing process in Montgomery Township, **Montgomery County**.

**09-0021D: MRI Flexible Packaging Co., Inc.** (122 Penns Trail, Newtown, PA 18940) on March 13, 2014, for operation of a rigid polyurethane foam manufacturing process in Newtown Township, **Bucks County**.

**09-0220: Donaldson Company, Inc.** (85 Railroad Drive, Ivyland, PA 18974) on March 13, 2014, for operation of a regenerative thermal oxidizer in Lower Southampton Township, **Bucks County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.

**67-05042A: Hanover Foods Corp.** (P. O. Box 334, Hanover, PA 17331) on March 17, 2014, to construct a 63.9 mmBTU/hr natural gas/#2 fuel oil-fired boiler at their Hanover Cannery in Penn Township, **York County**. The plan approval was extended.

**06-05069R: East Penn Manufacturing Co., Inc.** (Deka Road, PO Box 147, Lyon Station, PA 19536) on March 20, 2014, for modifications to the battery assembly plant in Richmond Township, **Berks 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

**18-00021A: Avery Dennison Performance Polymers** (171 Draketown Road, Mill Hall, PA 17751) on February 2, 2014, for the installation of a new recuperative thermal oxidizer (RTO) to control the air contaminant emissions from eight (8) existing reactor systems (R-100 through R-800) incorporated in Source ID P102 at their facility in Bald Eagle Township, **Clinton County**. The plan approval has been extended.

**47-309-001: United States Gypsum Co.** (60 PPL Road, Danville, PA 17821) on March 24, 2014, to extend the authorization an additional 180 days from May 12, 2014 to November 8, 2014, to continue the compliance evaluation and permit operation pending issuance of an operating permit for their facility to continue operation of their wallboard manufacturing facility in Derry Township, **Montour County**. The plan approval has been extended.

**08-399-019E: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) on February 24, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from

April 10, 2014 to October 7, 2014, at their facility in Towanda Borough, **Bradford County**. The plan approval has been extended.

**08-00010F: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) on February 24, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from March 26, 2014 to September 22, 2014, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

**18-00011I: Croda, Inc.** (8 Croda Way, Mill Hall, PA 17751) on March 4, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from March 27, 2014 to September 23, 2014 at their facility in Bald Eagle Township, **Clinton County**. 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

**24-017D: Morgan Advanced Materials & Technology** (441 Hall Avenue, St. Marys, PA 15857) on March 24, 2014, effective March 31, 2014, will issue a plan approval extension for the construction of a second batch coking oven with thermal oxidizer for control at your facility in City of St. Marys, **Elk County**. This is a State Only Facility.

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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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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

Contact: Muhammad Zaman, Environmental Program Manager—Telephone: 570-327-3648

**49-00003: ACF Industries, LLC** (417 North Arch Street, Milton, PA 17847-1320) on March 12, 2014, issued a renewal Title V Operating Permit for their facility in Milton Borough, **Northumberland County**. The facility's main sources include two (2) water heaters, one (1) boiler, forty-eight (48) direct fire heaters, four (4) railcar steel part heating furnaces, one (1) railcar surface coating operation, two (2) grit blast operations, one hundred (100) propane cutting torches, four (4) metal cutting operations, two (2) petroleum products storage tanks and various fugitive emissions. The Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**49-00007: Cherokee Pharmaceuticals, LLC** (PO Box 367, Riverside, PA 17868) on March 24, 2014, revised Title V Operating Permit 49-00007 for their pharmaceutical manufacturing facility in Riverside, **Northumberland County**. Title V Operating Permit 49-00007 contains monitoring, recordkeeping and reporting conditions to demonstrate compliance with all applicable Federal and State air regulatory requirements for stationary air contaminant sources. This revision to Title V Operating Permit 49-00007 incorporates the new point sources, authorized by GP24-49-00007-3, into the Title V operating permit conditions.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131

**24-00120: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301-2843) on March 21, 2014, renewed the Title V Permit for the Ardell Natural



Gas Compressor Station in Benezette Township, **Elk County**. The facility's emission sources include a 15,140 hp gas turbine, a 10,320 hp gas turbine, two 1,775 hp natural gas compressor engines, one 275 hp natural gas fueled emergency generator, 1 natural gas microturbine, 2 natural gas fueled boilers, 1 natural gas furnace, 2 natural gas space heaters, a parts washer, and storage tanks. The facility is a major facility due to its potential to emit NO<sub>x</sub>. Maximum Potential Emissions for the facility are calculated as follows: NO<sub>x</sub>, 135.56 tpy; SO<sub>x</sub>, 2.89 tpy; CO, 97.97 tpy; PM-10, 11.03 tpy; VOCs, 47.16 tpy; Any Single HAP, < 10 tpy; All Combined HAPs, 10.57 tpy; and CO<sub>2e</sub>, 121,147.35 tpy. This facility is subject to 40 CFR Part 60 Subpart GG, Standards of Performance for Stationary Gas Turbines. It is also subject to 40 CFR Part 60 Subpart KKKK, Standards of Performance for Stationary Combustion Turbines. The 2 RICE compressor engines and the emergency generator are subject to 40 CFR Part 63 Subpart ZZZZ. The conditions of the previous plan approvals and operating permit are incorporated into the renewal permit.

**Operating Permits for Non-Title V Facilities Issued 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 19428*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**46-00171: John Evans' Sons, Inc.** (1 Spring Avenue, Lansdale, PA 19446) on March 19, 2014, for the renewal of a Non-Title V Facility, State-Only, Natural Minor Permit in Lansdale Borough, **Montgomery County**. John Evans' Sons, Inc. operates a boiler, a parts washer, and a number of spring forming machines. The facility has a potential to emit 3 tons of hazardous air pollutants per year, and less than 2.7 tons of n-propyl bromide. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**09-00136: Powdersize, Inc.** (20 Pacific Drive, Quakertown, PA 18951-3601) on March 19, 2014, for operation of pulverizing and screening powder form products to meet customer specifications in Richland Township, **Bucks County**. This action is a renewal of the State Only Operating Permit (Natural Minor). The original State Only Operating Permit was issued on January 29, 2004. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting 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: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**48-00026: Pan-Glo—Division of RT Bundy Associates Inc.** (417 East Water Street, Urbana, OH 43078) on January 30, 2014, to issue a renewal of the State-only Synthetic Minor Operating Permit to operate Pan Cleaning, Glazing and Curing Services at Bethlehem City, **Northampton County**. The State-only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**17-00025: K & F Wood Products, Inc.** (84 Sawmill Street, Beccaria, PA 16616) on January 16, 2014, issued a State Only operating permit for their wood working facility in Beccaria Township, **Clearfield County**. The facility's sources include two wood-fired boilers and wood working equipment. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**41-00072: Reynolds Iron Works, Inc.** (157 Palmer Industrial Road, Williamsport, PA 17701) on March 10, 2014, issued State Only operating permit for their structural and miscellaneous steel fabrication facility in Woodward 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.

**14-00021: Hanson Aggregates Pennsylvania LLC** (7660 Imperial Way, Allentown, PA 18195) on February 26, 2014, was issued a state only operating permit (renewal) for their Curtin Gap Quarry located in Marion Township, **Centre County**. The facility's significant sources include a limestone crushing plant, unpaved haul roads, a parts washer, and several small diesel engines. The 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*

**37-00162: Precision Plating Co., Inc.** (407 Summit View Drive, New Castle, PA 16105) on March 17, 2014, renewed a State Only Operating Permit for the facility in Neshannock Township, **Lawrence County**. The facility is a Natural Minor. The primary sources at the facility include 6 Chrome electroplating tanks and natural gas combustion for building heat. The potential emissions from the facility are as follows: NO<sub>x</sub> less than 1 tpy; CO less than 1 tpy; PM<sub>10</sub> less than 1 tpy; SO<sub>x</sub> less than 1 tpy; VOC's 4.5 tpy. Potential HAP emissions are 3.65 tpy of Toluene and less than 1 tpy of Chromium Compounds. The facility is subject to 40 CFR Part 63 Subpart N, National Emission Standards for Chromium Emissions from Hard and Decorative Electroplating and Chromium Anodizing Tanks. The permit includes a federally enforceable restriction on Maximum Cumulative Potential Rectifier Capacity of 59 million Amp-hours per year. 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.

**61-00191: WS Packaging Group, Inc.** (1642 Debence Drive, Franklin, PA 16323-2050) on March 18, 2014, for a renewal of the Synthetic Minor Operating Permit to operate commercial printing presses in Sandycreek Township, **Venango County**. The emitting sources included, 1) Plant Heating System, 2) Pressroom (Lithograph presses) (twenty eight), 3) Miscellaneous fugitive emission source and, 4) Two Degreaser units. The facility has taken a restriction of emissions of Volatile Organic Compound (VOC) from the facility to not exceed 49.5 Tons per year and maintains the status of Synthetic Minor. The facility reported the following VOC emissions in 2012: Source ID# 103: 4.24 Tons per year (TPY), Source ID # 104: 3.07 TPY, Source ID # 105: 6.2 TPY. Total VOC emission from the facility was 13.51 TPY in the year of 2012.

**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*

**15-00035: SABIC Innovative Plastics U.S., LLC.**, (251 South Bailey Road, Thorndale, PA 19382) on March 14, 2014, this permit was revised to incorporate Plan Approval 15-0035A for the operation of a burn off oven for clearing plastic materials from metal extruder parts in Caln Township, **Chester County**. The emissions of nitrogen oxides are limited to 1.53 tons per year. The emissions of volatile organic compounds are limited to 4.43 tons per year. There are some halogenated plastics that may form hydrogen chloride and hydrogen fluoride emissions from the burn off oven. Stack tests showed that the emissions of these Hazardous Air Pollutants are less than 0.01 tons per year. This Administrative Amendment of the State Only Operating Permit was issued in accordance with the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**32-00196: United School District** (10780 Rte. 56 Highway East, Armagh, PA, 15920) located in East Wheatfield Township, **Indiana County**. The permittee has submitted an application for administrative amendment of its operating permit to revise the responsible official information. The operating permit was also revised to incorporate the applicable requirements of 40 CFR 63, Subpart JJJJJ—National Emissions Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources as amended February 1, 2013.

**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*

**17041301 and NPDES No. PA0235628. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Penfield Mine in Huston Township, **Clearfield County** to add 1206.6 acres to the underground mine and subsidence control plan permit area. Underground Acres Proposed 1206.6, Subsidence Control Plan Acres Proposed 1206.6. No additional discharges. The application was considered administratively complete on January 22, 2014. Application received November 14, 2013. Permit issued March 20, 2014.

**56841328 and NPDES No. PA0033677. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201-9642). To revise the permit for the Mine 78 in Adams Township, **Cambria County** to install a sludge disposal pipeline and two sludge disposal boreholes for the St. Michael Treatment Plant. Surface Acres Proposed 3.0. No additional discharges. The application was considered administratively complete on November 21, 2013. Application received September 30, 2013. Permit issued March 20, 2014.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900*

**Permit No. 56030150. Croner, Inc.**, 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 317.2 acres. Receiving streams: unnamed tributaries to/and Blue Lick Creek and unnamed tributaries to/and Buffalo Creek classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 25, 2013. Permit Issued: March 17, 2014.

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**10120107 and NPDES Permit No. PA0259403. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Commencement, operation and restoration of a bituminous surface mine in Donegal Township, **Butler County**, affecting 194.1 acres. Receiving streams: Unnamed tributaries to Buffalo Creek, Buffalo Creek, and Buffalo Run. Application received: July 10, 2013. Permit Issued: March 17, 2014.

**1475-10120107-E-1. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Application for a stream encroachment to conduct mining activities within 100 feet of Buffalo Creek in Donegal Township, **Butler County**, affecting 194.1 acres. Receiving streams: Unnamed tributaries to Buffalo Creek, Buffalo Creek, and Buffalo Run. In conjunction with this approval, the Department is granting a 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions of Sections 301—303, 306 and 307 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) and will not violate applicable federal and state water quality standards. Application received: July 10, 2013. Permit Issued: March 17, 2014.

**37130101 and NPDES Permit No. PA0259438. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Commencement, operation and restoration of a bituminous surface mine in Wayne Township, **Lawrence County**, affecting 82.9 acres. Receiving streams: Unnamed tributary to Slippery Rock Creek. Application received: September 17, 2013. Permit Issued: March 17, 2014.

**16130101 and NPDES Permit No. PA0259446. RFI Energy, Inc.** (P. O. Box 162, Sligo, PA 16255) Commencement, operation and restoration of a bituminous surface



mine in Licking & Toby Townships, **Clarion County**, affecting 65.0 acres. Receiving streams: Unnamed tributaries to Licking Creek. This permit includes a post-mining land use change from forestland and pastureland or land occasionally cut for hay to unmanaged natural habitat on the C & K Coal Company property. Application received: October 11, 2013. Permit Issued: March 20, 2014.

**5974-16130101-E-1. RFI Energy, Inc.** (P. O. Box 162, Sligo, PA 16255) Application for a stream encroachment to conduct mining activities within 100 feet and utilize an existing stream crossing for the haul road over unnamed tributary No. 1 to Licking Creek in Licking & Toby Townships, **Clarion County**. Receiving streams: Unnamed tributaries to Licking Creek. Application received: October 11, 2013. Permit Issued: March 20, 2014.

**5974-16130101-E-2. RFI Energy, Inc.** (P. O. Box 162, Sligo, PA 16255) Application for a stream encroachment to conduct mining activities within 100 feet of unnamed tributary No. 2 to Licking Creek in Licking & Toby Townships, **Clarion County**. Receiving streams: Unnamed tributaries to Licking Creek. Application received: October 11, 2013. Permit Issued: March 20, 2014.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**17080117 and NPDES PA0257010. Frantz Brothers Resources, LLC** (24 Wilgus Road, P. O. Box 145, Hillsdale, PA 15746) Transfer of an existing bituminous surface coal mine from Beth Contracting, Inc. located in Burnside Township, **Clearfield County** affecting 148.0 acres. Receiving stream(s): Rock Run and West Branch Susquehanna River classified for the following use(s): Cold Water Fishes and Warm Water Fishes, respectively. There are no potable water supply intakes within 10 miles downstream. Application received: September 16, 2013. Permit issued: March 21, 2014.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 54980201R3. A/C Fuels Company**, (2929 Allen Parkway, Suite 2200, Houston, TX 77019), renewal of an existing anthracite coal refuse reprocessing operation in Kline, Hazle and Banks Townships, **Schuylkill, Luzerne and Carbon Counties** affecting 197.5 acres, receiving stream: Catawissa Creek. Application received: May 10, 2013. Renewal issued: May 24, 2014.

**Permit No. 54980201R3. A/C Fuels Company**, (2929 Allen Parkway, Suite 2200, Houston, TX 77019), renewal of an existing anthracite coal refuse reprocessing operation in Kline, Hazle and Banks Townships, **Schuylkill, Luzerne and Carbon Counties** affecting 197.5 acres, receiving stream: Catawissa Creek. Application received: May 10, 2013. Renewal issued: March 24, 2014.

*Noncoal Permits Issued*

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669, 814-797-1191*

**37080305 and NPDES Permit No. PA0258636. Terra Resources, LLC** (267 Gilmore Road, Enon Valley, PA 16120) Renewal of a large industrial minerals mine and associated NPDES permit in Slippery Rock Township, **Lawrence County**, affecting 83.8 acres. Receiving streams: Unnamed tributary to Slippery Rock Creek. Application received: January 8, 2014. Permit Issued: March 17, 2014.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200*

**08140801. Enrique Vasquez** (3791 Rt. 367, Laceyville, PA 18623). Commencement, operation and restoration of a

small non coal (flagstone) operation in Wilmot Township, **Bradford County** affecting 5.0 acres. Receiving stream(s): Sugar Run. Application received: January 21, 2014. Permit issued March 17, 2014

**59120302 and NPDES No. PA0269522. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, Suite 203, State College, PA 16803). Commencement, operation and restoration of a large noncoal (sandstone) surface mine located in Hamilton Township and Blossburg Borough, **Tioga County** affecting 89.6 acres. Receiving stream: Unnamed Tributary to Johnson Creek classified for Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 21, 2012. Permit issued: March 17, 2014.

**NPDES No. 08140801GP-104 (Mining Permit no. 08140801), Enrique Vasquez**, 3791 Rt. 367, Laceyville, PA 18623. New General Permit NPDES For Stormwater Associated With Mining Activities (BMR GP-104) for small noncoal surface mine in Wilmot Township, **Bradford County** affecting 5.0 acres. Receiving stream(s): Sugar Run classified for the following use(s) CWF, MF. Permit issued March 17, 2014

**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*

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118*

**Permit No. 22144103. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Londonderry Loves Travel Plaza in Londonderry Township, **Dauphin County** with an expiration date of March 12, 2015. Permit issued: March 17, 2014.

**Permit No. 36144111. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Dutch Gold Honey Project in East Hempfield Township, **Lancaster County** with an expiration date of March 12, 2015. Permit issued: March 17, 2014.

**Permit No. 36144112. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Cyraco Bicycle in East Hempfield Township, **Lancaster County** with an expiration date of March 12, 2015. Permit issued: March 17, 2014.

**Permit No. 13144101. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Albrightsville Turnpike Interchange in Penn Forest Township, **Carbon County** with an expiration date of March 4, 2015. Permit issued: March 18, 2014.

**Permit No. 58144114. DW Drilling & Blasting**, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Slocum Gas Pad and Tank Farm in Jackson Township, **Susquehanna County** with an expiration date of March 12, 2015. Permit issued: March 18, 2014.

**Permit No. 67144102. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Wintersridge in Lower Windsor Township, **York County** with an expiration date of March 17, 2015. Permit issued: March 18, 2014.



**Permit No. 40144105. Maurer & Scott Sales, Inc.,** (122 Thomas Street, Coopersburg, PA 18036), construction blasting for SR 309 Mountain Top Project in Wright Township, **Luzerne County** with an expiration date of March 31, 2015. Permit issued: March 19, 2014.

### 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.

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**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

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*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.*

**E09-973. Pennsylvania Turnpike Commission,** Bensalem, Bristol, Middletown Townships, **Bucks County,** ACOE Philadelphia District. This is a modification of the previously published permit.

To perform the below listed water obstruction and encroachments associated with Pennsylvania Turnpike Phase III widening and improvement construction activities in Section D10 (Milepost 355.9 to Milepost 357.6). The activities include the widening and reconstruction of approximately 1.7 miles of eastbound Pennsylvania Turnpike (I-276) to a four-lane roadway between the I-95 overpass and the I-276 Bridge over SR 0013. It also includes the widening and reconstruction of approximately 0.9 mile of westbound I-276 to a four-lane roadway between the I-95 overpass and 1300' east of the I-276 Bridge over New Rodgers Road (SR 0413). Specific water obstruction and encroachments are:

1. To fill and relocate the intermittent stream within the proposed construction limits that drains to an unnamed tributary to Mill Creek between stations 141+80 and 142+83 (Langhorne, PA Quadrangle N: 0.75 inch W: 1.75 inches; Latitude: 40° 7' 43.4", Longitude: 74° 53' 14.9"). Permanent impact of 105 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel of the same length (S30-R4-1).

2. To place fill for the construction of the roadway widening of I-276 in the emergent wetland that drains to an unnamed tributary to Mill Creek between stations 142+83 and 144+79 (Langhorne, PA Quadrangle N: 0.7 inch W: 1.7 inches; Latitude 40° 7' 43.1", Longitude: 74° 53' 12.5"). Permanent impact of 0.037 acre of emergent wetland (E30).

3. To fill and relocate the intermittent stream within the proposed construction limits that drains to an unnamed tributary to Mill Creek between stations 144+79 and 151+35 (Langhorne, PA Quadrangle N: 0.65 inch W: 1.5 inches; Latitude: 40° 7' 42.3", Longitude: 74° 53' 7.0"). Permanent impact of 658 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 806 feet in length (S30-R4-2).

4. To fill and relocate existing culvert for the intermittent stream within the proposed construction limits that drains to an unnamed tributary to Mill Creek between stations 151+35 and 152+64 (Langhorne, PA Quadrangle N: 0.6 inch W: 1.25 inches; Latitude: 40° 7' 41.1", Longitude: 74° 52' 58.8"). Permanent impact of 129 linear feet of intermittent stream channel. The existing culvert will be removed and the intermittent stream will be relocated into a new culvert of the same length (S30-R4-3).

5. To fill and relocate the intermittent stream within the proposed construction limits that drains to an unnamed tributary to Mill Creek between stations 152+64 and 302+30 (Langhorne, PA Quadrangle N: 0.6 inch W: 1.2 inches; Latitude: 40° 7' 41.1", Longitude: 74° 52' 58.8"). Permanent impact of 352 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 327 feet in length. There will be a loss of 25 feet of intermittent stream channel (S30-R4-4).

6. To fill and relocate existing culvert for the intermittent stream within the proposed construction limits that drains to an unnamed tributary to Mill Creek between stations 302+30 and 304+68 (Langhorne, PA Quadrangle N: 0.5 inch W: 1.0 inches; Latitude: 40° 7' 41.1" Longitude: 74° 52' 58.8"). Permanent impact of 79 linear feet of intermittent stream channel. The existing culvert will be removed and the intermittent stream will be relocated into a new culvert of the same length (S30-R4-5).

7. To fill and relocate the intermittent stream within the proposed construction limits that drains to Mill Creek

between stations 304+68 and 311+50 (Langhorne, PA Quadrangle N: 0.55 inch W: 0.8 inch; Latitude: 40° 7' 40.1", Longitude: 74° 52' 51.8"). Permanent impact of 697 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 602 feet in length. There will be a loss of 95 feet of intermittent stream channel (S30-R4-6).

8. To place fill for the construction of the roadway widening of I-276 in the scrub-shrub wetland that drains to Mill Creek between stations 678+77 and 679+44 (Langhorne, PA Quadrangle N: 0.7 inch W: 0.75 inches; Latitude: 40° 7' 40.7", Longitude: 74° 52' 47.9"). Permanent impact of 0.006 acre of scrub-shrub wetland (S20C).

9. To fill and relocate/re-align the perennial stream within the proposed construction limits that drain to Mill Creek between stations 311+31 and 312+73 (Langhorne, PA Quadrangle N: 0.6 inch W: 0.6 inch; Latitude: 40° 7' 40.2", Longitude: 74° 52' 47.1"). Permanent impact of 580 linear feet and temporary impact of 25 linear feet of perennial stream channel. The existing channel will be partially filled and relocated/re-aligned into a new channel 580 feet in length (S20A-R2).

10. To place fill for the construction of the roadway widening of I-276 in the scrub-shrub wetland that drains to Mill Creek between stations 213+09 and 213+34 (Langhorne, PA Quadrangle N: 0.4 inch W: 0.55 inch; Latitude: 40° 7' 36.7", Longitude: 74° 52' 44.9"). Permanent impact of 0.004 acre and a temporary impact of 0.008 acre of scrub-shrub wetland (E29B).

11. To place fill for the construction of the roadway widening of I-276 in the emergent/forested/scrub-shrub wetland that drains to an unnamed tributary to Mill Creek between stations 219+37 and 226+67 (Langhorne, PA Quadrangle N: 0.4 inch W: 0.1 inch; Latitude: 40° 7' 35.0", Longitude: 74° 52' 31.4"). Permanent impact of 0.163 acre and temporary impact of 0.116 acre of emergent/forested/scrub-shrub wetlands (E29).

12. To fill and relocate into a culvert and new channel the perennial stream within the proposed construction limits that drains to Mill Creek between stations 489-01 and 489-82. Permanent impact of 141 linear feet of perennial stream channel; 52 linear feet (south side of turnpike) and 89 linear feet (north side of turnpike) of permanent impacts. (Langhorne, PA Quadrangle N: 0.45 inch W: 0.1 inch EB-Latitude: 40° 7' 35.1" Longitude: 74° 52' 32.5" WB-Latitude: 40° 07' 37.03" Longitude: 74° 52' 32.63"). The existing channel will be placed into two culvert extensions, one north of and one south of the turnpike for a permanent impact of 73 linear feet of new culvert and 48 linear feet of new relocated perennial stream channel. There will be a loss of 20 linear feet of perennial stream channel (E29A-R2).

13. To place fill for the construction of the roadway widening of I-276 in the forested wetland that drains to Mill Creek between stations 692+56 and 696+71 (Trenton West, NJ-PA Quadrangle N: 0.25 inch W: 17.25 inches; Latitude: 40° 7' 36.9" Longitude: 74° 52' 26.5") Permanent impact of 0.217 acre and a temporary impact of 0.083 acre of forested wetlands (E24).

14. To place fill for the construction of the roadway widening of I-276 in the forested wetland that drains to an unnamed tributary to Mill Creek between stations 233+37 and 236+19. (Trenton West, NJ-PA Quadrangle N: 0.1 inch W: 17.1 inches; Latitude: 40° 7' 33.1" Longitude: 74° 52' 17.6") Permanent impact of 0.010 acre and a temporary impact of 0.034 acre to forested wetlands (E28).

15. To fill and relocate the intermittent stream within the proposed construction limits that drains to an un-

named tributary to Mill Creek between stations 213+30 and 215+25 (Langhorne, PA Quadrangle N: 0.1 inch W: 0.50 inch; Latitude: 40° 07' 33.9" Longitude: 74° 52' 46.10"). Permanent impact of 238 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel of the same length (E29C-R4).

16. To fill and extend a culvert located on the intermittent stream within the proposed construction limits that drains to an unnamed tributary to Mill Creek at station 237+09. (Trenton West, NJ-PA Quadrangle N: 0.1 inch W: 16.8 inches Latitude: 40° 7' 33.1" Longitude: 74° 52' 17.6"). Permanent impact of 24 linear feet of intermittent stream channel. The existing channel will be filled and placed into a culverted extension of an existing culverted section of intermittent stream channel (E28A-R4).

17. To fill, culvert and relocate the intermittent stream within the proposed construction limits that drains to an unnamed tributary to Mill Creek between stations 514+21 and 514+80 (Trenton West, NJ-PA Quadrangle N: 0.1 inch W: 16.4 inches; Latitude: 40° 7' 31.2" Longitude: 74° 52' 3.6"). Permanent impact of 232 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 168 feet in length and 64 feet of culvert (S27-R4).

18. To fill, culvert and relocate the intermittent stream within the proposed construction limits that drains to an unnamed tributary to Mill Creek between stations 513+00 and 513+01 (Trenton West, NJ-PA Quadrangle N: 0.1 inch W: 16.4 inches; Latitude: 40° 7' 31.2" Longitude: 74° 52' 3.6"). Temporary impact of 13 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 13 feet in length (E20-R4).

19. To place fill for the construction of the roadway widening of I-276 in the emergent wetland that drains to an unnamed tributary to Mill Creek between stations 513+12 and 513+24 (Trenton West, NJ-PA Quadrangle N: 0.2 inch W: 16.4 inches; Latitude: 40° 7' 31.2" Longitude: 74° 52' 3.6"). Permanent impact of 0.006 acre and a temporary impact of 0.008 acre of emergent wetlands (E27).

20. To fill and relocate the intermittent stream within the proposed construction limits that drains to an unnamed tributary to Mill Creek between stations 536+04 to 541+10 (Bristol, PA-NJ Quadrangle N: 22.5 inches W: 15.5 inches; Latitude: 40° 7' 28.8" Longitude: 74° 51' 39.9"). Permanent impact of 390 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 137 feet in length. There will be a loss of 253 feet of intermittent stream channel (E15A-R4).

21. To place fill for the construction of the roadway widening of I-276 in the forested wetland that drains to an unnamed tributary to Mill Creek between stations 537+45 and 540+82 (Bristol, PA Quadrangle N: 22.5 inches West: 15.5 inches; Latitude: 40° 07' 27.41" Longitude: 74° 51' 34.53"). Permanent impact of 0.122 acre and temporary impact of 0.129 acre of forested wetlands (E15).

22. To place fill for the construction of the roadway widening of I-276 in the emergent/forested wetland that drains to Mill Creek between stations 536+22 and 541+64 (Bristol, PA-NJ Quadrangle N: 22.75 inches W: 15.5 inches; Latitude: 40° 7' 30.7" Longitude: 74° 51' 41.9"). Permanent impact of 0.007 acre and temporary impact of 0.009 acre to emergent/forested wetlands (E16).

23. To cover with a new bridge structure and grade the perennial stream channel within the proposed construc-

tion limits that drains to Mill Creek between stations 541+30 and 542+08 (Bristol, PA-NJ Quadrangle N: 22.5 inches W: 15.5 inches; Latitude: 40° 07' 29.27" Longitude: 74° 51' 38.02"). Permanent impact of 156 linear feet and temporary impact of 44 linear feet of perennial stream channel. The existing channel will be impacted by a new wider bridge structure and by grading of 44 linear feet of perennial stream channel (E16A-R2).

24. To fill, culvert and relocate the intermittent stream within the proposed construction limits that drains to Mill Creek between stations 542+18/42+59 and 547+00/28+36 (Bristol, PA-NJ Quadrangle N: 22.5 inches W: 15.35 inches; Latitude: 40° 7' 27.6" Longitude: 74° 51' 26.9"). Permanent impact of 591 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 514 feet in length and 77 feet of culvert (E32A-R4).

25. To fill, culvert and relocate the intermittent stream within the proposed construction limits that drains to an unnamed tributary to Mill Creek between stations 547+80/554+66 and 554+66/556+64 (Bristol, PA-NJ Quadrangle N: 22.5 inches W: 15.1 inches; Latitude: 40° 7' 26.2" Longitude: 74° 51' 26.9"). Permanent impact of 974 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 768 feet in length and 206 feet of culvert (E18B-R4).

26. To place fill for the construction of the roadway widening of I-276 in the scrub-shrub wetland that drains to an unnamed tributary to Mill Creek between stations 557+73 and 560+14 (Bristol, PA-NJ Quadrangle N: 22.5 inches W: 14.75 inches; Latitude: 40° 07' 24.77" Longitude: 74° 51' 15.4"). Permanent impact of 0.016 acre to scrub-shrub wetlands (E18B).

27. To fill and grade the intermittent stream channel within the proposed construction limits that drains to an unnamed tributary to Mill Creek between stations 560+09 and 560+34 (Bristol, PA-NJ Quadrangle N: 22.5 inches W: 15.1 inches; Latitude: 40° 7' 26.2" Longitude: 74° 51' 26.9"). Permanent impact of 24 linear feet of intermittent stream channel. The existing channel will be filled and graded for construction of an outlet structure into the intermittent stream (E18B-R4).

28. To fill and grade the intermittent stream channel within the proposed construction limits that drains to an unnamed tributary to Mill Creek between stations 556+64/560+96 and 560+96/561+23 (Bristol, PA-NJ Quadrangle N: 22.5 inches W: 15.1 inches; Latitude: 40° 7' 26.2" Longitude: 74° 51' 26.9"). Permanent impact of 11 linear feet of intermittent stream channel. The existing channel will be filled and graded for construction of an outlet structure into the intermittent stream (E18B-R4).

29. To place fill for the construction of the roadway widening of I-276 in the forested wetland that drains to an unnamed tributary to Mill Creek between stations Ramp D 53+62 and Ramp D 54+83 (Bristol, PA-NJ Quadrangle N: 22.25 inches W: 14.3 inches; Latitude: 40° 7' 19.4" Longitude: 74° 51' 16"). Permanent impact of 0.115 acre and temporary impact of 0.020 acre to forested wetlands (E18D).

The project has two component areas. It spans from west to east along I-276 starting just west of the proposed interchange where the present I-95 passes over I-276 and runs approximately 1.7 miles and terminates at the Delaware River Turnpike Bridge on the Pennsylvania side. It also spans from north to south extending along I-95 from one mile north of I-276 in Middletown Township, Bucks County to the east bank of the Neshaminy Creek in Bristol Township. This phase of the project

passes through Bensalem, Bristol, and Middletown Townships, Bucks County, Center of area Latitude 40° 7' 45", and Longitude 74° 53' 23".

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)].

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E67-903 Exelon Generation Corporation**, 4948 Conowingo Road, Darlington, MD 21034 in Peach Bottom Township, **York County**, ACOE Baltimore District

To 1) remove 60.0 lineal feet of 6.5 foot wide floating dock from in and along the Susquehanna River (WWF, MF), 2) install and maintain 227.5 lineal feet of 6.5 foot wide floating dock in and along the Susquehanna River (WWF, MF), 3) install and maintain 113.8 lineal feet of 6.5 foot wide floating dock in and along the Susquehanna River (WWF, MF), 4) extend and maintain 60.0 lineal feet of 6.5 foot wide floating dock in kind by 34.3 lineal feet in and along the Susquehanna River (WWF, MF) all for the purpose of providing additional recreational facilities to meet current and future needs. The project is located in Dorsey Park East of Lay Road (Holtwood, PA Quadrangle, Latitude: 39°46'6"N, Longitude: 76°16'16"W) in Peach Bottom Township, York County.

*Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E26-368. Pennsylvania Department of Transportation District 12-0**, 825 North Gallatin Avenue, Uniontown, PA 15017; South Union Township, **Fayette County**; ACOE Pittsburgh District.

Has been given consent to do the following:

1. Replace and maintain a 60 foot long section of a 185 foot long 48 inch diameter RCP culvert with a 140 foot long 54 inch RCP culvert extension on an unnamed tributary to Jennings Run (WWF) with a drainage area of less than 100 acres;

2. Replace and maintain a 62 foot long 15 inch diameter pipe with a 101 foot long 42 inch diameter pipe on an unnamed tributary to Coal Lick Run (WWF) with a drainage area less than 100 acres;

3. Replace and maintain a 104 foot long 60 inch diameter pipe and a 169 foot long 60 inch diameter pipe with 157 foot long and 181 foot long 60 inch diameter pipes, respectively, on another unnamed tributary to Coal Lick Run (WWF) with a drainage area less than 100 acres;

4. Construct and maintain associated stormwater outfalls on unnamed tributaries to Jennings Run (WWF) and Coal Lick Run (WWF);

5. Permanently maintain fill in 0.096 acre of PEM wetland and temporarily impact 0.338 acre of PEM wetland.

6. Construct and maintain 269 linear feet of onsite stream mitigation on a UNT to Coal Lick Run (WWF).

Wetland mitigation will be via debiting from the Jacobs Creek Advanced Wetland Compensation Site located 2 miles east of Mount Pleasant, PA. The project is located west of Uniontown Pa. (New Salem Quadrangle starting N 5.0 inches, W 0.7 inch, Latitude: 39° 54' 8", Longitude: -79° 45' 16"; and extending west N 4.5 inches, W 2.5 inches, Latitude: 39° 53' 58", Longitude: -79° 46' 03") in South Union Township, Fayette County.



*District Oil and Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E5729-070: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, Elkland Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) A temporary access road using a timber mats and an 8 inch diameter well line impacting 9,030 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Shunk, PA Quadrangle 41°31'40"N, 76°41'05"W);

2) An 8 inch diameter well line impacting 555 square feet of an exceptional value palustrine forested (EV-PFO) wetland and 3 linear feet of an unnamed tributary to Elk Creek (EV) (Shunk, PA Quadrangle 41°31'45"N, 76°41'02"W);

3) A temporary access road using timber mat bridge and an 8 inch diameter gathering line impacting 150 linear feet of an unnamed tributary to Elk Creek (EV) (Shunk, PA Quadrangle 41°31'19"N, 76°40'54"W).

The project will result in 153 linear feet of temporary stream impacts, and 9,492 square feet (0.22 acre) of temporary wetland impacts all for the purpose of installing a gathering line for Marcellus well development in Elkland Township, Sullivan County.

**E5729-048: PVR NEPA Gas Gathering, LLC**, 100 Penn Tower, Suite 201 & 202, 25 West Third Street, Williamsport, PA 17701, Davidson and Laporte Townships, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 65 linear feet of an unnamed tributary to Muncy Creek (EV) (Sonestown, PA Quadrangle 41°21'14"N, 76°33'37"W);

2) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 23 linear feet of an unnamed tributary to Muncy Creek (EV) (Sonestown, PA Quadrangle 41°21'13"N, 76°33'36"W);

3) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 65 linear feet of an unnamed tributary to Muncy Creek (EV) and 1,285 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Sonestown, PA Quadrangle 41°21'20"N, 76°33'33"W);

4) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 68 linear feet of an unnamed tributary to Muncy Creek (EV) (Sonestown, PA Quadrangle 41°21'27"N, 76°33'26"W);

5) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 30 linear feet of an unnamed tributary to Muncy Creek (EV) (Sonestown, PA Quadrangle 41°21'24"N, 76°33'28"W);

6) a temporary road crossing using a timber mat bridge, one 12 inch diameter steel gas line impacting 10,444 square feet of a palustrine emergent (PEM) wetland (Sonestown, PA Quadrangle 41°21'35"N, 76°33'29"W);

7) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 75 linear feet of an unnamed tributary to Muncy Creek (EV) (Sonestown, PA Quadrangle 41°21'40"N, 76°33'26"W);

8) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 60 linear feet of Big Run (EV) (Sonestown, PA Quadrangle 41°21'52"N, 76°33'13"W);

9) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 67 linear feet of an unnamed tributary to Big Run (EV) (Sonestown, PA Quadrangle 41°21'53"N, 76°33'07"W);

10) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 60 linear feet of an unnamed tributary to Big Run (EV) (Sonestown, PA Quadrangle 41°21'53"N, 76°33'06"W);

11) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 57 linear feet of an unnamed tributary to Big Run (EV) (Sonestown, PA Quadrangle 41°21'54"N, 76°33'06"W);

12) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 63 linear feet of an unnamed tributary to Big Run (EV) (Sonestown, PA Quadrangle 41°21'53"N, 76°33'00"W);

13) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 63 linear feet of an unnamed tributary to Big Run (EV) (Sonestown, PA Quadrangle 41°21'53"N, 76°33'00"W);

14) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 17 linear feet of an unnamed tributary to Big Run (EV) (Sonestown, PA Quadrangle 41°21'3"N, 76°32'58"W);

15) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 84 linear feet of an unnamed tributary to Mosey Run (EV) (Sonestown, PA Quadrangle 41°21'48"N, 76°32'57"W);

16) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 88 linear feet of an unnamed tributary to Mosey Run (EV) (Sonestown, PA Quadrangle 41°21'46"N, 76°32'58"W);

17) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 63 linear feet of Mosey Run (EV) (Sonestown, PA Quadrangle 41°21'45"N, 76°32'58"W);

18) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 66 linear feet of an unnamed tributary to Mosey Run (EV) (Sonestown, PA Quadrangle 41°21'41"N, 76°32'58"W);

19) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 96 linear feet of an unnamed tributary to Mosey Run (EV) (Sonestown, PA Quadrangle 41°21'40"N, 76°32'56"W);

20) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 66 linear feet of an unnamed tributary to Muncy Creek (EV) (Sonestown, PA Quadrangle 41°21'56"N, 76°31'30"W);

21) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 50 linear feet of an unnamed tributary to Muncy Creek (EV) (Sonestown, PA Quadrangle 41°21'54"N, 76°31'26"W);

22) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 80 linear feet of Muncy Creek (EV) (Sonestown, PA Quadrangle 41°21'44"N, 76°31'03"W);

23) a temporary road crossing using a timber mat bridge impacting 4,876 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Sonestown, PA Quadrangle 41°21'52"N, 76°30'35"W);

24) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 64 linear feet of an unnamed tributary to Muncy Creek (EV) (Sonestown, PA Quadrangle 41°21'52"N, 76°30'30"W);

25) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 53





palustrine emergent (EV-PEM) wetland (Elk Grove, PA Quadrangle 41°21'50"N, 76°27'52"W);

59) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 34 linear feet of an unnamed tributary to Painter Run (EV) (Elk Grove, PA Quadrangle 41°20'49"N, 76°27'50"W);

60) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 70 linear feet of an unnamed tributary to Painter Run (EV) (Elk Grove, PA Quadrangle 41°20'49"N, 76°27'49"W);

61) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 62 linear feet of an unnamed tributary to Painter Run (EV) (Elk Grove, PA Quadrangle 41°20'50"N, 76°27'49"W);

62) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 70 linear feet of an unnamed tributary to Painter Run (EV) (Elk Grove, PA Quadrangle 41°20'49"N, 76°27'49"W);

63) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 60 linear feet of an unnamed tributary to Painter Run (EV) (Elk Grove, PA Quadrangle 41°20'46"N, 76°27'42"W);

64) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 64 linear feet of an unnamed tributary to Painter Run (EV) (Elk Grove, PA Quadrangle 41°20'37"N, 76°27'04"W);

65) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 63 linear feet of an unnamed tributary to Painter Run (EV) (Elk Grove, PA Quadrangle 41°20'37"N, 76°26'59"W);

66) a temporary road crossing using a timber mat bridge and a 12 inch diameter steel gas line impacting 75 linear feet of an unnamed tributary to Painter Run (EV) (Elk Grove, PA Quadrangle 41°20'40"N, 76°26'48"W). 138

The project will result in 12,588 square feet (0.29 acre) of temporary wetland impacts, 6,532 square feet (0.15 acre) of permanent wetland impacts and 3,832 linear feet of temporary stream impacts from the installation of one 12 inch steel gas line and associated access roadways in Davidson and Laporte Townships, Sullivan County. The permittee will provide 0.45 acre of compensatory mitigation at the Hershberger Mitigation Site (Washingtonville, PA Quadrangle 41°05'16"N, 76°42'43"W) in Limestone Township, Montour County.

**E4129-080: Anadarko Marcellus Midstream, LLC**, 33 West Third Street, Suite 200, Williamsport, PA 17701, Cascade Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) fill for a permanent access road impacting 10,121 square feet of a palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°25'42"N 76°56'55"W);

2) fill for a permanent access road impacting 2,785 square feet of palustrine emergent (PEM) wetland (Bodines, PA Quadrangle 41°25'41"N 76°56'50"W);

3) a 38-foot long, 36-inch diameter culvert and associated fill impacting 60 linear feet of an unnamed tributary to East Branch Murray Run (EV, MF) and 71 square feet of adjacent palustrine forested (PFO) wetland (Bodines, PA Quadrangle 41°25'40"N 76°56'49"W).

The project will result in a total of 58 linear feet of stream impacts and an additional 0.30 acre wetland impacts all for the purpose of installing a permanent access roadway to a natural gas compressor station for Marcellus well development.

## ENVIRONMENTAL ASSESSMENTS

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

**EA32-011. Fluid Recovery Services, LLC**, 5035 US Route 10, Creekside, PA 15732; Burrell Township, **Indiana County**; ACOE Pittsburgh District.

The applicant has been given consent to remove radiation impacted sediment from a 1' deep by 20' wide by 600' long portion of Blacklick Creek (TSF) immediately downstream from an existing facility outfall. Excavated substrate will be treated, in part, by removing radiation impacted fine sediment and Blacklick Creek will be restored by replacing the larger, treated substrate material into the excavated area. The site is located at the Fluid Recovery Services, LLC—Josephine facility, at 931 Bells Mills Road, Josephine, PA 15750 (Bolivar, PA USGS Quadrangle; N: 19.22 inches; W: 5.88 inches; Latitude: 40° 28' 51.08"; Longitude: -79° 10' 02.23") in Burrell Township, Indiana County.

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460*

**D37-004EA. Mr. Brian David**, 372 Eastbrook-Harlensburg Road, New Castle, PA 16105, Hickory Township, **Lawrence County**, USACOE Pittsburgh District.

Project proposes to breach McConnell Dam located across Hottenbaugh Run (TSF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition (New Castle North, PA Quadrangle; Latitude: 41.0440, Longitude: -80.2587).

## 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.

*Northcentral Region: Waterways & Wetlands Program Manager, 208 W Third Street, Williamsport, Pa 17701*

ESCP 2 # ESG 00 059 14 0001

Applicant Name Dominion Transmission, Inc.  
Contact Person Kevin Zink

Address 5094 Route 349  
 City, State, Zip Westfield, PA 16950  
 County Tioga  
 Township(s) Clymer, Westfield, Chatham, Farmington,  
 Lawrence  
 Receiving Stream(s) and Classification(s) Jemison Creek  
 (WWF); UNT to Jemison Creek (WWF); UNT's to  
 Crooked Creek (WWF); UNT's to Locey Creek (WWF);  
 Locey Creek (WWF); UNT to Cummings Creek (WWF);  
 UNT to Elkhorn Creek; Baldwin Creek (WWF); Bear  
 Creek (WWF)

*Northwest Region: Oil and Gas Program Manager, 230  
 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX14-085-0004—Pymatuning MacDonald  
 Well Pad

Applicant Hilcorp Energy Company  
 Contact Stephanie McMurray  
 Address 1201 Louisiana Street, Suite 1400  
 City Houston State TX Zip Code 77002  
 County Mercer Township(s) Pymatuning(s)  
 Receiving Stream(s) and Classification(s) UNT to Big Run  
 (WWF)

ESCGP-1 #ESG14-019-0010—Draco Well Pad & Constel-  
 lation Compressor Station

Applicant EM Energy Midstream PA LLC  
 Contact Hugh Caperton  
 Address 601 Technology Drive, Suite 300  
 City Canonsburg State PA Zip Code 15317  
 County Butler Township(s) Oakland(s)  
 Receiving Stream(s) and Classification(s) Trib 35298 to  
 Pine Run, Trib 35297 to Pine Run, & Pine Run/  
 Connoquenessing Creek

ESCGP-1 #ESX14-019-0011—Royal to Bluestone Pipeline  
 Applicant MarkWest Liberty Blustone LLC

Contact Richard Lowry  
 Address 4600 J Barry Court, Suite 500  
 City Canonsburg State PA Zip Code 15317  
 County Butler Township(s) Forward & Jackson(s)  
 Receiving Stream(s) and Classification(s) UNT to Break-  
 neck Creek, WWF; UNT's to Connoquenessing Creek,  
 WWF; Connoquenessing Creek, WWF/Slippery Rock  
 Creek

ESCGP-1 #ESG14-047-0002—ARG 2014 Development  
 Applicant ARG Resources

Contact Mr. James Bolinger  
 Address 285 Custom Lumber Lane  
 City Kane State PA Zip Code 16735  
 County Elk Township(s) Highland(s)  
 Receiving Stream(s) and Classification(s) UNT to Coon  
 Run—Ohio River Basin in PA—Allegheny River (List  
 Q), Coon Run—Ohio River Basin in PA—Allegheny  
 River (List Q), UNT to East Branch Spring Creek—  
 Ohio River Basin in PA—Clarion River (List R), East  
 Branch Spring Creek—Ohio River Basin in  
 PA—Clarion River (List R)

ESCGP-1 #ESX14-019-0017

Applicant XTO Energy  
 Contact Ms. Melissa Breitenbach  
 Address 502 Keystone Drive  
 City Warrendale State PA Zip Code 15086  
 County Butler Township(s) Butler(s)  
 Receiving Stream(s) and Classification(s) Sawmill Run &  
 UNT to Connoquenessing Creek

*Eastern Region: Oil & Gas Management Program Man-  
 ager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-1 # ESX29-115-14-0020  
 Applicant Name Appalachia Midstream Services, LLC

Contact Person Randy DeLaune  
 Address 100 IST Center  
 City, State, Zip Horseheads, NY 14845-1015  
 County Susquehanna County  
 Township(s) Auburn Township  
 Receiving Stream(s) and Classification(s) Little Meshop-  
 pen Creek, Tuscarora Creek (CWF) and Tribs to the  
 aforementioned streams;  
 Secondary: Susquehanna River

ESCGP-1 # ESX29-115-14-0022  
 Applicant Name Williams Field Svc Co, LLC  
 Contact Person Lauren Miladinovich  
 Address Park Place Corporate Center 2, 2000 Commerce  
 Drive

City, State, Zip Pittsburgh, PA 15275  
 County Susquehanna County  
 Township(s) Springville Township  
 Receiving Stream(s) and Classification(s) UNTs to Monroe  
 Creek, Pond Brook and UNT to Pond Brook, Upper  
 Susquehanna—Tunkhannock Water Shed (All CWF/  
 MF);  
 Secondary: Tunkhannock Creek

ESCGP-1 # ESX29-131-14-0002  
 Applicant Name Southwestern Energy Production Com-  
 pany

Contact Person Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Wyoming County  
 Township(s) Tunkhannock Township  
 Receiving Stream(s) and Classification(s) Billings Mill  
 Brook and UNT to Tunkhannock Creek (CWF/MF, NRT)  
 Secondary: Tunkhannock Creek

ESCGP-1 # ESX29-115-14-0024  
 Applicant Name Southwestern Energy Production Com-  
 pany

Contact Person Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Susquehanna County  
 Township(s) Oakland Township  
 Receiving Stream(s) and Classification(s) Hilborn Creek  
 (CWF/MF), Susquehanna River (WWF/MF);  
 Secondary: Susquehanna River (WWF/MF)

ESCGP-1 # ESX29-115-14-0017  
 Applicant Name Cabot Oil & Gas Corporation

Contact Person John Smelko  
 Address Five Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna County  
 Township(s) Harford Township  
 Receiving Stream(s) and Classification(s) Martins Creek  
 (CWF/MF) and UNTs thereto

ESCGP-1 # ESX29-115-14-0021  
 Applicant Name Cabot Oil & Gas Corporation

Contact Person Kenneth Marcum  
 Address Five Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna County  
 Township(s) Middletown Township  
 Receiving Stream(s) and Classification(s) UNTs to  
 Gaylord Creek, North Branch Wyalusing (Both CWF/  
 MF)

ESCGP-1 # ESX13-113-0001 (01)  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane



City, State, Zip Sayre, PA 18840  
 County Sullivan County  
 Township(s) Elkland Township  
 Receiving Stream(s) and Classification(s) Elk Creek (HQ, EV), Elk Creek Designated Use (HQ-CWF/MF), Elk Creek Existing Use (EV), Loyalsock Creek (Secondary Use) Designated Use (CWF/MF), Loyalsock Creek Existing Use (EV)

ESCGP-1 # ESG12-115-0165  
 Applicant Name Williams Field Svc Co, LLC  
 Contact Person Sandra Lojek  
 Address Park Place Corporate Center 2, 2000 Commerce Drive

City, State, Zip Pittsburgh, PA 15275  
 County Susquehanna County  
 Township(s) Gibson Township  
 Receiving Stream(s) and Classification(s) Rock Creek, Bell Creek, Tunkhannock Creek and tribs thereto (CWF-MF, NRT)

ESCGP-1 # ESX29-115-14-0015  
 Applicant Name Williams Field Svc Co, LLC  
 Contact Person Julie Nicholas  
 Address Park Place Corporate Center 2, 2000 Commerce Drive

City, State, Zip Pittsburgh, PA 15275  
 County Susquehanna County  
 Township(s) Bridgewater and Brooklyn Townships  
 Receiving Stream(s) and Classification(s) Meshoppen Creek, Hop Bottom Creek (CWF/MF)

ESCGP-1 # ESX29-115-14-0019  
 Applicant Name Cabot Oil & Gas Corporation  
 Contact Person John Smelko  
 Address Five Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna County  
 Township(s) Harford Township  
 Receiving Stream(s) and Classification(s) UNTs to Martins Creek (CWF/MF)

ESCGP-1 # ESX29-115-14-0007  
 Applicant Name Southwestern Energy Production Company  
 Contact Person Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Susquehanna County  
 Township(s) Great Bend and Oakland Townships  
 Receiving Stream(s) and Classification(s) Deacon Brook, Bed Bug Brook (CWF/MF), UNT to Susquehanna River

ESCGP-1 # ESX29-115-14-0026  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Randy DeLaune  
 Address 100 IST Center  
 City, State, Zip Horseheads, NY 14845  
 County Susquehanna County  
 Township(s) Auburn Township  
 Receiving Stream(s) and Classification(s) Little Meshoppen Creek, Tuscarora Creek, and Tribs to aforementioned streams (CWF);  
 Secondary: Susquehanna River

ESCGP-1 # ESX29-015-14-0011  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County Bradford County  
 Township(s) Terry Township  
 Receiving Stream(s) and Classification(s) Durell Creek &

UNT to Susquehanna River (WWF/MF);  
 Secondary: Susquehanna River (WWF/MF)

ESCGP-1 # ESX29-131-14-0005  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 14 Chesapeake Lane  
 City, State, Zip Sayre, PA 18840  
 County Wyoming County  
 Township(s) Washington Township  
 Receiving Stream(s) and Classification(s) Meshoppen Creek (CWF/MF);  
 Secondary: Susquehanna River (WWF/MF)

ESCGP-1 # ESG29-113-14-0001  
 Applicant Name Chief Oil & Gas LLC  
 Contact Person Jeffrey Deegan  
 Address 6051 Wallace Road Ext., Suite 300  
 City, State, Zip Wexford, PA 15090  
 County Sullivan County  
 Township(s) Fox Township  
 Receiving Stream(s) and Classification(s) Fall Run  
 HQ-EV

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

ESCGP-2 No: ESG13-005-0018  
 Applicant Name: EQT Gathering LLC  
 Contact Person Mr Brian M Clauto  
 Address: 455 Racetrack Road Suite 101  
 City: Washington State: PA Zip Code: 15301  
 County: Armstrong Township: West Franklin  
 Receiving Stream (s) And Classifications: UNT to Buffalo Creek (Basin, Little Buffalo Run to Little Buffalo Creek) / Buffalo Creek, UNT to Rough Run/ Buffalo Creek); HQ; Other HQ-TSF; Siltation-Impaired

ESCGP-2 No.: ESX12-129-0023 Major Revision  
 Applicant Name: CNX Gas Company LLC  
 Contact Person: Mr Daniel Bitz  
 Address: 1000 Consol Energy Drive  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Westmoreland Township(s): Washington  
 Receiving Stream(s) and Classifications: UNT to Beaver Run Reservoir; HQ; Exceptional Value; Other CWF TSF

ESCGP-2 No.: ESX14-059-0006  
 Applicant Name: Chevron Appalachia LLC  
 Contact Person: Mr Branden Weimer  
 Address: 800 Mountain View Drive  
 City: Smithfield State: PA Zip Code: 15478  
 County: Greene Township(s): Dunkard  
 Receiving Stream(s) and Classifications: UNT to Meadow Run, UNT to Dunkard Creek/Upper Monongahela River Watershed; Other WWF; Siltation-Impaired

ESCGP-2 No.: ESG13-125-0052  
 Applicant Name: Range Resources Appalachia LLC  
 Contact Person: Ms Laura M Rusmisl  
 Address: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): Hopewell, Blaine and Donegal  
 Receiving Stream(s) and Classifications: UNTs to #27814 Brush Run & #24877 Buffalo Creek; HQ

ESCGP-2 No.: ESX13-125-0048  
 Applicant Name: Noble Energy  
 Contact Person: Chris London  
 Address: 333 Technology Drive Suite 116  
 City: Canonsburg State: PA Zip Code: 15317  
 COUNTY Washington Township(s): West Finley  
 Receiving Stream(s) and Classifications: UNT to Robinson Fork; Other WWF



ESCGP-2 No.: ESX14-051-0003  
 Applicant Name: Chevron Appalachia LLC  
 Contact Person: Mr Branden Weimer  
 Address: 800 Mountain Drive  
 City: Smithfield State: PA Zip Code: 15478  
 County: Fayette Township(s): Luzerne  
 Receiving Stream(s) and Classifications: UNTs to Wallace Run/Middle Monongahela River Watershed; Other WWF

ESCGP-2 No.: ESG14-059-0010  
 Applicant Name: Alpha Shale Resources LP  
 Contact Person: Ms Tonya Winkler  
 Address: 171 Hillpointe Drive Suite 301  
 City: Canonsburg State: PA Zip Code 15317  
 County: Greene Township(s): Center and Wayne  
 Receiving Stream(s) and Classifications: UNT to Hargus Creek and Hargus Creek; HQ

ESCGP-2 No.: ESX14-007-0003  
 Applicant Name: Utica Gas Services LLC  
 Contact Person: Mr John T Lattea  
 Address: 179 Chesapeake Drive  
 City: Jane Lew State: WV Zip Code: 26378  
 County: Beaver Township(s): Ohioville and Industry Boro  
 Receiving Stream(s) and Classifications: Upper Dry Run Wolf Run Sixmile Run and their tributaries; Other WWF

ESCGP-2 No.: ESX14-125-0015  
 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): Smith  
 Receiving Stream(s) and Classifications: UNT to Harmon Creek UNTs to Burgetts Fork/Raccoon Creek Watershed; Other WWF

ESCGP-2 NO.: ESX14-051-0001  
 Applicant Name: Chevron Appalachia LLC  
 CONTACT PERSON: Mr Branden Weimer  
 ADDRESS: 800 Mountain View Drive  
 City: Smithfield State: PA Zip Code: 15478  
 County: Fayette Township(s): Perry  
 Receiving Stream(s) and Classifications: UNTs to Browneller Run & Browneller Run/Lower Youghiogheny River Watershed; Other WWF

ESCGP-2 NO.: ESX13-007-0010 Major Revision  
 Applicant Name: PennEnergy Resources LLC  
 CONTACT: Mr Robert A Crissinger  
 ADDRESS: 1000 Commerce Drive Park Place One #100  
 City: Pittsburgh State: PA Zip Code: 15275  
 County: Beaver Township(s): New Sewickley  
 Receiving Stream(s) and Classifications: UNT to Brush Creek (WWF) Slippery Rock Creek Watershed; Other WWF

ESCGP-2 NO.: ESX14-007-0002  
 Applicant Name: PennEnergy Resources LLC  
 CONTACT: Mr Greg D Muse  
 ADDRESS: 1000 Commerce Drive Park Place One Ste 100  
 City: Pittsburgh State: PA Zip Code: 15275  
 County: Beaver Township(s): New Sewickley and Marion  
 Receiving Stream(s) and Classifications: UNT to Brush Creek/Brush Creek Watershed, UNT to Connoquenessing Creek/Connoquenessing Creek Watershed; Other WWF (both)

ESCGP-2 NO.: ESG14-125-0016  
 Applicant Name: Range Resources Appalachia LLC  
 CONTACT: Mr Glenn D Truzzi

ADDRESS: 3000 Town Center Boulevard  
 City: Canonsburg State: PA Zip Code: 15317  
 County: Washington Township(s): North Strabane  
 Receiving Stream(s) and Classifications: UNTs to Little Chartiers Creek/Chartiers Creek Watershed; HQ; Siltation-Impaired

ESCGP-2 NO.: ESX14-059-0015  
 Applicant Name: EQT Gathering LLC  
 CONTACT: Ms Hanna E McCoy  
 ADDRESS: 625 Liberty Avenue Suite 1700  
 City: Pittsburgh State: PA Zip Code: 15222  
 County: Greene Township(s): Morgan  
 Receiving Stream(s) and Classifications: Browns Run (WWF); Other Ch. 93; Warm Water Fishes EX. Use; none

ESCGP-2 NO.: ESX14-125-0018  
 Applicant Name: EQT Production Company  
 CONTACT: Mr Todd Klaner  
 ADDRESS: 455 Racetrack Road  
 City: Washington State: PA Zip Code: 15301  
 County: Washington Township(s): Amwell  
 Receiving Stream(s) and Classifications: UNT to Tenmile Creek (TSF) Tenmile Creek Watershed; Other Trout Stocking Fishery (TSF)

ESCGP-2 NO.: ESX14-051-0002  
 Applicant Name: Chevron Appalachia LLC  
 CONTACT: Mr Branden Weimer  
 ADDRESS: 800 Mountain View Drive  
 City: Smithfield State: PA Zip Code: 15478  
 County: Fayette Township(s): Luzerne  
 Receiving Stream(s) and Classifications: Wallace Run UNT to Wallace Run/Middle Monongahela River Watershed; Other WWF

ESCGP-2 NO.: ESX13-125-0009  
 Applicant Name: CNX GAS COMPANY LLC  
 CONTACT: Mr Daniel Bitz  
 ADDRESS: 200 Evergreen Drive  
 City: Waynesburg State: PA Zip Code: 15370  
 County: Washington Township(s): Morris  
 Receiving Stream(s) and Classifications: UNT to Tenmile Creek (TSF)/Monongahela River, Tenmile Creek (TSF)/Monongahela River, UNT to Crafts Creek (TSF)/Monongahela River and Crafts Creek (TSF)/Monongahela River; Other TSF

[Pa.B. Doc. No. 14-715. Filed for public inspection April 4, 2014, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications.

Check with the appropriate bureau for more information about the availability of a particular document as a publication.

*Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

*Final Technical Guidance—Substantive Revision*

**DEP ID:** 563-2504-001. **Title:** Conventional Bonding for Land Reclamation—Coal. **Description:** The purpose of this document is to provide guidance to describe the regulatory and statutory requirements for determining bond amounts. It also establishes bond rates and the process for determining the bond for land reclamation. The document was revised to include the procedures for bonding sites where the operator wants to delay activation and to change the frequency of the bond liability review form annually to upon permit renewal, with an option to review the liability during the permit mid-term. The Department calculated the rate of inflation using the Consumer Price Index (Northeast Urban) from the United States Department of Labor, Bureau of Labor Statistics, averaged for the calendar years 2009-2013, resulting in a rate of 1.67%. This rate of inflation will be used in calculating bond amounts for permit renewal or permit mid-term bond liability reviews from April 5, 2014, through April 4, 2015. This guidance was published as draft in the *Pennsylvania Bulletin* for a 30-day comment period from November 10, 2012, through December 9, 2012. Nine comments were received from three commentators. Revisions to the draft technical guidance document resulting from the public comments are described in an accompanying Comment-Response Document.

**Contact:** Questions regarding this action should be directed to Chris Yeakle, (814) 797-1191 or cyeakle@pa.gov.

**Effective Date:** April 5, 2014

*Draft Technical Guidance—New Guidance*

**DEP ID:** 385-2314-002. **Title:** Act 537 Guidance; Sewage Enforcement Officer Certification and Training. **Description:** The purpose of this document is to establish and provide guidance for a Sewage Enforcement Officer (SEO) certification and training program that will produce a knowledgeable and skilled SEO community.

**Written Comments:** The Department is seeking comments on this draft technical guidance document by Monday, May 5, 2014. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted to jdiehl@pa.gov. A return name and address must be included in each e-mail transmission. Written comments should be submitted to John Diehl, Department of Environmental Protection, Bureau of Point and Non-Point Source Management, Division of Planning and Permitting, Rachel Carson State Office Building, 11th Floor, P. O. Box 8774, Harrisburg, PA 17105-8874.

**Contact:** Questions regarding this action should be directed to John Diehl, (717) 787-8184 or jdiehl@pa.gov.

**Effective Date:** Upon publication of notice as final in the *Pennsylvania Bulletin*.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-716. Filed for public inspection April 4, 2014, 9:00 a.m.]

**Environmental Justice Advisory Board Special Meeting**

The Environmental Justice Advisory Board (Board) will hold a special meeting on Tuesday, May 6, 2014, from 6 p.m. to 8 p.m. in the Chester City Hall Community Room, 1 Fourth Street, Chester, PA 19013.

The Board is holding this public listening session to provide interested stakeholders an opportunity to give public comment on concerns and suggestions regarding environmental justice issues. The Board will provide recommendations to the Department of Environmental Protection (Department) based on information gathered from the listening session.

Persons interested in providing oral comment at the public listening session should register by contacting Holly Cairns, Director, DEP Office of Environmental Advocate, (717) 783-9731, hcairns@pa.gov, no later than 5 p.m. on Friday, May 2, 2014. Organizations are requested to designate one spokesperson to provide comment. Comments are limited to 5 minutes. Persons providing oral comment should provide three written copies of their comments at the listening session.

Those unable to attend the listening session that would like to provide written comment can e-mail comments to RA-EPPubliccomments@pa.gov or submit them to Environmental Justice Advisory Board, c/o DEP, 400 Market Street, 16th Floor, Harrisburg, PA 17101. Written comments will be accepted until 8 p.m. on Tuesday, May 6, 2014.

Questions and topics raised from the community listening session will be addressed in a comment/response document that will be available at a later date on the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (DEP Keyword "Environmental Justice Advisory Board").

Questions regarding this meeting should be directed to Holly Cairns, Director, DEP Office of Environmental Advocate, (717) 783-9731, hcairns@pa.gov. Information for this meeting is available through the Public Participation Center on the Department's web site (DEP Keyword "Public Participation").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact the Department at (717) 783-9731 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-717. Filed for public inspection April 4, 2014, 9:00 a.m.]

**Notice of Bond Rate Guidelines for the Calculation of Land Reclamation Bonds on Coal Mining Operations**

The Department of Environmental Protection (Department) announces the 2014 bond rate guidelines for anthracite and bituminous coal mining operations. These rates become effective April 5, 2014. The authority for bonding coal mining operations is found under The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19b), the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66) and 25 Pa. Code Chapter 86, Subchapter F (relating to bonding and insurance

requirements). The unit costs listed in these guidelines will be used in calculating the land reclamation bonds for surface coal mining operations including, surface mines, coal refuse disposal sites, coal refuse reprocessing sites, coal processing facilities and the surface facilities of underground mining operations.

The procedures for calculating land reclamation bonds are described in Technical Guidance Document 563-2504-001, "Conventional Bonding for Land Reclamation—Coal," which is available on the Department's web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us). The document is being revised to include the procedures for bonding sites where the operator wants to delay activation and to change the frequency of the bond liability review from annually to upon permit renewal, with an option to review the liability during the permit midterm. These revisions become effective April 5, 2014. As part of eliminating the annual bond review, the Department needed to develop a procedure to inflate the bond over the life of the permit to account for cost increases. The resulting process relies on the Bureau of Labor's Consumer Price Index for Northeast Urban areas. The Department calculated the rate of inflation using the Consumer Price Index (Northeast Urban) from the United States Department of Labor, Bureau of Labor Statistics, averaged for the calendar years 2009-2013, resulting in a rate of 1.67%. This rate of inflation will be used in calculating bond amounts for permit renewal or permit midterm bond liability reviews from April 5, 2014, through April 4, 2015.

The Department may review the adequacy of bonds on existing permits based on the bond rate guidelines at any time. The Department will conduct these reviews before issuing permit renewals. The Department may conduct similar reviews at the midterm of a permit and before approving a permit revision.

These bond rate guidelines do not apply to bonds ensuring replacement of water supplies under section 3.1(c) of the Surface Mining Conservation and Reclamation Act (52 P.S. § 1396.3a(c)) or to bonds ensuring compliance with the requirements of The Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21).

### General Methodology

The Department developed the bond rate guidelines for 2014 from the unit costs for competitively bid contracts for mine reclamation. Contract bid data is available for various unit operations needed to complete reclamation of a mine site for the years 1998-2013. For most categories, a 3-year (2011-2013) average was used to calculate the guidelines. Some categories required another approach due to limited data. For example, there were no contracts in 2012 or 2013 that included selective grading. Therefore, a 4-year average was used for the 2014 selective grading bond rate.

In general, the costs for a given unit operation for each year are determined using the weighted average of the three lowest total bids for each contract. However, grading costs were calculated using a frequency distribution in combination with the weighted averages.

In the event that a unit operation necessary to calculate a reclamation bond is not listed in Tables 1 or 2, then any additional cost information available will be used. If enough data is still not available, the rate will be set from a standard reference like *Means Building Construction Cost Data* or *Walker's Building Estimator's Reference Book*.

The fees associated with the Land Maintenance Bond Program are presented in Table 3. There has been no change in these rates for 2014.

The bond rate guidelines are available electronically at [www.state.pa.us/portal/server.pt/community/bonding/20883/mine\\_site\\_reclamation\\_bond\\_rates/1150271](http://www.state.pa.us/portal/server.pt/community/bonding/20883/mine_site_reclamation_bond_rates/1150271). For background information and supporting documentation regarding bonding rate guidelines, contact the Bureau of Mining Programs, Division of Permitting and Compliance, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

### Mine Sealing Costs

The mine sealing bond rate guidelines are presented in Table 2. Mine sealing and borehole sealing bond rate guidelines remain the same for 2014.

### Effective Date

The bond rate guidelines in this notice become effective April 5, 2014.

**Table 1**  
**Standard Bond Rate Guidelines**  
**For Year 2014**

<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Mobilization/Demobilization	Job	4% of direct costs or \$40,000, whichever is less
Grading (< 500-foot push)	Cubic Yard	0.90
Grading (≥500-foot push/haul)	Cubic Yard	1.20
Selective Grading	Acre	1,075.00
Revegetation	Acre	1,800.00
Tree Planting	Tree	0.15
Ditch Excavation	Cubic Yard	7.00
Jute Matting	Square Yard	3.80
High Velocity Erosion Control	Square Yard	3.80
AASHTO No. 1	Ton	29.00
AASHTO No. 57	Ton	30.00
R3 Rock Lining	Square Yard	33.00
R4 Rock Lining	Square Yard	25.00

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<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
R5 Rock Lining	Square Yard	25.00
Geotextile/Filter Fabric	Square Yard	2.80
PVC Lining <sup>1</sup>	Square Yard	12.00
Subsurface Drain	Lineal Foot	19.00
Erosion and Sedimentation Control (Temporary Installation)	Job	Lump sum (5% of direct costs for site)
Pond Removal Active Phase <sup>2</sup>	Pond	3,800.00
Stage 3 Maintenance Bond Non-Cropland Areas (Land Uses Where Crop Yields Are Not Required)	Acre	100.00
Stage 3 Maintenance Bond Cropland (Not Row Crops) Pastureland Or Land Occasional Cut For Hay (Excludes Seed Cost)	Acre	500.00
Stage 3 Maintenance Bond Cropland Area-Row Crops (includes seed cost)	Acre	780.00
Stage 3 Mobilization	Job	2,500.00
Pond Removal-Stage 3	Cubic Yards (Embankment Volume) Plus Top Soiling and Revegetation Cost	Use <500 Grading for Pond Embankment Volume Plus Top Soiling and Revegetation Cost for the Area Disturbed
Ditch Removal-Stage 3	Lineal Foot	0.75
Equipment Tire Removal and Disposal Structure Demolition	Tire	300.00

Costs will be Calculated Using Costs Listed in the Construction Industry's Latest Annual Cost Publications, such as *Means Building Construction Cost Data*.

**Table 2**

**Mine Sealing Bond Rate Guidelines  
For Year 2014**

**Sealing Bituminous Underground Mine Drift and Slope Openings**

<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Concrete Work	Cubic yard	128.00
Masonry Work	Square foot	11.00
Fill Material & Earthwork <sup>3</sup>	Cubic yard	23.00
Security Fencing	Lineal foot	29.00
Mobilization Cost	Job	5% of Total Amount

**Sealing Bituminous Underground Mine Shaft Openings**

Concrete Material	Cubic Yard	96.00
Aggregate Material	Cubic Yard	27.00
Fill material and Earthwork <sup>3</sup>	Cubic Yard	4.00
Security Fencing	Lineal Foot	29.00
Mobilization Cost	Job	5% of Total Amount

**Sealing Boreholes at Bituminous Underground Mines**

<i>Dimension</i>	<i>Minimum Cost Per Hole (\$)</i>	<i>Unit Cost (\$ Per Lineal Foot</i>
12 Inch or Less Diameter	1,500	5.50
Larger Than 12 Inch Diameter	2,000	5.50

<sup>1</sup> Typically used for lining of ponds or ditches crossing fill material.

<sup>2</sup> Unit cost not from BAMR bids; includes dewatering, grading, topsoil placement and revegetation.

<sup>3</sup> Mine sealing costs are minimum costs. Additional costs per mine seal will be assessed based on specific design criteria, such as the thickness of the seal and the volume of backfill material required, using appropriate material, equipment and labor costs from BAMR bid abstracts or from an industry-standard cost estimation publications, for example, *Means Estimating Handbook* or *Walker's Building Estimator's Reference Book*.



**Table 3**  
**Land Maintenance Financial Guarantee Fees**  
**For Year 2014**

<i>Fee Category</i>	<i>Fee (\$)</i>
Publication	1,000.00
Administrative	300.00

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-718. Filed for public inspection April 4, 2014, 9:00 a.m.]

**Proposed State Implementation Plan Revision; Redesignation Request and Maintenance Plan for the Allentown Nonattainment Area for the 2006 24-hour Fine Particulate Matter National Ambient Air Quality Standard; Public Hearing**

Particulate matter (PM) includes both solid and liquid particles suspended in the air. Fine particle pollution describes particulate matter that is less than or equal to 2.5 micrometers in diameter (PM<sub>2.5</sub>). PM<sub>2.5</sub> concentrations above the Federal health-based standard pose a serious human health threat. With significant improvements in air quality in the Allentown Area, this nonattainment area now meets the 2006 24-hour PM<sub>2.5</sub> National Ambient Air Quality Standard (NAAQS). Therefore, the Department of Environmental Protection (Department) intends to submit a request to the United States Environmental Protection Agency (EPA) to redesignate the area to attainment.

The Department is seeking public comment on the redesignation request and a proposed revision to the State Implementation Plan (SIP) containing the 2007 comprehensive inventory as required under section 172(c)(3) of the Federal Clean Air Act (CAA) (42 U.S.C.A. § 7502(c)(3)) and a maintenance plan demonstrating that the area can maintain the 2006 24-hour PM<sub>2.5</sub> health-based NAAQS for the next 10 years as required under section 175A(a) of the CAA (42 U.S.C.A. § 7505a(a)). Upon the EPA approval, the maintenance plan will also establish new motor vehicle emission budgets for transportation conformity purposes.

The request to redesignate the area to attainment and the proposed SIP revision are available on the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (choose "Air," then "Bureau of Air Quality," then "Regs/Plan," then "Clean Air Plans") or through the contact persons listed as follows.

The Department will hold a public hearing to receive comments on the proposal on Thursday, May 8, 2014, at 1 p.m. at the DEP Northeast Regional Office, 2 Public Square, Susquehanna Room A, Wilkes-Barre, PA 18701-1915. Persons wishing to present testimony at the hearing should contact Alex Haas, P. O. Box 8468, Harrisburg, PA 17105, (717) 787-9495 or [alehaas@pa.gov](mailto:alehaas@pa.gov) to reserve a time. Witnesses should keep testimony to 10 minutes and should provide two written copies of their statement at the hearing.

If by Tuesday, May 6, 2014, no person has expressed an interest in testifying at the hearing, the hearing will be cancelled. The Department will provide public notice on the Bureau of Air Quality web page at [www.dep.state.pa.us/dep/deputate/airwaste/aq/default.htm](http://www.dep.state.pa.us/dep/deputate/airwaste/aq/default.htm) if the hearing is cancelled. Persons may also contact the Department to find out if the hearing is cancelled by contacting Alex Haas.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should

contact Alex Haas. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

The Department must receive comments no later than May 9, 2014. Written comments should be sent to the attention of Nancy Herb, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, [nherb@pa.gov](mailto:nherb@pa.gov). Use "Allentown PM2.5 Redesignation" as the subject line in written communication.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-719. Filed for public inspection April 4, 2014, 9:00 a.m.]

**Small Water Systems Technical Assistance Center Board Meeting Cancellation**

The April 9, 2014, meeting of the Small Water Systems Technical Assistance Center Board (Board) has been cancelled due to lack of agenda items. The next Board meeting will be held on Wednesday, June 18, 2014, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105.

Questions regarding the cancellation of the April 9, 2014, meeting or the June 18, 2014, meeting should be directed to Tom Fridirici, Bureau of Safe Drinking Water, (717) 787-2172, [hfridirici@pa.gov](mailto:hfridirici@pa.gov). The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keyword: "Public Participation").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Tom Fridirici at the previously listed phone number, 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.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-720. Filed for public inspection April 4, 2014, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

**Real Estate for Sale**  
**Philadelphia County**

The Department of General Services (Department) will accept bids for the purchase of 13.867 ± acres of land and

322,262 ± square feet of building area formerly known as the Eastern Pennsylvania Psychiatric Institute located at 3232 Henry Avenue, City of Philadelphia, Philadelphia County. Bids are due Thursday, July 17, 2014. Interested parties wishing to receive a copy of Solicitation No. 94582 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Andrew Lick at (717) 772-8842.

SHERI PHILLIPS,  
*Secretary*

[Pa.B. Doc. No. 14-721. Filed for public inspection April 4, 2014, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Availability of Draft Preventive Health and Health Services Block Grant Application for Federal Fiscal Year 2014 and Notification of Public Hearing

The Department of Health (Department) is making available copies of the proposed Preventive Health and Health Services Block Grant Application (application) for Federal Fiscal Year 2014 under section 1905 of the Public Health Service Act (act) (42 U.S.C.A. § 300w-4). This application shall serve as the Commonwealth's request to the United States Department of Health and Human Services (HHS) for block grant funding to address the Healthy People 2020 Health Status Objectives.

The application, describing proposed services, program goals, and objectives and activities, is available for public comment. Copies (electronic or hard copy) of the proposed application will be available on or after April 18, 2014, and can be obtained by calling the Bureau of Health Promotion and Risk Reduction at (717) 787-6214. Persons with a disability who require an alternative format of the previously-mentioned application (for example, large print or Braille) should also contact the same office at (717) 787-6214, TDD (717) 783-6514.

A public hearing will be conducted by the Department for the purpose of receiving testimony on the previously-mentioned application in accordance with section 1905 of the act. Comments and suggestions from the public should relate to the priorities and program plans included in the application.

The hearing will be held from 10 a.m. until 12 p.m. on April 18, 2014, in Conference Room 1000, Health and Welfare Building, 625 Forster Street, Harrisburg, PA. Persons wishing to testify are requested to preregister by contacting the Bureau of Health Promotion and Risk Reduction at (717) 787-6214. Registration will be accepted on the day of the hearing. Persons will be allotted a maximum of 15 minutes to testify. Testifiers should submit two written copies of their testimony to the Department at the time of the hearing.

Written comments will be accepted and should be sent to the Bureau of Health Promotion and Risk Reduction, 625 Forster Street, Room 1000, Health and Welfare Building, Harrisburg, PA 17120, and should be received no later than 4 p.m., May 7, 2014.

Persons with a disability who wish to comment or who require an alternative format of this application (for example, large print or Braille) or who wish to attend the public hearing and require special accommodations to do so should contact Terry Walker, Bureau of Health Promotion and Risk Reduction, 625 Forster Street, Room 1000, Health and Welfare Building, Harrisburg, PA 17120, (717)

787-6214, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-722. Filed for public inspection April 4, 2014, 9:00 a.m.]

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

The following long-term care nursing facilities are seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Berks Heim Nursing & Rehabilitation  
1011 Berks Road  
Leesport, PA 19533  
Fac. ID #021202

Cornwall Manor  
P. O. Box 125  
101 Boyd Street  
Cornwall, PA 17106  
Fac. ID #033902

Fellowship Manor  
3000 Fellowship Drive  
Whitehall, PA 18052  
Fac. ID #063102

Holy Family Manor  
1200 Spring Street  
Bethlehem, PA 18018  
Fac. ID #082702

Moravian Village of Bethlehem  
634 East Broad Street  
Bethlehem, PA 18018  
Fac. ID #15970201

Overlook Health and Rehabilitation Center  
520 New Castle Street  
New Wilmington, PA 16142  
Fac. ID #150502

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.26(e) (relating to laundry):

Jefferson Hills Manor  
448 Old Clairton Road  
Jefferson Hills, PA 15025  
Fac. ID #100202

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](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 the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the 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).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-723. Filed for public inspection April 4, 2014, 9:00 a.m.]

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**Nursing Home Patient Safety Trust Fund Surcharge for Fiscal Year 2013-2014 as Provided for under the Medical Care Availability and Reduction of Error (MCARE) Act**

Sections 401—411 of the Medical Care Availability and Reduction of Error (MCARE) Act (MCARE Act) (40 P. S. §§ 1303.401—1303.411) require nursing homes to electronically report health care-associated infection (HAI) data to the Department of Health (Department) and the Patient Safety Authority (Authority). Mandatory reporting of nursing home HAIs was implemented in June 2009.

Section 409 of the MCARE Act states that every fiscal year, beginning July 1, 2008, each nursing home shall pay the Department a surcharge on its licensing fee to provide sufficient revenues for the Authority to perform its responsibilities related to the MCARE Act. The base amount of \$1 million for Fiscal Year (FY) 2008-2009 has the potential to be increased no more than the Consumer Price Index in each succeeding fiscal year.

The FY 2012-2013 surcharge was \$900,000. The Authority has recommended that the FY 2013-2014 surcharge assessment total \$1 million.

To assess the surcharge in an equitable manner, the number of licensed nursing home beds as of December 31, 2013, was totaled and that amount was divided into \$1 million. The total number of licensed beds is 86,911. This equates to a surcharge of \$11.50 per bed.

To obtain a copy of the assessment for all facilities, send an e-mail to [paexcept@pa.gov](mailto:paexcept@pa.gov) and request the FY 2013-2014 MCARE surcharge assessment list for nursing care facilities.

Each facility will receive notification from the Department setting forth the amount due, date due and the name and address to which the payment should be sent. Payment will be due within 60 days. The MCARE Act authorizes the Department to assess an administrative penalty of \$1,000 per day on facilities who fail to pay the surcharge by the due date.

If a nursing care facility has any questions concerning this notice, a representative from that facility should contact Susan Williamson, Director, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, 825 Forster Street, Harrisburg, PA 17120, (717) 787-1816.

Persons with a disability who require an alternative format of this document (for example, large print, audio-tape or Braille) should contact Susan Williamson at the address or telephone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-724. Filed for public inspection April 4, 2014, 9:00 a.m.]

**Patient Safety Trust Fund Surcharge for Fiscal Year 2013-2014 as Provided for under the Medical Care Availability and Reduction of Error (MCARE) Act**

On March 20, 2002, the Medical Care Availability and Reduction of Error (MCARE) Act (MCARE Act) (40 P. S. §§ 1303.101—1303.910) was enacted. Among other provisions, the MCARE Act established the Patient Safety Authority (Authority) to collect, analyze and evaluate data regarding reports of serious events and incidents occurring in certain medical facilities and to make recommendations to those facilities regarding changes, trends and improvements in health care practices and procedures for the purpose of reducing the number and severity of serious events and incidents.

Section 305(a) of the MCARE Act (40 P. S. § 1303.305(a)) authorizes the establishment of a Patient Safety Trust Fund (Fund) for the operations of the Authority. Section 305(c) of the MCARE Act states that beginning July 1, 2002, and for every fiscal year thereafter, each medical facility covered by the MCARE Act shall pay the Department of Health (Department) a surcharge on its licensing fee as necessary to provide sufficient revenues for the Authority to operate. Section 305(c) of the MCARE Act also states that the total assessment amount for Fiscal Year (FY) 2002-2003 shall not exceed \$5 million and that the Department shall transfer the total assessment amount to the Fund within 30 days of receipt. Section 305(d) of the MCARE Act provides that for each succeeding calendar year, the Department shall determine and assess each medical facility a proportionate share of the Authority's budget. The base amount of \$5 million provided for in FY 2002-2003 shall be increased no more than the Consumer Price Index in each succeeding fiscal year.

Initially, the surcharge was assessed on ambulatory surgical facilities (ASF), birth centers and hospitals. Subsequently, the MCARE Act was amended and abortion facilities were also required to pay the surcharge.

With the cooperation of hospitals, birthing centers, abortion facilities and ambulatory surgery facilities in this Commonwealth, the surcharge has been implemented and has provided resources for the implementation of the web-based Pennsylvania Patient Safety Reporting System and the operation of the Authority.

This notice sets forth the procedure that the Department will follow in assessing and collecting the surcharge for FY 2013-2014. The Authority FY 2013-2014 surcharge assessment is \$5.5 million. The MCARE Act states that the surcharge shall be collected from medical facilities, which are defined as ASFs, birth centers and hospitals licensed under either the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b) or Article X of the Public Welfare Code (62 P. S. §§ 1001—1088). Also included, as of May 1, 2006, are abortion facilities which are defined in 18 Pa.C.S. § 3203 (relating to definitions). Nursing homes, which are assessed under sections 401—411 of the MCARE Act (40 P. S. §§ 1303.401—1303.411), receive a separate assessment notification.

To assess the surcharge in an equitable manner, the Department continues to use a common denominator in these facilities. For ASFs, birth centers and abortion facilities, the Department has chosen the number of operating and procedure rooms. For hospitals, the Department has chosen the number of beds contained on the license of each hospital, whether by the Department (general and special acute care hospitals) or the Depart-



ment of Public Welfare (privately owned psychiatric hospitals). It was also necessary to pick a point in time to make this assessment; the Department has chosen December 31, 2013.

The number of operating/procedure rooms (for ASFs, birth centers and abortion facilities) and the number of licensed beds (for hospitals) was totaled and that number was divided into \$5.5 million to arrive at a charge per unit for the assessment. The total number of units (operating rooms, procedure rooms and licensed beds) is 43,499. Dividing this number into \$5.5 million results in a per unit assessment for each installment of approximately \$126.44. The assessment is payable by June 3, 2014.

To obtain a copy of the assessment for all facilities, send an e-mail to [paexcept@pa.gov](mailto:paexcept@pa.gov), and request the FY 2013-2014 MCARE surcharge assessment lists.

Each facility will receive notification from the Department setting forth the amount due, date due and the name and address to which the payment should be sent. Payment will be due within 60 days. The MCARE Act authorizes the Department to assess an administrative penalty of \$1,000 per day on facilities who fail to pay the surcharge by the due date.

If a nursing care facility has any questions concerning this notice, a representative from that facility should contact Joanne Salsgiver, Chief, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, 825 Forster Street, Harrisburg, PA 17120, (717) 783-8980.

Persons with a disability who require an alternative format of this document (for example, large print, audiotape or Braille) should contact Joanne Salsgiver at the address or telephone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-725. Filed for public inspection April 4, 2014, 9:00 a.m.]

### Preventive Health and Health Services Block Grant Public Health Council Meeting

The Public Health Council will hold a public meeting on Tuesday, April 15, 2014, from 10 a.m. to 3 p.m. at the Giant Foods Community Center, 2300 Linglestown Road, Harrisburg, PA 17011.

The purpose of the meeting is to discuss the Preventive Health and Health Services Block Grant Federal Fiscal Year 2014 Application and Work Plan.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Terry L. Walker, Administrative Officer, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-6214 by 4 p.m. on Friday, April 11, 2014, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984.

This meeting is subject to cancellation without notice.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-726. Filed for public inspection April 4, 2014, 9:00 a.m.]

### Special Pharmaceutical Benefits Program Advisory Council Public Meeting

The Statewide Special Pharmaceutical Benefits Program 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 24, 2014, from 10 a.m. to 3 p.m. at the Park Inn Harrisburg West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact John Haines, Department of Health, Bureau of Communicable Diseases, 625 Forster Street, Room 611, Health and Welfare Building, Harrisburg, PA 17120, (800) 922-9384, or at V/TT (717) 783-6514 for speech and/or hearing impaired persons, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-727. Filed for public inspection April 4, 2014, 9:00 a.m.]

### Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Meetings

In accordance with 7 CFR 246.4(6) (relating to state plan), the Department of Health has scheduled two public meetings for the purpose of obtaining comments and recommendations for the development of the 2015 State Plan of Program Operation and Administration for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in this Commonwealth. The first public meeting will be held on Tuesday, May 6, 2014, from 10 a.m. to 3 p.m. at the Bucks County Health Department, Neshaminy Manor Center, 1282 Almshouse Road, Doylestown, PA 18901. The second public meeting will be held on Wednesday, May 28, 2014, from 10 a.m. to 3 p.m. at the WIC of Beaver Falls, 1317 7th Avenue, Beaver Falls, PA 15010.

Persons wishing to give testimony at these meetings are requested to preregister with the State WIC Program Office by calling (717) 783-1289. Anyone unable to attend the meeting but wishing to express their views may submit written comments by May 31, 2014, to the Department of Health, Bureau of Women, Infants and Children (WIC), 625 Forster Street, 7 West Health and Welfare Building, Harrisburg, PA 17120.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact William R. Cramer, Director, (717) 783-1289, or for a speech and/or hearing impaired persons call V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984. Pennsylvania WIC is funded by the United States Department of Agriculture (USDA). The USDA is an equal opportunity provider and employer.

These meetings are subject to cancellation without notice.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-728. Filed for public inspection April 4, 2014, 9:00 a.m.]



# DEPARTMENT OF REVENUE

## Pennsylvania Millionaire Raffle XVIII Raffle Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 874.4 (relating to notice of raffle lottery game rules), the Secretary of Revenue hereby provides public notice of the rules for the following raffle lottery game:

1. *Name:* The name of the raffle game is Pennsylvania Millionaire Raffle XVIII.
2. *Price:* The price of a Pennsylvania Millionaire Raffle XVIII lottery game ticket is \$20.
3. *Ticket Sales And Drawing Date:* Pennsylvania Millionaire Raffle XVIII lottery game ticket sales will commence on or after April 25, 2014, and will continue until all 500,000 tickets have been sold, or 5:00 p.m. on July 5, 2014, whichever occurs earlier.
4. *Ticket Characteristics:* Each Pennsylvania Millionaire Raffle XVIII lottery game ticket will contain one chance consisting of one unique computer-generated eight-digit number between 00000001 and 00500000, the drawing date, amount bet, and validation data.
5. *Prizes:* The prizes that can be won in this game are \$100, \$1,000, \$100,000 and \$1,000,000. A player may only win one time on each ticket or chance.
6. *Maximum Number of Tickets Printed and Sold for the Game:* There will be no more than 500,000 tickets printed and sold for the Pennsylvania Millionaire Raffle XVIII lottery game. The chances will be sequentially issued on a statewide basis from the range of individual unique numbers representing the chances available for the game.

*Ticket Matching Exactly the Unique Eight-digit Number Drawn:*

First-Prize-Tier  
 Second-Prize-Tier  
 Third-Prize-Tier  
 Fourth-Prize-Tier

*Win Prize Of:*  
 \$1,000,000  
 \$100,000  
 \$1,000  
 \$100

*Maximum Odds Of Winning Are 1 In:*

125,000  
 125,000  
 5,000  
 84.86

*Number Of Winners*

4  
 4  
 100  
 5,892

All Pennsylvania Millionaire Raffle XVIII lottery game prize payments, including first-prize-tier prizes, will be made as one-time lump-sum cash payments.

10. *Consumer Promotional Programs:* The Lottery may conduct promotional activities to promote the sale of Pennsylvania Millionaire Raffle XVIII lottery game tickets, including offering tickets at a discounted price. Details of any such offering will be disseminated through media used to advertise or promote Pennsylvania Millionaire Raffle XVIII or through normal communications methods.

11. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Raffle XVIII lottery game tickets.

12. *Retailer Bonus:* The Lottery may offer a retailer bonus in connection with the sale of Pennsylvania Raffle 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 Raffle 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

7. *Conduct of Drawing:* The results of the Pennsylvania Millionaire Raffle XVIII will be televised on July 5, 2014, at or about 7:00 p.m. A computer-generated randomizer will be used to conduct the drawing. Six-thousand (6,000) unique eight-digit numbers will be drawn from the range of numbers representing the chances sold. The first four unique eight-digit numbers drawn will be the first-prize-tier winning numbers. The fifth through eighth unique eight-digit numbers drawn will be the second-prize-tier winning numbers. The ninth through 108th unique eight-digit numbers drawn will be the third-prize-tier winning numbers. The 109th through 6,000th unique eight-digit numbers drawn will be the fourth-prize-tier winning numbers.

8. *Determination of Prize Winners:*

(a) Holders of tickets upon which the unique eight-digit number matches exactly one of the first-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000,000.

(b) Holders of tickets upon which the unique eight-digit number matches exactly one of the second-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which the unique eight-digit number matches exactly one of the third-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which the unique eight-digit number matches exactly one of the fourth-prize-tier numbers selected by the Lottery shall be entitled to a prize of \$100.

9. *Number and Description of Prizes and Approximate Odds:* The Pennsylvania Millionaire Raffle XVIII prizes and determination of winners are as follows:

\$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 raffle ticket is claimed and validated or approximately 30 days after the date of the drawing in which the Raffle winning ticket was entered, provided that Lottery security can and has verified the sales transaction as valid. A bonus will not be awarded to a Lottery retailer that sells a non-winning Pennsylvania Lottery raffle ticket used to enter a Pennsylvania Lottery second-chance drawing or promotion that is subsequently selected to win a prize.

13. *Promotional Drawings:* The Pennsylvania Lottery may conduct promotional drawings associated with the

Pennsylvania Millionaire Raffle XVIII game. Pennsylvania Millionaire Raffle XVIII game tickets will be imprinted with a unique code to be used by players to enter the promotional drawings. The promotional drawings may be held independently of or in conjunction with the regular Millionaire Raffle XVIII drawings. The Secretary will announce the existence of the promotional drawings. Winners of promotional drawings will be randomly selected from the group of qualified entries. A description of the available prize(s) and the specific rules and other information necessary for the conduct of the promotional drawings will be posted to the Lottery's publicly accessible website. A copy of the same will also be kept on file with the Lottery and will be available upon request.

14. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Program for retailers who sell Pennsylvania Millionaire Raffle XVIII lottery game tickets. The conduct of the Program will be governed by 61 Pa. Code § 811.41 (relating to promotional prizes).

15. *Unclaimed Prize Money:* Unclaimed prize money on winning Pennsylvania Millionaire Raffle XVIII lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto for 1 year from the announced close of the Pennsylvania Millionaire Raffle XVIII lottery game. If no claim is made within 1 year of the announced close of the Pennsylvania Millionaire Raffle XVIII lottery game conducted by the State Lottery, the right of a ticket holder to claim the prize represented by that ticket, if any, expires and the prize money will be paid into the State Lottery Fund and used for purposes otherwise provided for by statute.

16. *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.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 14-729. Filed for public inspection April 4, 2014, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### **Big Spring Watershed Association and Cumberland Valley Chapter of Trout Unlimited v. DEP and Lewis Martin, Permittee; EHB Doc. No. 2014-028-L**

The Big Spring Watershed Association and Cumberland Valley Chapter of Trout Unlimited have appealed the issuance by the Department of Environmental Protection of an NPDES stormwater construction permit to Lewis Martin for a facility in West Pennsboro Township, Cumberland County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is

required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 14-730. Filed for public inspection April 4, 2014, 9:00 a.m.]

### **Patriot Mining Company, Inc. v. DEP; EHB Doc. No. 2014-021-B**

Patriot Mining Company, Inc. has appealed the issuance by the Department of Environmental Protection of a renewal NPDES permit to Patriot Mining Company, Inc. for the Mt. Morris Mine in Perry and Dunkard Townships, Greene County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 14-731. Filed for public inspection April 4, 2014, 9:00 a.m.]

### **Patriot Mining Company, Inc. v. DEP; EHB Doc. No. 2014-022-B**

Patriot Mining Company, Inc. has appealed the issuance by the Department of Environmental Protection of a renewal NPDES permit to Patriot Mining Company, Inc. for the Viable Surface Mine in Greene Township, Greene County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 14-732. Filed for public inspection April 4, 2014, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Acceptance of Recommendation

On March 18, 2014, the Environmental Quality Board (Board) accepted the Department of Environmental Protection's (Department) recommendation to maintain the current stream designations of the Upper Perkiomen Watershed. This decision is in response to a rulemaking petition submitted by the Delaware Riverkeeper Network, in partnership with Perkiomen Valley Trout Unlimited, Lehigh County Conservation District, Perkiomen Watershed Conservancy, Montgomery County Conservation District and over 80 copetitioners requesting that the Board amend 25 Pa. Code § 93.9f (relating to Drainage List F) to upgrade the Upper Perkiomen Watershed to Exceptional Value Waters (EV) and Macoby Creek to High Quality Waters (HQ). The petitioner's request included the redesignation of Hosensack Creek (Montgomery County) from Cold Water Fishes (CWF) to EV; Perkiomen Creek (Berks County) from HQ-CWF to EV; Perkiomen Creek (Montgomery County) from Trout Stocking (TSF) to

EV; West Branch Perkiomen (Berks County) from CWF to EV; West Branch Perkiomen Creek (Montgomery County) from CWF to EV; and Macoby Creek (Montgomery County) from TSF to HQ.

The previously-referenced recommendation is included in a report that is accessible on the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select "Public Participation Center" then "The Environmental Quality Board" then "EQB Meeting Schedule 2014").

E. CHRISTOPHER ABRUZZO,  
*Chairperson*

[Pa.B. Doc. No. 14-733. Filed for public inspection April 4, 2014, 9:00 a.m.]

### Meeting Cancellation

The April 15, 2014, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly scheduled meeting of the Board will occur on Wednesday, May 21, 2014, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. The agenda and meeting materials for the May 21, 2014, meeting will be available on the Department of Environmental Protection's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select "Public Participation Center" then "The Environmental Quality Board" then "EQB Meeting Schedule 2014").

Questions concerning the Board's next scheduled meeting may be directed to Laura Edinger at (717) 783.8727 or [ledinger@pa.gov](mailto:ledinger@pa.gov).

E. CHRISTOPHER ABRUZZO,  
*Chairperson*

[Pa.B. Doc. No. 14-734. Filed for public inspection April 4, 2014, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the dates noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
7-469	Environmental Quality Board Flexible Packaging Printing Presses, Offset Lithographic Printing Presses and Letterpress Printing Presses, Adhesives, Sealants, Primers and Solvents	3/21/14	5/1/14
7-483	Environmental Quality Board Oil and Gas Well Fee Amendments	3/21/14	5/1/15
<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Resubmitted</i>	<i>Public Meeting</i>
3-51	Department of Banking and Securities Assessments	3/21/14	4/10/14

JOHN F. MIZNER, Esq.,  
*Chairperson*

[Pa.B. Doc. No. 14-735. Filed for public inspection April 4, 2014, 9:00 a.m.]



## INSURANCE DEPARTMENT

### Appeal of All Star Staffing; Pennsylvania Compensation Rating Bureau; Doc. No. CL14-03-004

A prehearing telephone conference initiated by this office is scheduled for April 3, 2014, at 10 am. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before March 31, 2014. A date for a hearing shall be determined, if necessary, at the prehearing conference.

Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102 on or before March 27, 2014. Answers to petitions to intervene, if any, shall be filed on or before April 2, 2014.

If an attorney or representative for a party attending the conference does not have complete settlement authority relative to this matter, the party or persons with full settlement authority shall be available by telephone during the conference.

At the prehearing telephone conference, the parties shall be prepared to discuss settlement, stipulations, witnesses and the documents anticipated for use at the hearing, estimated time for the hearing, special evidentiary or legal issues and other matters relevant to the orderly, efficient and just resolution of this matter.

No prehearing memoranda or other written submissions are required for the prehearing/settlement conference; however, the parties are encouraged to discuss settlement and possible stipulations pending the conference.

The Presiding Officer will consider a written request for continuance of the scheduled prehearing telephone conference, for good cause only. A party must contact the opposing party prior to requesting a continuance. All continuance requests must indicate whether the opposing party objects to a continuance.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-736. Filed for public inspection April 4, 2014, 9:00 a.m.]

### Appeal of Erie Insurance Exchange under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413) and the Referral by the Court of Common Pleas of Fayette County; Doc. No. MS14-03-003

The proceeding in this matter will be governed by Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413) and the referral by the Court of Common Pleas of Fayette County considering Erie Indemnity Company's application to the Insurance Department (Department) requesting that proceedings be scheduled to address the referral of matters within the Department's jurisdiction by the Court of Common Pleas of Fayette County.

A conference is scheduled for April 17, 2014, at 2 p.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. The parties shall attend and be prepared to discuss procedural and substantive issues including

but not limited to the scope of these proceedings, stipulations, the necessity of an evidentiary hearing, future procedures and other matters relevant to the orderly, efficient and just resolution of this matter in the Department.

The conference will be informal in nature and will not be stenographically recorded or transcribed. No prehearing memoranda or other written submissions are required for the conference.

Petitions to intervene or notices of intervention, if any, must be filed on or before April 10, 2014, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Answers to petitions to intervene, if any, shall be filed on or before April 16, 2014.

Entry of appearance, participation in the conference or the filing of a petition or notice to intervene will not waive any objection a party or intervenor may have relative to the jurisdiction or authority of the Department in this matter.

Persons with a disability who wish to attend the previously-referenced proceeding, and require an auxiliary aid, service or other accommodation to participate should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-737. Filed for public inspection April 4, 2014, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in Strawbridge and Clothier, Justice Hearing Room 4030, 801 Market Street, Philadelphia, PA 19107.

Appeal of Lewis E. Deans; file no. 13-188-155352; USAA General Indemnity Company; Doc. No. P14-01-011; May 7, 2014, 9 a.m.

Appeal of Patricia Wright; file no. 13-116-155792; Capitol Insurance Company; Doc. No. P14-02-006; May 7, 2014, 3 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is



available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-738. Filed for public inspection April 4, 2014, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Commercial Mobile Radio Services

**A-2014-2412433. United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Sprint Spectrum, LP.** Joint petition of United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Sprint Spectrum, LP for approval of an ICC bill and keep amendment to a commercial mobile radio services interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Sprint Spectrum, LP by its counsel, filed on March 25, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an ICC bill and keep amendment to a Commercial mobile radio services 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 United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Sprint Spectrum, LP 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. 14-739. Filed for public inspection April 4, 2014, 9:00 a.m.]

### Eligible Telecommunications Carriers; Federal Universal Service Low Income Support

The Pennsylvania Public Utility Commission (Commission) invites comment on the following pending wireless carrier's petition for designation as eligible telecommunications carriers (ETC) for purposes of Federal universal service low income support:

Full Service Network LP, Petition for Designation as an Eligible Telecommunications Carrier; Doc. No. P-2014-2410740

The Commission, at its July 29, 2010, public meeting adopted a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers. This notice informs telecommunications providers and interested parties that the Commission intends to act on the previously-referenced ETC petition pending before the Commission.

Interested parties are invited to file comments at the relevant docket numbers within 20 days of publication of this notice. Reply comments of the carrier are due within 10 days thereafter. Interested parties may review the pending petitions at the Commission web site <http://www.puc.state.pa.us/> or hard copies are available for a fee by means of written request to the Secretary of the Commission, Pennsylvania Public Utility Commission, Rosemary Chiavetta, Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265.

The contact for questions regarding this notice is Rhonda L. Daviston, Assistant Counsel, Law Bureau (717) 787-6166.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-740. Filed for public inspection April 4, 2014, 9:00 a.m.]

### Natural Gas Service

**A-2014-2411998. Columbia Gas of Pennsylvania, Inc.** Application of Columbia Gas of Pennsylvania, Inc. for approval of the abandonment of natural gas service to one natural gas service customer located in Venango County.

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, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before April 21, 2014. 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:* Columbia Gas of Pennsylvania, Inc.

*Through and By Counsel:* Michael W. Hassell, Esquire, Jessica R. Rogers, Esquire, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-741. Filed for public inspection April 4, 2014, 9:00 a.m.]

**Petition of the Office of the Mayor of Harrisburg, on Behalf of the City of Harrisburg, for the City of Harrisburg to be Recognized and Assigned as the Sole Administrator of the 311 Dialing Code that will be Implemented as a Means for Citizens to Access Information from the City Government; Doc. No. P-2014-2412153**

On March 19, 2014, under 52 Pa. Code § 5.41 (relating to petitions generally), the Office of the Mayor of Harrisburg, on behalf of the City of Harrisburg (City), filed a petition requesting that the City be assigned as the Sole Administrator of the 311 abbreviated dialing code so that citizens would be able to access a nonemergency number to access information regarding local government operation and services from the City government.

Upon review of the petition, the Pennsylvania Public Utility Commission (Commission) has determined that the solicitation of public comment is appropriate. Consequently, the Commission invites any interested party to comment on this petition and is providing this public notice soliciting comments. The deadline for comments shall be 20 days following publication in the *Pennsylvania Bulletin*.

Formal protests, comments and petitions to intervene will be due by close of business, 4:30 p.m. on April 25, 2014. Filings must be made with the Secretary, Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The petition will be published on the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) or available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday. The contact person at the Commission is David E. Screven, Assistant Counsel, Law Bureau (717) 787-2126.

*Petitioner:* City of Harrisburg

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-742. Filed for public inspection April 4, 2014, 9:00 a.m.]

**Petition of Sunoco Pipeline, LP**

Petition of Sunoco Pipeline, LP for a finding that the situation of structures to shelter pump stations and valve control stations is reasonably necessary for the convenience or welfare of the public in:

Wallace Township, Chester County  
(Docket No. P-2014-2411941),  
Burrell Township, Indiana County  
(Docket No. P-2014-2411942),  
Lower Swatara Township, Dauphin County  
(Docket No. P-2014-2411943),  
East Wheatfield Township, Indiana County  
(P-2014-2411944),  
Fairview Township, York County  
(Docket No. P-2014-2411945),  
North Middleton Township, Cumberland County  
(Docket No. P-2014-2411946),  
Frankstown Township, Blair County  
(Docket No. P-2014-2411948),  
Cambria Township, Cambria County  
(Docket No. P-2014-2411950),  
Derry Township, Westmoreland County  
(Docket No. P-2014-2411951),  
Loyalhanna Township, Westmoreland County  
(Docket No. P-2014-2411952),  
Penn Township, Westmoreland County  
(Docket No. P-2014-2411953),

Hempfield Township, Westmoreland County  
(Docket No. P-2014-2411954),  
Rostraver Township, Westmoreland County  
(Docket No. P-2014-2411956),  
Allegheny Township, Blair County  
(Docket No. P-2014-2411957),  
Union Township, Washington County  
(Docket No. P-2014-2411958),  
North Strabane Township, Washington County  
(Docket No. P-2014-2411960),  
Penn Township, Huntingdon County  
(Docket No. P-2014-2411961),  
Chartiers Township, Washington County  
(Docket No. P-2014-2411963),  
Shirley Township, Huntingdon County  
(Docket No. P-2014-2411964),  
Upper Chichester Township, Delaware County  
(Docket No. P-2014-2411965),  
West Goshen Township, Chester County  
(Docket No. P-2014-2411966),  
Toboyne Township, Perry County  
(Docket No. P-2014-2411967),  
Upper Uwchlan Township, Chester County  
(Docket No. P-2014-2411968),  
Brecknock Township, Berks County  
(Docket No. P-2014-2411971),  
Spring Township, Berks County  
(Docket No. P-2014-2411972),  
Hampden Township, Cumberland County  
(Docket No. P-2014-2411974),  
West Cocalico Township, Lancaster County  
(Docket No. P-2014-2411975),  
Londonderry Township, Dauphin County  
(Docket No. P-2014-2411976),  
West Cornwall Township, Lebanon County  
(Docket No. P-2014-2411977),  
Lower Frankford Township, Cumberland County  
(Docket No. P-2014-2411979),  
Salem Township, Westmoreland County  
(Docket No. P-2014-2411980)

The petition for each of the municipalities requests an exemption from section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) to allow for the construction of pump and valve control stations along a new pipeline that will transport liquid ethane and propane. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on April 21, 2014. Filings must be made with the Secretary, Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The petition for each municipality will be published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Robert A. Weishaar, Jr., 777 North Capitol Street, NE, Suite 401, Washington, DC 20002, (202) 898-5700, fax (717) 260-1765, [rweishaa@mwn.com](mailto:rweishaa@mwn.com).

Adeolu A. Bakare, Teresa K. Schmittberger, 100 Pine Street, P. O. Box 1166, Harrisburg, PA 17108-1166, (717) 232-8000, fax (717) 260-1688, [abakare@mwn.com](mailto:abakare@mwn.com), [tschmittberger@mwn.com](mailto:tschmittberger@mwn.com)

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-743. Filed for public inspection April 4, 2014, 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 21, 2014. 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-2013-2398919. Cloud 9 Transportation, Inc.** (1000 Jefferson Avenue, Scranton, Lackawanna County, PA 18509) for the right to transport, as a common carrier, by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Bradford, Carbon, Columbia, Lackawanna, Lehigh, Luzerne, Monroe, Pike, Schuylkill, Sullivan, Susquehanna, Wayne and Wyoming, to points in Pennsylvania, and return. *Attorney:* Jill M. Spott, Esquire, Sheils Law Associates, PC, 108 North Abington Road, Clarks Summit, PA 18411.

**A-2013-2398922. Cloud 9 Transportation, Inc.** (1000 Jefferson Avenue, Scranton, Lackawanna County, PA 18509) for the right to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in the Counties of Bradford, Carbon, Columbia, Lackawanna, Lehigh, Luzerne, Monroe, Pike, Schuylkill, Sullivan, Susquehanna, Wayne and Wyoming, to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Jill M. Spott, Esquire, Sheils Law Associates, PC, 108 North Abington Road, Clarks Summit, PA 18411.

**A-2014-2403919. McCandless-Franklin Park Ambulance Authority** (P. O. Box 1, Ingomar, Allegheny County, PA 15127) persons in paratransit service, limited to persons requiring wheelchair or stretcher van service, from points in Allegheny County, to points in Pennsylvania, and return.

**A-2014-2406620. Joyce Transportation, LLC** (292 Buckhead Lane, Douglassville, Berks County, PA 19518) persons in paratransit service, limited to persons with physical or mental disabilities which prevent them from operating motor vehicles, from points in the Counties of Berks and Montgomery, to points in Pennsylvania, and return.

**A-2014-2407540. Sherman Stat Transport, LLC** (2201 Highland Road, Hermitage, Mercer County, PA 16148) persons in paratransit service, limited to persons with physical or mental disabilities which prevent them from operating motor vehicles, from points in Mercer County, to points in Pennsylvania, and return.

**A-2014-2405375. Hill Investments, LLC** (25 Bala Avenue, Bala Cynwyd, Montgomery County, PA 19004) household goods in use, between points in the Counties of Delaware and Montgomery, and the City and County of Philadelphia.

#### Applications of the following for approval to *begin operating as contract carriers for transportation of persons as described under each application.*

**A-2014-2402998. EZ Ride, LLC** (P. O. Box 8083, Gaithersburg, MD 20898) for the right to begin to transport, as a contract carrier for medicaid in this Commonwealth, by motor vehicle, persons in paratransit service, between points in the City and County Philadelphia, to points in Pennsylvania, and return.

**A-2014-2408145. Corporate Enterprise Solutions, LLC** (412 North Douglas Street, Philadelphia, PA 19132) for the right to begin to transport, as a contract carrier, by motor vehicle, persons for Broad Wellness Chiropractic Center between points in the County of Philadelphia.

#### 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-2014-2405396. Hanna Transfer Company—North** (1300 West First Street, Oil City, Venango County, PA 16301) for the discontinuance of service and cancellation of their certificate as a household goods carrier, to transport, by motor vehicle, household goods in use, between points in the City of Oil City, Venango County and within 25 miles by the usually traveled highways of the limits of said city and from points in the said city and territory, to other points in Pennsylvania, and vice versa, and between points in the County of Warren, and from points in the said county, to points in Pennsylvania, and vice versa.

**A-2014-2407231. Betty M. Hamilton** (3380 Gap Road, Allenwood, Lycoming County, PA 17810) discontinuance of service and cancellation of her certificate, as a common carrier, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Clinton and Union to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-744. Filed for public inspection April 4, 2014, 9:00 a.m.]

### Telecommunications

**A-2014-2412155. Windstream Pennsylvania, LLC and Salsgiver Telecom, Inc.** Joint petition of Windstream Pennsylvania, LLC and Salsgiver Telecom, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Windstream Pennsylvania, LLC and Salsgiver Telecom, Inc., by its counsel, filed on March 21, 2014, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement, under section 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 Windstream Pennsylvania, LLC and Salsgiver Telecom, Inc. joint petition are on file with the Commission and are available for public inspection.



The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-745. Filed for public inspection April 4, 2014, 9:00 a.m.]

### Transfer of Customers

**A-2014-2412188 and A-2014-2412189. Business Discount Plan, Inc. and Consumer Telcom, Inc.** Joint application of Business Discount Plan, Inc. and Consumer Telcom, Inc. for approval of a pro forma transfer of customers from Consumer Telcom, Inc. to Business Discount Plan.

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, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before April 21, 2014. 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.

*Applicants:* Business Discount Plan, Inc., Consumer Telcom, Inc.

*Through and By Counsel:* Michael A. Gruin, Esquire, Stevens & Lee, 17 North 2nd Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-746. Filed for public inspection April 4, 2014, 9:00 a.m.]

### Transfer of Customers

**A-2014-2412177 and A-2014-2412179. Business Discount Plan, Inc. and U. S. Telecom Long Distance, Inc.** Joint application of Business Discount Plan, Inc. and U. S. Telecom Long Distance, Inc. for approval of a pro forma transfer of customers from U. S. Telecom Long Distance, Inc. to Business Discount Plan.

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, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before April 21, 2014. 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.

*Applicants:* Business Discount Plan, Inc., U. S. Telecom Long Distance, Inc.

*Through and By Counsel:* Michael A. Gruin, Esquire, Stevens and Lee, 17 North 2nd Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-747. Filed for public inspection April 4, 2014, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of claimant's requests concerning the indicated accounts.

The hearings will be held before a hearing officer at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

April 28, 2014	Kevin Hussar Disability—Post Termination	1 p.m.
May 15, 2014	Larry E. Bell Untimely Appeal	1 p.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

DAVID E. DURBIN,  
*Secretary*

[Pa.B. Doc. No. 14-748. Filed for public inspection April 4, 2014, 9:00 a.m.]

## STATE POLICE

### Mobile Video Recording System Equipment Standards and Approved Mobile Video Recording Systems

The State Police, under 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4) (relating to exceptions to prohibition of interception and disclosure of communications; and exceptions to prohibitions in possession, sale, distribution, manufacture or advertisement of electronic, mechanical or other devices), has approved, until the next comprehensive list is published, subject to interim amendment, the following equipment standards for electronic, mechanical or other devices (mobile video recording systems) which may be used by law enforcement officers for the purpose of interception as authorized under 18 Pa.C.S. § 5704(16). Mobile video recording systems must consist of the following components.

#### *Vehicle-Mounted Mobile Video Recording Systems Overview*

Vehicle-mounted mobile video recording systems shall be defined as those which are permanently mounted in vehicles requiring the operator to possess a Class A, B, C or M Pennsylvania Driver's License, as defined in 75 Pa.C.S. § 1504 (relating to classes of licenses). The design of the vehicle-mounted mobile video recording system must use technology, which includes a camera, monitor, wireless voice transmitter/receiver and a recording device with a secure protective enclosure for the recording



device, electronics and receiver components. The vehicle-mounted mobile video recording system must be powered from a standard automotive vehicle operating at 11 to 16.5 volts DC, negative ground. Current drain on the vehicle electrical system must not exceed 3.0 amps. The system must operate over the following temperature range: -4°F to 130°F (-20°C to 55°C).

#### Camera

The camera component must have the following features:

- A. Auto focus and auto iris.
- B. Flexible mounting bracket to allow manual aiming controls.
- C. Auto zoom (automatic zoom in then back out to normal distance).
- D. Minimum sensitivity rating of 2.0 lux.
- E. Minimum horizontal resolution of 330 TV lines.

#### Monitor

The monitor component must have the following features:

- A. Controls for picture brightness and contrast.
- B. Capability of being switched off without affecting recording.
- C. A speaker and volume control system.

The monitor must be capable of displaying:

- A. Camera image (live).
- B. Previously recorded information from the recording unit.
- C. Date and time.
- D. Recording index indicator.
- E. In-car/wireless microphone activity indicator.

#### Wireless voice transmitter/receiver

The wireless voice transmitter/receiver must have the following features:

- A. Battery powered wireless microphone transmitter.
- B. Antenna incorporated into the microphone.
- C. A plug-in connector and a clothing clip on the microphone.
- D. FCC: Type acceptable under 47 CFR Part 74, Subpart H (relating to low power auxiliary stations).
- E. The transmitter may not have recording capabilities.

F. The wireless audio system must be equipped with either a digital coded squelch or a PL tone squelch circuit to prevent accidental activation of the record mode in stray RF fields.

#### Recording device

The recording device must be capable of recording onto tape or other comparable media and have the following features:

- A. Enclosed in a secure housing protected from physical damage and unauthorized access.
- B. Capable of recording audio and video for a minimum of 2 continuous hours.
- C. Record time/date, recording index and remote microphone indicator.
- D. Record over protection.

#### System control

The control console must be mounted within easy reach of the operator. The control console must contain the controls to operate the following functions:

- A. Power.

- B. Record.
- C. Play.
- D. Rewind.
- E. Fast forward.
- F. Pause.

The State Police, under the authority of 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following list of approved vehicle-mounted mobile video recording systems which meet the minimum equipment standards in this notice.

- System 7, Mobile Vision, Boonton, NJ
- Eyewitness, Kustom Signals, Lenexa, KS
- Patrol Cam, Kustom Signals, Lenexa, KS
- Motor Eye, Kustom Signals, Lenexa, KS
- Cruise Cam, The Cruisers Division, Mamaroneck, NY
- I Track, McCoy's Law Line, Chanute, KS
- Docucam, MPH Industries, Inc., Owensboro, KY
- Digital Mobile Witness, T.A.W. Security Concepts, Wheat Ridge, CO
- Car Camera AV360, A.S.S.I.S.T. International, New York, NY
- OPV, On Patrol Video, Ontario, OH
- Gemini System, Decatur Electronics, Decatur, IL
- SVS-500, ID Control, Inc., Derry, NH
- PAVE System, Video Systems Plus, Bryan, TX
- InCharge 5555, Applied Integration, Tucson, AZ
- VMDT, Coban Research and Technology, Houston, TX
- Mobile Vision 5-C Video Recording System, Mobile Vision, Boonton, NJ
- Stalker Vision VHS, Applied Concepts, Inc., Plano, TX
- Stalker Vision HI8, Applied Concepts, Inc., Plano, TX
- Digital Eyewitness, Kustom Signals, Lenexa, KS
- Eagleye Model 800, Eagleye Technologies, Inc., Rome, GA
- Eagleye Model 900, Eagleye Technologies, Inc., Rome, GA
- Flashback, Mobile Vision, Inc., Boonton, NJ
- Digital Patroller, Integrian, Morrisville, NC
- Digital Patroller 2 Mobile Video Recorder, Digital Safety Technologies, Morrisville, NC
- Panasonic Arbitrator 360 Mobile Video Recorder, Panasonic Corporation of North America, Secaucus, NJ
- WatchGuard DV-1 Mobile Video Recorder, WatchGuard Video, Plano, TX
- EDGE Mobile Video Recorder, Coban Technologies, Stafford, TX
- DVM-500 Plus and DVM-750 Mobile Video Recorders, Digital Ally, Overland Park, KS
- WatchGuard 4RE Mobile Video Recorder, WatchGuard, Plano, TX
- DigitalPatroller 3 Mobile Video Recorder, Digital Safety Technologies, Morrisville, NC
- X22 Mobile Video Recorder, RDR Mobility, Flemington, NJ
- Data 911 Mobile Digital Video System, Data 911 Mobile, Computer Systems, Alameda, CA
- DVM-400 Mobile Video Recorder, Digital Ally, Lenexa, KS
- DVB-777 Mobile Video Recorder, Digital Ally, Lenexa, KS
- MVX1000 Mobile Video Recorder, Motorola Solutions Inc., Schaumburg, IL

### *Non-Vehicle-Mounted Mobile Video Recording Systems Overview*

Non-vehicle-mounted mobile video recording systems shall be defined as those which are not permanently mounted in vehicles requiring the operator to possess a Class A, B, C or M Pennsylvania Driver's License, as defined in 75 Pa.C.S. § 1504. Non-vehicle-mounted mobile video recording systems shall include, but not be limited to, mobile video recorders worn on or about a law enforcement officer's person or affixed to an all-terrain vehicle, bicycle or horse.

The design of the non-vehicle-mounted mobile video recording system must use technology which includes a camera with date/time stamp capability, a microphone and a recording device, enclosed in secure protective enclosures. It may also contain controls, a monitor, GPS, wireless transceiver components and other electronic components. The non-vehicle-mounted mobile video recording system must be powered from a battery internal to the protective enclosure and must be weatherproof. The internal battery may be integral to the unit or removable. It is permissible to have an external battery to extend the operating life of the system. The non-vehicle-mounted mobile video recording system must have a minimum record time of 2 continuous hours. The system must operate over the following temperature range: -4°F to 122°F (-20°C to 50°C).

#### *Camera*

The camera component must have the following features:

- A. Must be color video.
- B. Minimum of 640 x 480 pixel resolution.
- C. Minimum of 68 degrees field of view.
- D. Minimum of 30 frames per second.
- E. Minimum sensitivity rating of 3.4 lux or lower. Unit may use infrared LED illumination to obtain lower than 3.4 lux equivalent.
- F. Camera does not have to be in the same enclosure as the recorder. Can be connected to the recorder either by cable or wireless connection.

#### *Recorder*

The recorder component must have the following features:

- A. Enclosed in a secure housing protected from physical damage.
- B. Date/time recording index.
- C. Minimum of 4 gigabytes of nonremovable solid state memory, 4 gigabytes removable media or a combination of both removable and nonremovable memory.
- D. Editing and record-over protection.

#### *System control*

The system must:

- A. Be capable of recording audio and video simultaneously, but may also provide the user with the option to record video only or audio only.
- B. Provide the user with the capability to manually turn the power on and off as necessary.

#### *Wireless link (optional)*

The unit may use a wireless link to connect the camera to the recorder, recorder to another device, combination camera/recorder to another device or be used to download the evidence. The wireless link must have the following features:

- A. Use a secure digital connection.
- B. Wireless link can be used to play back a locally stored event on the recorder or store the media to a remote location such as secure cloud storage.
- C. FCC: Type acceptable under 47 CFR Part 15 (relating to radio frequency devices).

The State Police, under the authority of 18 Pa.C.S. §§ 5704(16)(ii)(C) and 5706(b)(4), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following list of approved non-vehicle-mounted mobile video recording systems which meet the minimum equipment standards in this notice.

None as of this publication

(*Note:* Standards for non-vehicle-mounted mobile video recording systems have not been previously published. Interested manufacturers may request review of their products for approval consideration in accordance with the directions provided in the following paragraph.)

Nothing in this notice prohibits the authorized use of a mobile video recording system that is not specifically identified if the mobile video recording system otherwise meets the equipment standards in this notice. Moreover, mobile video recording systems that are not activated to record oral communications or do not have an oral recording capability do not need to meet the equipment standards in this notice. Manufacturers may submit equipment to be added to the list by contacting the State Police, Bureau of Patrol (Bureau). New units must be in full commercial production. No prototype models will be considered. Proof of current sales and delivery of the specified equipment over the past 6 months must be provided, in writing, referencing current customers with contacts and phone numbers for verification. When requested by the Bureau, the manufacturer/bidder must furnish a complete working system installed in a vehicle for inspection within 30 days.

Comments, suggestions or questions should be directed to the State Police, Bureau of Patrol, Department Headquarters, 1800 Elmerton Avenue, Harrisburg, PA 17110.

COLONEL FRANK NOONAN,  
*Commissioner*

[Pa.B. Doc. No. 14-749. Filed for public inspection April 4, 2014, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Actions Taken at March Meeting

As part of its regular business meeting held on March 6, 2014, in Harrisburg, PA, the Susquehanna River Basin Commission (Commission) took the following actions: 1) approved or tabled the applications of certain water resources projects; 2) accepted settlements in lieu of penalty from Inflection Energy, LLC and Talisman Energy USA; and 3) took additional actions, as set forth in the Supplementary Information as follows.

For further information, contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 1306, fax (717) 238-2436, rcairo@srbc.net; or regular mail inquiries may be sent to Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, PA 17110-1788. See also the Commission web site at [www.srbc.net](http://www.srbc.net).

*Supplementary Information*

In addition to the actions taken on projects identified in the summary and the following listings, the following items were also presented or acted upon at the business meeting: 1) an informational presentation from Fish and Boat Commission biologist Josh Tryninewski on efforts to restore migratory fish passage on the lower Susquehanna River; 2) approval of a rulemaking action to revise emergency water use provisions; 3) authorization to execute a memorandum of understanding with the New York State Department of Environmental Conservation regarding coordination of project review; 4) adoption of a final, revised Fiscal Year-2015 budget; 5) ratification of a settlement agreement pertaining to Federal Energy Regulatory Commission (FERC) licensing of York Haven Hydroelectric project and authorization for Commission Executive Director to execute additional contemplated settlement agreements under FERC licensing procedures; 6) extension of an emergency certificate issued to the Department of Environmental Protection; and 7) approval/ratification of two grants, one contract and one agreement.

*Compliance Matters*

The Commission approved settlements in lieu of civil penalty for the following projects:

1. Inflection Energy, LLC, Montoursville Borough Public Water Supply System, Montoursville Borough, Lycoming County, PA—\$14,500.
2. Talisman Energy USA (Wappasening Creek), Windham Township, Bradford County, PA—\$2,250.

*Project Applications Approved*

The Commission approved the following project applications:

1. Project Sponsor and Facility: Aqua Infrastructure, LLC (Tioga River), Hamilton Township, Tioga County, PA. Surface water withdrawal of up to 1.500 mgd (peak day).
2. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Great Bend Township, Susquehanna County, PA. Renewal of surface water withdrawal of up to 0.750 mgd (peak day) (Docket No. 20091201).
3. Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Modification to low flow protection requirements and authorization of additional water uses of the surface water withdrawal approval (Docket No. 20110616).
4. Project Sponsor and Facility: Manheim Borough Authority, Manheim Borough, Lancaster County, PA. Renewal of groundwater withdrawal of up to 0.936 mgd (30-day average) from Well 4 (Docket No. 19830903).
5. Project Sponsor and Facility: Martinsburg Municipal Authority, North Woodbury Township, Blair County, PA. Groundwater withdrawal of up to 0.288 mgd (30-day average) from Wineland Replacement Well 2.
6. Project Sponsor: Old Dominion Electric Cooperative. Project Facility: Rock Springs Expansion, Rising Sun District, Cecil County, MD. Consumptive water use of up to 7.900 mgd (peak day).
7. Project Sponsor and Facility: Old Dominion Electric Cooperative (Susquehanna River), Fulton Township, Lancaster County, PA. Surface water withdrawal of up to 8.700 mgd (peak day).

8. Project Sponsor and Facility: Seneca Resources Corporation (Arnot No. 5 Mine Discharge), Bloss Township, Tioga County, PA. Renewal of surface water withdrawal of up to 0.499 mgd (peak day) (Docket No. 20090908).

9. Project Sponsor and Facility: SWEPI, LP (Susquehanna River), Sheshequin Township, Bradford County, PA. Renewal of surface water withdrawal of up to 0.850 mgd (peak day) (Docket No. 20091202).

10. Project Sponsor and Facility: Talisman Energy USA, Inc. (Fall Brook—C.O.P. Tioga State Forest), Ward Township, Tioga County, PA. Renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20091204).

11. Project Sponsor and Facility: Talisman Energy USA, Inc. (Fellows Creek—C.O.P. Tioga State Forest), Ward Township, Tioga County, PA. Renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20091205).

12. Project Sponsor and Facility: XTO Energy, Inc. (Little Muncy Creek), Moreland Township, Lycoming County, PA. Renewal of surface water withdrawal of up to 0.249 mgd (peak day) (Docket No. 20100313).

*Project Applications Tabled:*

The Commission tabled action on the following project applications:

1. Project Sponsor and Facility: DS Waters of America, Inc., Clay Township, Lancaster County, PA. Application for renewal of groundwater withdrawal of up to 0.115 mgd (30-day average) from Well 6 (Docket No. 20000203).
2. Project Sponsor and Facility: Jay Township Water Authority, Jay Township, Elk County, PA. Application for groundwater withdrawal of up to 0.265 mgd (30-day average) from Brynedale Well #1.
3. Project Sponsor and Facility: Newport Borough Water Authority, Oliver Township, Perry County, PA. Application for groundwater withdrawal of up to 0.162 mgd (30-day average) from Well 1.
4. Project Sponsor: Department of Environmental Protection—Southcentral Regional Office, City of Harrisburg, Dauphin County, PA. Facility Location: Leacock Township, Lancaster County, PA. Application for groundwater withdrawal of up to 0.576 mgd (30-day average) from Stoltzfus Well.
5. Project Sponsor: Department of Environmental Protection—Southcentral 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.
6. Project Sponsor and Facility: Pro-Environmental, LLC (Martins Creek), Lathrop Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.999 mgd (peak day).
7. Project Sponsor and Facility: Susquehanna Gas Field Services, LLC (Susquehanna River), Meshoppen Township, Wyoming County, PA. Application of surface water withdrawal of up to 2.000 mgd (peak day).

*Authority:* Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

*Dated:* March 21, 2014.

ANDREW D. DEHOFF,  
*Executive Director*

[Pa.B. Doc. No. 14-750. Filed for public inspection April 4, 2014, 9:00 a.m.]